

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Friday, July 22, 2022 5:02:49 PM

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## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	eileen
Last Name	broderick
Address1	[REDACTED]
Address2	<i>Field not completed.</i>
City	[REDACTED]
State	[REDACTED]
Zip	20141
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	Rapid growth especially in the western part of the county prsnts the need for review and updating of County zoning that will determine whether Loudoun can continue to provide the necesaary regulations that wuuil preserve its appeal as a place to live, work and do business.
Areas of interest or concern	Uses, Development Standards

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What is your question  
or concern?

Agricultural Operations which include tasting rooms, retail operations. No exceptions to noise ordinances in rural areas that do not apply to the actual agricultural operation of the property should be exempt to noise, lighting, Standards for defining how to easure and submit complaints need to be included

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Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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Email not displaying correctly? [View it in your browser.](#)

**From:** shafi devlanva [REDACTED]  
**To:** [Vernel Taylor](#); [Jonathan](#); [jonniebb@aol.com](mailto:jonniebb@aol.com); [Denise Rodriguez](#); [Andrea Bailey](#)  
**Cc:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] AR-1 zoning comparison to the future and possible ARN zoning  
**Date:** Monday, July 25, 2022 2:06:05 PM

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Greetings to whom it may concern:

We are owners of property within the AR -1 Zoning currently; we understand that within the near future the Board of Supervisors are poised to adopt a Zoning Rewrite and that would change our zoning designation to ARN.

What we are trying to find out is, what are the differences between the two Zones if any? And what will be the "grandfathering triggers" for applications and plan submission? If Any?

Shafi  
[REDACTED]

**From:** Kristin Stewart  
**To:** [DEPT-PZ-ZORW](#); [Melissa Pankas](#); [Jim P](#)  
**Subject:** [EXTERNAL] Brewery, Limited Zoning Ordinance comments  
**Date:** Tuesday, July 19, 2022 4:30:49 PM  
**Attachments:** [image.png](#)  
[image.png](#)  
[image.png](#)

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Hello,

Below is our feedback regarding the regulations for the limited brewery.

Ohana Equestrian Preserve (Ohana Aina LLC) had to go through an expensive and extensive SPMI process to get approval to build and operate our Equestrian Facility. We are subject to complying with the various requirements for building sqft, use, hours, etc. We are not opposed to the Limited Brewery going across the street. However, for the protection of the surrounding homes and businesses we feel that, like us, Limited Breweries should be subject to complying with certain requirements such as agriculture/farm use, hours of operation, maximum capacity, traffic/parking, noise restrictions, exterior lighting restrictions, etc. We feel, a Limited Brewery, is even more "Commercial" than an Equestrian Facility and wonder why they have seemingly no restrictions to comply with when we have restrictions such as closing by 9pm. Even wineries have regulations for hours of operations which, we feel, Limited Breweries should be subject to at a minimum.

Below are examples of requirements we, as an equestrian farm, comply to:

- (3) **Visitors/Customers/Parking Spaces.** The minimum lot area shall increase based on the number of visitors/customers attracted to the use, as follows:

Use	Scope of Use/Event	Lot Area (Minimum)
Level I—small scale	No more than 200 visitors on any one day; no more than 100 vehicles allowed on site at any one time.	5 acres, up to 25

- (4) **Hours of Operation.** Hours of operation for any agriculture support use (direct association) shall be limited to the hours from 6:00 a.m. to 9:00 p.m.

- (C) **Location on Site/Dimensional Standards.** Structures or storage areas of an agricultural support use (direct association) shall be set back from lot lines as follows:

Use	Lot Area (Min.)	Size of Structures (Max.)	Setback from Lot Lines
Level I—small scale	5 to 25 acres	12,000 square feet	60 ft.

Thank you for your consideration,

Kristin Stewart  
*Director of Programs*



[www.virginiahorseback.com](http://www.virginiahorseback.com)

**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Yudd, Charles](#); [Hambrick, Jacob](#); [Stultz, Mark](#); [Lohr, Michelle](#); [TeKrony, Laura](#); [Buffington, Tony](#)  
**Subject:** FW: [EXTERNAL] Comments on housing and land use policies  
**Date:** Tuesday, July 19, 2022 3:41:42 PM  
**Attachments:** [Housing, land use to BOS.docx](#)

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I am forwarding this to the rewrite team but I am also including the CPAM team working on Prime soils. We have heard Chip Speak at several of the meetings, but Susan laid things out very well in this email so I thought I would pass it along.

Thank you.

Warmly,  
Robin

*Robin W. Bartok*

**Robin W. Bartok**

Senior Legislative Aide to Supervisor Tony R. Buffington

Blue Ridge District Supervisor

Loudoun County Board of Supervisors

[robin.w.bartok@loudoun.gov](mailto:robin.w.bartok@loudoun.gov)

[www.loudoun.gov/blueridge](http://www.loudoun.gov/blueridge) \*\*Teleworking – please email

Interested in receiving Supervisor Buffington's electronic Newsletter updates and Alerts? Provide us with your mailing address to begin receiving area specific updates.

**All correspondence is subject to the Virginia Freedom of Information Act (FOIA)**

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**From:** Chip Planck [REDACTED] **On Behalf Of** susanplanck [REDACTED]  
**Sent:** Tuesday, July 19, 2022 3:29 PM  
**To:** BOS <BOS@loudoun.gov>  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] Comments on housing and land use policies

Board of Supervisors, Loudoun County

Please find attached comments on housing and land use policies

Thank you, Susan Planck [REDACTED]

July 19, 2022

To: Board of Supervisors

From: Susan Planck (Wheatland Vegetable Farms. 1978-2010)

Re: Zoning ordinance revision

I have two comments on future development in western Loudoun:

**# 1**

**Please allow and encourage developments with a mix of housing types that can accommodate all income levels.**

Consider encouraging dense development only in historic towns and in their outskirts. Require that such development contain housing for all economic levels, by offering a mix of sizes and attributes, to attract a diverse group of residents, with or without subsidies.

Please see the example of the Parkside development in Buffalo, NY. <https://parksidebuffalo.org/History> Planned by Frederick Law Olmstead and created in in the 1890s, this large neighborhood has remained stable, beautiful, desirable, mixed, and vibrant into the present.

The Parkside neighborhood was designed as a grid of cross streets containing many two-family homes -- "doubles" -- among single-family homes. A "double" is a two-story house with a 1400 sq ft, 3 BR 1 BA "lower" and an identical "upper" on the second floor. Both floors contain windows on four sides, front hallways (with stairs to "upper"), front and back door porches and second interior stairways off kitchens allowing access by both floors to attic and basement. People with lower incomes are renters. Owners with a moderate income may occupy one floor, while renting to a tenant on the other floor. Or an owner may rent out both floors.

Crossing the grid streets in Parkside are avenues -- slightly wider, slightly curved -- containing mainly single-family homes, with larger square footage on somewhat larger lots, some including a carriage house. There is also an occasional one-story house.

Three churches (one with a school), two storefronts, and a public library branch, are located in Parkside, near its edges. The store fronts have the same square footage as the "doubles", with a 3 BR flat on the second floor and a storefront on the first floor. Parkside is flanked by the Buffalo Zoo on the west and Main Street on the east, where there is a public school.

From 1968-73 my husband, Chip, and I owned a two-story single-family house in that neighborhood -- 2800 sq ft, on a tiny lot on the corner of a "street" and an "avenue".

“Doubles” occur in other Buffalo neighborhoods built in the same period. Medical doctors frequently had their offices in in “lowers” in the period when we lived there.

Look also at the highly successful Poundbury development in Dorchester, England, for inspiration, if not for imitation. <https://poundbury.co.uk/wp-content/uploads/2019/08/Poundbury-Factsheet-2019.pdf> “In Poundbury 35% of homes being built are affordable housing for rent, shared ownership or discounted to open market sale. Affordable homes are integrated with private homes and built to the same high specification which makes Poundbury tenure blind.”

Where in western Loudoun could such housing be created? Outside Leesburg? Purcellville? Lovettsville? Middleburg?

## **#2**

### **Please preserve prime soils in western Loudoun.**

Consider preserving western Loudoun’s many areas of prime soils by encouraging the location of new houses allowed under the existing ordinance to occupy smaller lots. Use prime soils necessary for drain fields for these houses. Use prime soils less for extensive lawns and more for required open space.

Please consider making a field trip to observe several examples of recent development on one short stretch of road in western Loudoun. It’s located one mile north of the intersection of Routes 9 and 287. You’ll turn left (west) onto dead-end John Wolford Road. (Enter “38205 John Wolford Rd Purcellville” to get directions.)

On the immediate left going west on John Wolford, you’ll find 400 acres, mostly farmed, stretching one mile between Berlin Turnpike and Purcellville Road. In 1860 this acreage, with 100 acres on the east side of Rt 287, was a dairy farm with Jersey and Guernsey cows. The 400 acres, with excellent soil types, now contain five separate vegetable operations, a herd of Jersey cows, a flower farm, a horse farm, and 100 acres of woods.

On the immediate right on this portion of John Wolford is a new development on Creek Point Court, with nearly 20 houses set well-back from Rt 287.

Continue west on John Wolford to pass on the right houses built in the last 30-50 years on ten-acre lots.

On the left at Planck Lane see two conservancy lots (10 and 40 acres each) owned by working farmers. Next on the left see Cobbett Lane, a “hamlet” of seven 2000 sq ft houses, closely spaced on ¼ acre lots. The seven houses and detached garages, occupy two acres total and are surrounded by eight acres of common open space. The house roofs and main living spaces face



south. Drain fields are located in the open space. My husband, Chip, and I, used the 1993 Hamlet Ordinance to covert our 60 acres into the above uses.

Where John Wolford turns sharply right (north), you'll see "The Ridings" (50 acres total) built in 2021. There are eight houses on two-acre lots, and a ninth house on one of its two 15-acre "rural economy" lots. In the distance to the west, you can see under development, "Short Hills View" (50 acres total) identical to "The Ridings" but accessed via Purcellville Road.

The 400 acres on the righthand side of John Wolford and the newly developed 100 acre at the turn are in large part located on prime agricultural soils.

**Summary:**

**#1 Please allow and encourage developments with a mix of housing types that will accommodate all income levels with or without subsidies.**

**#2 Please consider preserving prime soils in western Loudoun.**

Loudoun County could set examples with these approaches to development.

Thank you for your difficult work.

Susan Planck



**From:** pqweeks [REDACTED]  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Chapter 11 - Definition of the MDOD  
**Date:** Sunday, July 17, 2022 4:05:00 PM

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**Section 4.04 B.1. a. Applicability:** Both the current and the proposed Zoning Ordinance defines the Mountain Development Overlay District (MDOD) on the basis of soil types and steep slopes. The definition is too narrow in that it fails to consider a mountain as one interconnected whole. Defining the MDOD by soil type and steep slopes would result in a patchwork district that would not cover the entire area of a mountain. The MDOD must be defined so as to protect the entire mountain from inappropriate development and use

**Recommendation** — This draft Zoning Ordinance should be revised to define the MDOD geographically. I recommend:

- - that the entirety of the elevated terrain above that boundary should be included in the MDOD.
  - that this MDOD's boundary should be defined to follow around the base of the mountain; and
  - that there should be only one MDOD that includes the entirety of any mountain.

A mountain's base should be defined as that encompassing line where the surface slope at a mountain's base first exceeds 8%. [Generally, this 8% slope boundary can be obtained from USDA soil type maps.]

This definition will result in a clearly defined, contiguous MDOD that overlies the entire mountain region, above where the flat or undulating land at its base first steepens to form the elevated mountainous terrain.

Peter Weeks

[REDACTED]

**From:** Will Nisbet  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Comment on Zoning Ordinance  
**Date:** Monday, July 11, 2022 10:55:38 AM

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Dear County ZOR Staff,

I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our vast and varied historic resources. I sincerely appreciate the hard work you all are doing, and understand you must be inundated with feedback, but we must take this opportunity to safeguard Loudoun's identity which attracts tourists and improves the lives of residents.

Considering the big picture, I implore you to focus on the following priorities:

1. *Reduce development and density in the Rural Policy Area*
2. *Protect Loudoun's historic villages and districts*
3. *Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape*
4. *Define and install protections for our vast historic resources*

More specifically, I request the following changes:

1. *Section 2.04.01:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 25 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres."
2. *Section 2.04.02:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural South district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 50 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 30 acres; Cluster Subdivision Option – 1 dwelling unit per 25 acres."
3. *Section 4.07:* "Each of Loudoun County's historic villages is unique, and each needs its own Small Area Plan. It is critical that the County commit to providing support and working with each village to create Small Area Plan, so that the unique character of each village is preserved in accordance with the Loudoun County 2019 Comprehensive Plan."
4. *Section 5.04.01:* "In order to ensure adequate open space is included whenever development is present, remove the following text from section

5.04.01.B.5: ‘Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.’”

5. *Section 5.07.04*: “In order to establish strict standards to protect the historic integrity of the county’s historic cemeteries, remove the following text in section 5.07.04.D.5: ‘The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.’”

6. *Section 11.03.H*: “The zoning ordinance does not define the word “historic.” It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation.”

Thank you for your time and consideration.

Respectfully,  
Will Nisbet

**From:** Jeanee Layman  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Comments Regarding Transition Area "Donut-Hole"  
**Date:** Sunday, July 17, 2022 4:06:08 PM

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Hello, Zoning rewrite team,

First, thank you for tackling this crucial issue. Loudoun residents have a lot of hardship to endure with the high price of living and lack of affordability in our area. Unfortunately, we've lost a lot of teachers since the pandemic and most of the past reasons for that can't be fixed, but if we could help builders build some affordable housing and lower priced homes, we should be able to give our public servants and teachers some places to live close to their jobs.

I'm writing about the land referred to lately as the donut-hole near Brambleton Golf Course and the Beaverdam Reservoir. There is approximately 600-800 acres there off Evergreen Mills Road where my family lives, as well as, about twenty other landowners. I imagine that some or all of these families would be open to selling their land to a builder or to a corporation at a reasonable price per acre, but the zoning has stayed one house per ten acres- even though the land has fiber and accessibility to public water on all sides (neighboring Evergreen Reserve, Martins Chase, Green Mill Preserve.) The donut-hole area extends down to Watson from Ryan Road which is only a mile or so from the NOVEC substation. If you would consider higher density residential zoning then a few builders could invest and build and not have to make the house prices so high because they had to spend so much during the rezoning process. Also, data center companies and a few corporations are interested in this land for future campuses. If they were to be allowed to build here, their buildings would be out of view from the road and any houses while also offering land near the road for affordable housing use.

Please consider rezoning this donut-hole of 600-800 acres surrounded by neighborhoods. As far as I know, it's the largest area of land next to Brambleton and it's the only area of land that has public water only a few feet away. It's also only a few miles from the subway station Silver Line.

Thank you,  
Jeanee Layman

**From:** Zach  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Concerned Village Resident!  
**Date:** Sunday, July 17, 2022 8:43:58 AM

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Good morning!

I am writing to share my concerns about the future of Loudoun’s beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our important historic resources. These resources provide cultural and recreational activities for all Loudoun County residents and have a positive fiscal impact on the County. I appreciate the hard work being done on these matters and believe it is of critical importance to focus broadly on the following matters:

- *Protect Loudoun’s historic villages and districts, including during the period prior to completion of Comprehensive Plan mandated criteria to officially designate rural historic villages and complete small area plans.*
- *Reduce the ease of approval for uses and use exceptions that compromise the scenic and historic integrity of our landscape.*

Our specific recommendations are:

**Chapter 3 Uses**

**Principal Use Table 3.02.02-3**

DISCUSSION

A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center	Death Care Business	Retail, General
Commercial Winery	Farm Machinery Business	Public Safety Facility
Country Inn	Civic Buildings	Sawmill
Banquet/Event Facility	Schools	Slaughterhouse

RECOMMENDATION

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.
- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special

Exception.

## **Chapter 4 Overlay Districts**

### **Section 4.07 Village Conservation Overlay District**

“Purpose”

DISCUSSION

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

RECOMMENDATION

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*

#### **CURRENT LANGUAGE**

##### **“A. Applicability.**

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

#### **CURRENT LANGUAGE**

##### **“B. District Boundaries.**

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

#### **CURRENT LANGUAGE**

**“C. Expansion of VCOD Boundaries.**

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

**Section 4.08 Historic Districts**

**H. Right to Raze or Demolish.**

DISCUSSION

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

RECOMMENDATION

**NEW SECTION: Protection of Stone Walls in Beaverdam Creek Historic District**

In order to better protect the stone walls and historic roads that comprise the Beaverdam Creek Historic District, property owners, non-profits, Loudoun County residents, and County government entities shall be entitled to place Beaverdam Creek Historic District signage in the public right-of-way. Such signage shall note the historic and protected status of the area and covered improvements and shall include telephonic and internet resources for obtaining more information and reporting threats to protected Beaverdam Creek Historic District walls and roads appropriate public officials.

**I. Hazardous Conditions.**

DISCUSSION

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

RECOMMENDATION

Require a notice/cure provision before razing or demolition is possible. Cure period should be substantial if reasonable demonstration can be made that people are reasonably protected from unsafe conditions.

**Chapter 5 Adaptive Reuse**

**B. Eligibility.**

RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

- 1. Identified as historically significant by being:
  - a. Designated as a National Historic Landmark; or



- b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or
- c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or
- d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC.

**Section B.3** Delete "... and the prior use or uses in the structure are obsolete or economically nonviable."

**Section B.3** Delete a. through c.

**Standards and Requirements / Section C** We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning setbacks or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

**C** In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

**D. Permitted Uses.**

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

**E. Adaptive Reuse Incentives.**

In addition to nonconforming lot or structure allowances pursuant to Chapter 9, projects that are eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.

Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

**Chapter 9 Nonconformities**

**B.2 Discontinuation of Nonconforming Use.**

PROVISION

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

RECOMMENDATION

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the

retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

Thank you for your time and consideration!

Respectfully,

**Zach Roszel**

[REDACTED]

[REDACTED]

**From:** Christina Berry  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Concerns over proposed Loudoun County Zoning  
**Date:** Sunday, July 17, 2022 8:37:20 PM

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Dear County ZOR Staff,

I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our vast and varied historic resources. I sincerely appreciate the hard work you all are doing, and understand you must be inundated with feedback, but we must take this opportunity to safeguard Loudoun's identity which attracts tourists and improves the lives of residents.

Considering the big picture, I implore you to focus on the following priorities:

1. *Reduce development and density in the Rural Policy Area*
2. *Protect Loudoun's historic villages and districts*
3. *Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape*
4. *Define and install protections for our vast historic resources*

More specifically, I request the following changes:

1. *Section 2.04.01:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 25 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres."
2. *Section 2.04.02:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural South district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 50 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 30 acres; Cluster Subdivision Option – 1 dwelling unit per 25 acres."

3. *Section 4.07*: “Each of Loudoun County’s historic villages is unique, and each needs its own Small Area Plan. It is critical that the County commit to providing support and working with each village to create Small Area Plan, so that the unique character of each village is preserved in accordance with the Loudoun County 2019 Comprehensive Plan.”
4. *Section 5.04.01*: “In order to ensure adequate open space is included whenever development is present, remove the following text from section 5.04.01.B.5: ‘Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.’”
5. *Section 5.07.04*: “In order to establish strict standards to protect the historic integrity of the county’s historic cemeteries, remove the following text in section 5.07.04.D.5: ‘The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.’”
6. *Section 11.03.H*: “The zoning ordinance does not define the word “historic.” It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation.”

Thank you for your time and consideration.

Respectfully,

Christina Marchetti-Berry

**From:** Michael Wright  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] congregate housing  
**Date:** Friday, May 27, 2022 1:44:51 PM

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To Whom It May Concern:

I strongly object to changing current residential zoning parameters to add congregate facilities with a special permit. AR rural zones are incompatible with a commercial environment. During the Zoning Ordinance Rewrite Public Engagement Meeting on May 2, staff member Judi Birkitt stated that adding congregate uses appeared to be an error, can you confirm it was an error and that congregate facilities will not be permitted in rural zones?

Thank you,

Lynne Wright

**From:** Pamela Donehower  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Draft Zoning Ordinance Comment to ZOR Staff  
**Date:** Wednesday, July 13, 2022 8:55:18 AM

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Dear County ZOR Staff,

As a longtime Loudoun Citizen and Certified Tourism Ambassador, deeply concerned about the future of Loudoun's beautiful historic landscape, I strongly urge the revising of the zoning ordinance to appropriately protect our vast and varied historic resources.

I sincerely appreciate the hard work ZOR Staff is doing, and understand you must be inundated with feedback, but we must take this opportunity to safeguard Loudoun's identity which not only \*attracts tourists, but vastly improves the lives of residents.

\*Loudoun Open Space is the Number One Tourist Attraction

Considering the big picture, I implore you to focus on the following priorities:

1. *Reduce development and density in the Rural Policy Area*
2. *Protect Loudoun's historic villages and districts*
3. *Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape*
4. *Define and install protections for our vast historic resources*

More specifically, I request the following changes:

1. *Section 2.04.01:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 25 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres."
2. *Section 2.04.02:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural South district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 50 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 30 acres; Cluster Subdivision Option – 1 dwelling unit per 25 acres."
3. *Section 4.07:* "Each of Loudoun County's historic villages is unique, and each needs its own Small Area Plan. It is critical that the County commit to providing support and working with each village to create Small Area Plan, so that the

unique character of each village is preserved in accordance with the Loudoun County 2019 Comprehensive Plan.”

4. *Section 5.04.01*: “In order to ensure adequate open space is included whenever development is present, remove the following text from section 5.04.01.B.5: ‘Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.’”
5. *Section 5.07.04*: “In order to establish strict standards to protect the historic integrity of the county’s historic cemeteries, remove the following text in section 5.07.04.D.5: ‘The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.’”
6. *Section 11.03.H*: “The zoning ordinance does not define the word “historic.” It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation.”

Thank you for your time and consideration.

Respectfully,

Pamela Stokes Donehower



**From:** Scott Reynolds  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Farm Definition comment  
**Date:** Saturday, July 16, 2022 1:01:48 PM

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I think the definition of farm needs to be improved. We've farmed in Loudoun for decades and my definition below would be easy to meet for true farms.

The definition of a farm should be larger than 5 acres. I would recommend 20 contiguous acres at a minimum. Allowing non contiguous or non abutting acres to be counted is an enormous loophole. The acreage should be contiguous and/or abutting and at least 80% of the acreage dedicated to the commercial production of crops, raising of animals for agricultural purposes or comprised in part of open space or forest as defined by the county land use requirements. A bonafide farm will meet these thresholds easily.

Thank you so much for consideration of my comment!

Best regards,

Scott Reynolds





**From:** Jerry Krumwiede  
**To:** [Kershner, Caleb](#); [Carey, Stacy](#); [DEPT-PZ-ZORW](#)  
**Cc:** [Wegener, Brian](#); [loiskrumwiede@gmail.com](mailto:loiskrumwiede@gmail.com); [Randall, Phyllis](#)  
**Subject:** [EXTERNAL] FW: From District Supervisor Caleb Kershner  
**Date:** Monday, May 2, 2022 7:56:31 AM

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Rep Kershner:

Is the plan the Loudoun Department of Zoning and Planning proposes, if approved, tailored to permit Congregate Housing in AR-1?

Read twice: "Lois and Jerold Krumwiede are against this ordinance approval. "

The Loudoun County Department of Zoning and Planning, as chartered, has no resources(people, processes, funds) to enforce any compliance of the constraints of any Congregate Housing use. As we have learned from Newport Institute establishments in other US locations, for profit companies bend the rules with money to make money.

DO NOT APPROVE THIS ORDINANCE!!!!

Jerry Krumwiede, PMP



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**From:** Protect Loudoun [<mailto:protectloudoun@gmail.com>]  
**Sent:** Sunday, May 1, 2022 10:51 PM  
**To:** Protect Loudoun  
**Subject:** From District Supervisor Caleb Kershner

This is just going to a few of you if you have time tomorrow night....

Per an email from Catoctin District Rep. Caleb Kershner, there is a virtual meeting TOMORROW, Monday May 2, where Zoning is proposing to ADD congregate facilities as a special use permit to residential zones....Information on how to join that meeting and speak up against that motion is also below. Please register before noon tomorrow to speak if you are available.

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From Caleb:

As I mentioned in [last week's news alert](#), Loudoun has published the [first draft](#) of our updated zoning ordinance. That kicked off a 90-day review period, designed to give you (and me) time to read through the draft, mull it over, and share feedback and impressions.

County staff gave three open house meetings about the ordinance in April. The fourth open house meeting will be held virtually on **Monday, May 2, from 6:00–8:00 PM.**

- **WHAT:** An open house style meeting, where you can ask questions and give comments on the draft ordinance. You can sign up to speak by [emailing staff](#), or by **calling 703-777-0246, option 5**, before **noon** on May 2.

- **WHEN:** Monday, May 2, from 6:00–8:00 PM
  - **LINK:** The Webex link & access code are provided [here](#).
- 

Thanks,

Protect Loudoun Admin

**From:** Jerry Krumwiede  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] FW: STOP BIG REHAB in Ag District AR-1/AR North  
**Date:** Tuesday, May 24, 2022 9:38:00 AM

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Jerry Krumwiede, PMP

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**From:** Jerry Krumwiede [mailto:jkrumwiede@verizon.net]  
**Sent:** Tuesday, May 24, 2022 9:39 AM  
**To:** 'zorw@loudoun.gov'; 'DEPT-PZ-ZORW@loudoun.gov'  
**Subject:** STOP BIG REHAB in Ag District AR-1/AR North

Ms Judy Birkitt  
Leaders of ZORW

The For Profit Newport Institute has requested that the following code of Virginia 15.2, 15.2-2291, i.e., Congregate Housing”, be allowed for use after their purchase of Dusault-Crowe properties located in AR-1 Agriculture Rural District 1, on Gleedsville Rd: 20191, 20179, and 20173 Gleedsville Rd.

**Congregate Housing is not allowed for residential use in AR -1.**

Do not approve this Newport Institute request for this unauthorized residential use in AR-1.

Newport Institute residential use of these properties will endanger the neighbor property owner residents. Under the for profit use of these Newport Academy properties, these properties will house young adults, ages 17 -26, suffering mental illness, substance abuse, alcoholism, depression, etc.

Since Loudoun County has no resources to examine the total number and daily status of these for profit patients, Newport Institute has no limit on the patients living in each facility, nor the joint activity of these confined clients taking place in the total property complex.

Client inmates will have every opportunity to wander from their resident areas. There is every risk patients will leave the limits of AR-I and intrude on the proprieties of neighbors. This age group is undisciplined and eager to determine if the “rules” can be broken. Client inmates may also steal neighbor automobiles/other vehicles parked in neighbor driveway, “to get out of here”, or enter neighbor homes or act to intrude

on neighbor activities. A Farm Less Ordinary is an activity that could be intruded upon at a danger of immediate harm to residents on the AFLO site. The highest risk is if any mental disarranged inmate under treatment covertly obtains a firearm or other dangerous weapon. Legal action after the fact is not a solution to the person(s) that suffer the injury. Calling "911" is always too late.

Every neighbor resident is in danger to intrusion of these addictive residents, 24/7. Every day addictive clients reside in AR-1, is a day of intrusion safety of concern to the neighbors. The fact is that there is nothing that Loudoun County Government can do to ensure neighborhood safety, **except of course**, to disapprove Newport Institute occupancy of the Dusault-Crowe properties for mental health treatment centers and use.

**Do Not approve the 'for profit' Newport Institute request for Congregate Housing residential use in AR-1!**

Jerry Krumwiede, PMP



**From:** Jerry Krumwiede  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Gleedsville Rd Resident inputs  
**Date:** Thursday, May 5, 2022 7:30:09 AM

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Zorewrite

How do Gleedsville Rd residents send in an input to this zoning effort?

Jerry Krumwiede, PMP



**From:** Robin Short  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Loudoun Comments on zoning  
**Date:** Saturday, July 9, 2022 9:56:12 AM

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Dear County ZOR Staff,

I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our vast and varied historic resources. I sincerely appreciate the hard work you all are doing, and understand you must be inundated with feedback, but we must take this opportunity to safeguard Loudoun's identity which attracts tourists and improves the lives of residents.

Considering the big picture, I implore you to focus on the following priorities:

1. *Reduce development and density in the Rural Policy Area*
2. *Protect Loudoun's historic villages and districts*
3. *Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape*
4. *Define and install protections for our vast historic resources*

More specifically, I request the following changes:

1. *Section 2.04.01:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: **Base Density Division Option – 1 dwelling unit per 25 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres.**"
2. *Section 2.04.02:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural South district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 50 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 30 acres; Cluster Subdivision Option – 1 dwelling unit per 25 acres."
3. *Section 4.07:* "Each of Loudoun County's historic villages is unique, and each needs its own Small Area Plan. It is critical that the County commit to providing support and working with each village to create Small Area Plan, so that the unique character of each village is preserved in accordance with the Loudoun County 2019 Comprehensive Plan."
4. *Section 5.04.01:* "In order to ensure adequate open space is included whenever development is present, remove the following text from section 5.04.01.B.5:

‘Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.’”

5. *Section 5.07.04*: “In order to establish strict standards to protect the historic integrity of the county’s historic cemeteries, remove the following text in section 5.07.04.D.5: ‘The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.’”

6. *Section 11.03.H*: “The zoning ordinance does not define the word “historic.” It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation.”

Thank you for your time and consideration.

Respectfully,

Robin Short



**From:** Grace-Marie Turner  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Loudoun County Rezoning  
**Date:** Monday, July 18, 2022 7:52:22 PM

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Dear County ZOR Staff,

I am writing concerning your work to revise and update the current Loudoun County zoning ordinance. A part of the new ordinance includes regulations for development in the western part of the county where I live, and I believe it is critical that the changes protect the historic and scenic integrity of this Heritage Area.

The zoning revision process presents a unique opportunity to appropriately protect our vast and varied historic resources, to safeguard Loudoun's identity, and to continue to attract tourists and improve the lives of residents.

I ask you to adhere to the following priorities in your work to revise the Loudoun County zoning ordinance:

1. *Reduce development and density in the Rural Policy Area*
2. *Protect Loudoun's historic villages and districts*
3. *Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape*
4. *Define and install protections for our vast historic resources*

More specifically, I request the following changes:

1. *Section 2.04.01:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 25 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres."
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County 2019 Comprehensive Plan.”

4. *Section 5.04.01*: “In order to ensure adequate open space is included whenever development is present, remove the following text from section 5.04.01.B.5: ‘Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.’”
5. *Section 5.07.04*: “In order to establish strict standards to protect the historic integrity of the county’s historic cemeteries, remove the following text in section 5.07.04.D.5: ‘The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.’”
6. *Section 11.03.H*: “The zoning ordinance does not define the word “historic.” It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation.”

Thank you for your time and consideration.

Grace-Marie Turner



**From:** Derrick Sutter  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Loudoun County Rezoning  
**Date:** Monday, July 18, 2022 4:50:54 PM

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Dear County ZOR Staff,

I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our vast and varied historic resources. I sincerely appreciate the hard work you all are doing, and understand you must be inundated with feedback, but we must take this opportunity to safeguard Loudoun's identity which attracts tourists and improves the lives of residents.

Considering the big picture, I implore you to focus on the following priorities:

1. *Reduce development and density in the Rural Policy Area*
2. *Protect Loudoun's historic villages and districts*
3. *Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape*
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More specifically, I request the following changes:

1. *Section 2.04.01:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 25 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres."
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6. *Section 11.03.H*: “The zoning ordinance does not define the word “historic.” It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation.”

Thank you for your time and consideration.

Respectfully,

Derrick Sutter



**From:** Howard Lewis  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Loudoun County Zoning  
**Date:** Monday, July 18, 2022 3:04:01 PM

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I am writing today to express my concern about the rewriting of the Zoning Ordinance. I hope that the Board of Supervisors will continue to protect the integrity of the open land in Western Loudoun. It is a valuable resource for all who live in Loudoun and cannot be replaced if it is destroyed or if incompatible uses are allowed to be implemented. I urge all concerned to consider the future of the area and vote to conserve what exists for all Loudoun residents to enjoy.

Sincerely,  
Phillipa Lewis

[REDACTED]

[REDACTED]

**From:** Gillian Sims  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Loudoun County's Zoning Ordinance.  
**Date:** Monday, July 18, 2022 8:24:35 AM

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July 17, 2022

Dear Loudoun County Board of Supervisors:

I am writing to you with the request to revise the county's zoning ordinance to facilitate the protection of unique historic rural villages such as Unison, Bluemont, Philomont and others. These old and historical Loudoun County villages are an important piece of the county's history and heritage and should be protected as such. If development is allowed to encroach upon these countryside jewels, then much of Loudoun's agricultural and rural beauty will be lost forever. The beauty of the farms and rural nature of western Loudoun has always been one of the county's best features. Indeed, in recent years this has proven to be a huge draw for tourism and economic gain for the county, but once these rural landscapes are developed and turned into mini suburbia areas, that magic of western Loudoun will disappear forever. Loudoun will be just another Fairfax County where the beauty of the rolling fields, wildlife, and historic villages can only be recollected in stories told by the old. I ask you, is this really progress? Is this how we protect our history for future generations?

Please keep western Loudoun rural and protect the historic villages. Protect the very heritage of this county and state. Keep Loudoun a county that people want to visit and live in because of its combination of amenities in the eastern half and the historical charm and beauty of its rural western half.

Sincerely,

Gillian Sims

[REDACTED]

[REDACTED]

**From:** Nat White  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Loudoun Zoning Ordinance Review.  
**Date:** Sunday, July 17, 2022 4:08:07 PM

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*Thank you for the opportunity to comment on the Loudoun County Zoning Ordinance Rewrite process.*

*My principal concern relates to what I consider to be insufficient oversight of “farm breweries” that serve beer and may host events and food trucks with little or no restrictions as long as they are situated on land designated as “agricultural,” such as one in the planning stage which overlooks and is near my property off of route 704.*

*Its parking lot, brewery, tap rooms and outdoor seating would be located approximately 1,500 feet from my home on Piggott Bottom Rd in Hamilton (and even closer to several of my neighbors). It would sit on a 17 acre vacant lot that has been treated as a dump site, is in active violation of at least one county land use ordinance, and has seen no farming activity on-site for many years.*

*In effect, the current by-right treatment of “farm breweries” is in effect enabling the placement of bars throughout Loudoun County without many of the limitations that are typically applicable to drinking establishments proposed in many other portions of the County.*

*Major categories of concerns I and many of my neighbors – would like to see addressed by the ZOR rewrite can be summarized as:*

- *Greater limitations on site development intended for multiple, high-intensity uses (e.g. commercial-scale brewing, tap rooms, events, etc.);*
- *Varying permitted uses according to activity intensity and lot size;*
- *Definition of agriculture operations/farms as they would pertain to “farm breweries;”*
- *Improvements in noise and light pollution and enforcement of ordinances;*
- *Increased requirements for projection of well water use, process effluents, volume of patrons, traffic, parking, pedestrian crosswalks etc.,*
- *Streamlined and clarified mechanisms for monitoring, reporting and enforcement of applicable County rules and regulations.*

*To be specific, and to minimize redundancy, below are comments previously submitted by others that I have reviewed and support:*

*5.01.03. SITE DEVELOPMENT, USES ON LOTS. MULTIPLE USES.*

*Where two or more primary uses are located on one parcel the required parcel size should be evaluated to be the sum of all minimum lot sizes (similar to parking) rather than the current requirement that the acreage meet only the size requirement for the largest use. Alternatively, if more than one primary use is applied for, the application should be reviewed via a site plan/visit with consideration given to intensity of use (volume of patrons, parking, traffic, noise, lighting, etc.) to confirm acreage for multiple uses*

*5.08.01.C: PERFORMANCE STANDARDS. This section states that the regulations contained in the Performance Standards area do not apply to Agricultural Operations. Language should define "Agricultural Operations" and consider changing to bonafide production agricultural operations rather than merely the term "agricultural" which is too broad a term. This exception should not apply to tasting rooms or other retail operations. Only the bona fide agricultural operation portion of the business and property should be included in 5.08.01.C. as an exception to noise and lighting standards.*

*5.08.04 Performance Standards - Noise. Noise control is problematic. For business uses and residents it requires better distinctions for who responds (Sheriff? Zoning Enforcement?) to what types of complaints; when are investigations conducted by the Sheriff or Zoning Enforcement (upon complaint? by appointment only for weekends?); and should more clearly state how and from where the noise level is determined. In addition, it should also include better education for the public for how to submit and receive status of a complaint, as well as opportunities for businesses to reduce unwarranted complaints.*

*5.08.04 PERFORMANCE STANDARDS. NOISE. EXEMPTIONS.*

*There should be a section that lists what sounds are prohibited and at what times they are prohibited. Time limits should be added to this section or should there be a reference to time limit information.*

*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 to the noise standards listed consistently across ALL uses, and therefore provides insufficient 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 are well-known, (documented impacts via LEx complaints, emails and letters over many years), the rewrite should address how and when this will be reviewed and rectified.*

*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?*

*5.08.05.C PERFORMANCE STANDARDS. SPECIAL EXCEPTION REVIEW FOR LIGHTING THAT DOES NOT COMPLY WITH STANDARDS. Should add: "Neighborhood meetings are required."*

*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?*

*5.08.01.d.1: PERFORMANCE STANDARDS. This section describes what data 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.*

*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." The term "external effects" is a term that 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?"*

*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?*

*5.09.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?*

*5.09. 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 5.09.01 Road Access Standards (former Table 5-654) no longer states that Vehicle trips Per Day are to be "calculated," which is good. However, it now states that Vehicle Trips per Day (VTD) must be "determined by traffic study if required. Traffic studies are common for large developments in SPA, TPA and possibly 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 will it be evaluated? When is compliance confirmed? Or will it remain – as has been in the past – 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 gathered during permitting, county approvals of permits without verification, and lax enforcement for traffic levels that should have required special exception review. Why rewrite a Zoning Ordinance if the known issues will not be addressed and fixed?*

Thank you for your consideration.

**Nathaniel A. White II DVM MS DACVS**



**From:** pqweeks [REDACTED]  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Mountain Overlay District - Enforcement  
**Date:** Tuesday, July 12, 2022 9:53:00 AM

---

Dear County Staff,

Without proper enforcement the zoning ordinances are ineffective in the MDOD.

The key is to establish stiff penalties to discourage violations, and when they are identified, that the violator be compelled by the ordinance to return the land to its original condition.

One brewery violator remarked that the insignificant fine he received for clear-cutting and disturbing the ground soil off of Route 601 was "the cost of doing business."

That mindset with developers must change - the financial liability must dissuade violators - word will get around quickly to not mess with the ordinances.

Thank you for your efforts,

Peter Weeks

[REDACTED]

**From:** Tiffany  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] OBJECT to congregate facilities in rural Loudoun!  
**Date:** Sunday, June 19, 2022 5:03:03 PM

---

I, along with many other Loudoun residents, strongly object to changing current residential zoning parameters to add congregate facilities with a special permit. AR rural zones are incompatible with that type of commercial environment.

During the Zoning Ordinance Rewrite Public Engagement Meeting on May 2, staff member Judi Birkitt stated that adding congregate uses appeared to be an error, can you confirm it was an error and that congregate facilities will not be permitted in rural zones?

Please provide a response to confirm you are not planning to move forward with this outrageous zoning change.

A ver concerned tax payer,

Tiffany Maddens

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Tuesday, June 7, 2022 7:07:37 PM

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## Zoning Ordinance Rewrite

### Project Overview

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Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Blanca C
Last Name	Spencer
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	That increased density be designated for the area of the Res Hill area, previously known as Q1, consistent with previous Planning Commission and staff recommendations for the area.
Areas of interest or concern	Zoning Districts, Development Standards

What is your question or concern?

I am writing to request increased density be designated for the area previously known as Q1, consistent with previous Planning Commission and staff recommendations for the area. Our family has owned the largest parcel of almost 40 acres at the corner of Red Hill and Evergreen Mills Rd since 1975. I am grateful for Board's direction that staff consider this area for incorporation into the Transition Policy area. However, I am deeply concerned that higher density might not be a consideration for this area and our property under this process. For over 45 years we have seen the high density development surrounding our property, with the establishment of Brambleton less than a mile to the east, the Green Mill Preserve community less than a 10th of a mile to the north, the less than quarter-acre Red Hill Manor homes bordering our land to the west, and the new primary, middle and high school campus literally across the street from our property, to the south. As we are enveloped by high density housing and amenities such as county water and sewer, it is appropriate that our property, the largest in the Red Hill neighborhood of the Blue Ridge district, be considered for higher density and "Small Lot" place type with county water and sewer.

I actively participated throughout the Planning Commission's community input process, and have submitted numerous comments to the Board to request higher density by email and in person. As my family had planned to construct housing on our parcel, but awaited county water and sewer and higher density to subdivide our lot, my father passed away never being able to fulfill his vision for our land.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Wednesday, April 20, 2022 6:59:33 AM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	John
Last Name	McClintic
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	<i>Field not completed.</i>
Areas of interest or concern	Zoning Districts, Uses

What is your question  
or concern?

We need sliding-scale zoning to avoid the issues surrounding house-packing. Townhouses and apartments should be prohibited unless in a town or city to ensure services adequate for people living that close together exist. It was never intended for counties to operate like cities and towns.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Wednesday, April 20, 2022 10:02:56 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	alex
Last Name	paris
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	adjust so that homes zoned agriculture can use their homes for ag usage regardless of HOA.
Areas of interest or concern	Uses, Definitions and Rules of Interpretation



What is your question  
or concern?

adjust so that homes zoned agriculture can use their homes for  
ag usage regardless of HOA.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Friday, July 1, 2022 7:26:27 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Melanie
Last Name	Voght
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	N/A

Please provide general comments on the Zoning Ordinance Rewrite.

It looks like restrictions will be placed on breweries/craft beverage manufacturing in the rural AR3 areas. I support this. This is manufacturing, not agricultural. Hours should be limited to keep evening traffic lower.

I would like the county to follow the recommendations of the Loudoun County Equine Alliance with regards to the Uses in

Chapter 3. Equine livery and event should both be under agriculture (vs. Ag support).

I agree with the recommendations on Chapter 5 - Development standards

In chapter 11 - definitions, these should be clarified  
An indoor riding arena should not count towards allowable square footage, or should not be considered an accessory building. It should be an agricultural structure.

Under stable, private. There is no reason to add a limitation on the instructor, this serves no useful purpose.

---

Areas of interest or concern

Zoning Districts, Uses, Overlay Districts, Definitions and Rules of Interpretation

---

What is your question or concern?

I have serious concerns that Loudoun county is losing the equestrian character that brought many to live here. As the county has allowed unfettered development to the east of Rt. 15, and appears to be allowing it to continue.

I would like the rural and agricultural nature of western Loudoun to be maintained.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Tuesday, July 5, 2022 1:24:01 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Chris
Last Name	Van Vlack
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	Catoctin
Please provide general comments on the Zoning Ordinance Rewrite.	<i>Field not completed.</i>
Areas of interest or concern	Definitions and Rules of Interpretation

What is your question or concern?

11.03. DEFINITION OF "FARM." Staff proposed text, "Farm: An agricultural use of one or more parcels of land, whether abutting or not, having a minimum of 5 acres and operated under the same ownership or stewardship, used for the production, cultivation, growing, harvesting or processing of agricultural or horticultural products or for animal husbandry purposes. Also reference "Agriculture, Bona Fide."

2022 Round 3 Input: The proposed definition does not clearly state the requirement for production on the 5 acres. Need to make sure "processing" in and of itself doesn't make a property a "farm." A farm can "process," but that singular action in the definition does not define a "farm." Example: A business only processing ingredients not grown on the parcel to process a beverage (e.g., wine, beer, spirits) is not a "farm."

2022 Round 3 Input: Because agricultural processing is a separate use, there is no need to include "processing" in the definition of farm. Delete processing from the definition. That way processing could be permitted on a farm, but solely processing wouldn't MAKE a property farm.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Tuesday, July 5, 2022 2:37:46 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Chris
Last Name	Van Vlack
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	Catoctin
Please provide general comments on the Zoning Ordinance Rewrite.	<i>Field not completed.</i>
Areas of interest or concern	Overlay Districts

What is your question or concern?

Procedures, permit requirements and handoffs between departments must be reviewed and "fixed." To create a mechanism for enforcement, the ZO requirements must require the prerequisite information for full development plans be submitted before grading permits are granted. Similarly, grading permits relying on "Forest Management Plan" must include mechanisms for on-site review/inspection to not allow site clearing on mountainside as a loophole for residential or business site preparation without permits.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Wednesday, July 6, 2022 8:12:31 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Adrienne
Last Name	Roy
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Algonkian
Please provide general comments on the Zoning Ordinance Rewrite.	Please include horseback riding and equestrian activities in the proposal for the linear park and retail system
Areas of interest or concern	Zoning Districts



What is your question  
or concern?

Please include horseback riding and equestrian activities in the  
proposal for the linear park and retail system

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, July 7, 2022 3:57:02 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Kim
Last Name	Rapp
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

We need to protect the quality of life of rural residents. In particular the noise regulations. The current noise ordinance was established based on a report that was carried out in the winter. Consequently, event the author said that it does no address the noise created by the Events that are held in the rural areas. To have a noise ordinance that is measured inside your house with the doors and windows shut is ridiculous. We need to relook at the noise as clearly the one we have does not protect the health

and welfare of the residents.

---

Areas of interest or concern

Uses

---

What is your question or concern?

---

Noise.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, July 7, 2022 4:40:31 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Kim
Last Name	Rapp
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	Traffic. The traffic on rural roads that were no designed to support the volume.
Areas of interest or concern	<i>Field not completed.</i>

What is your question  
or concern?

Traffic on the rural roads. In particular the junction of route 7 and Clayton Hall road. Many accidents happen there and this past Monday we had a fatality. Something needs to be done before we have another it is a horrid junction.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Friday, July 8, 2022 4:32:41 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Robin
Last Name	Frank
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Leesburg

Please provide general comments on the Zoning Ordinance Rewrite.

I read through the document and do have a few thoughts. I agree that there is much unmet housing needs here Loudoun County and it's great that they have decided to re-draft the ZO but each change should be supported by the goal of the proposed change since they did not choose to go the redline route.

1. Demographics / Census - It seems that Loudoun County demographics and/or census could be used to support, or not

support, how these things will help UHNSP. (i.e. how will the age demographic change from 2010 – 2022 and how does it show it's trending in 2022 – 2035). These reports may also show the number of household vehicles earning below the average AMI living within Loudoun County from the last census. Also the average number of household vehicles for those at or above AMI. With this information they builder could be required to have less parking due to the number of efficiencies, 1 brms and 2 brms than if 95% are 3 bedrooms or more. That kind of sliding scale may encourage more smaller units to be built if costs for parking and ??? are reduced.

2. I disagree that builders or landowners should have no limit on the number of allowable levels. As soon a 7-10 story building blocks other people's views of the mountains it will be an issue. I would think that offering a builder one additional level for 20% or more 1- and 2-bedroom units would be incentive to build these into the building plans approved. Maybe even fast track builders who propose the largest number of ADU / or smaller units within a set price per bedroom?

3. To preserve the Historic District charm, and tireless regulations I would think that some items should not be allowed in that foot print (i.e. a new manufactured home on a permanent foundation for instance).

4. Manufactured homes on permanent foundation – Selling real estate in Florida I probably know more about these structures then many. I think having a manufactured home subdivision is not a bad thing and could offer more affordable dwelling units to the county. I don't think they should be touted as a trailer park as that is not likely the appearance based on the required foundation, square footage requirements, and lot located on (if done right). Silver Oaks for instance.

5. Identifying "opportunity neighborhoods". If I'm reading this right, I think it's a bad idea to predetermine the future locations of any lower income community. The best for all I truly believe is to have all builders include in their permit request ADU and a generous mix of bedrooms. Not just 3 bedrooms to 6 bedrooms. The more financially attractive Loudoun can make it (less parking required / faster permit approval / additional level) the more diversity in income we can accommodate.

6. I don't know anything about ARN and ARS but the answer is in the details. What is this needed for? v/s How many properties will this affect v/s What if we don't, what will change? What I mean is will a mud slide take out houses or is this just for the views? (bad example but best I could think of)

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Areas of interest or concern

*Field not completed.*

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What is your question

*Field not completed.*

or concern?

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Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Saturday, July 9, 2022 9:40:48 AM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Peter
Last Name	Weeks
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

Section 2.04.01: "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 25 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres."

Section 2.04.02: "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural South district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 50 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 30 acres; Cluster Subdivision Option – 1 dwelling unit per 25 acres."

Section 4.07: "Each of Loudoun County's historic villages is unique, and each needs its own Small Area Plan. It is critical that the County commit to providing support and working with each village to create Small Area Plan, so that the unique character of each village is preserved in accordance with the Loudoun County 2019 Comprehensive Plan."

Section 5.04.01: "In order to ensure adequate open space is included whenever development is present, remove the following text from section 5.04.01.B.5: 'Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.'"

Section 5.07.04: "In order to establish strict standards to protect the historic integrity of the county's historic cemeteries, remove the following text in section 5.07.04.D.5: 'The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.'"

Section 11.03.H: "The zoning ordinance does not define the word "historic." It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation."

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Areas of interest or concern	Uses, Overlay Districts, Development Standards, Definitions and Rules of Interpretation
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What is your question or concern?	<i>Field not completed.</i>
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Thank you for your participation!  
To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Tuesday, June 28, 2022 4:17:01 PM

---

## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Louis
Last Name	Canonico
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Broad Run
Please provide general comments on the Zoning Ordinance Rewrite.	<i>Field not completed.</i>
Areas of interest or concern	<i>Field not completed.</i>

What is your question or concern?

I understand this a new ordinance. Many properties were or are being developed based on an approved rezoning with proffers. Those proffers state the property will be developed in accordance with the "Revised 1993 Zoning Ordinance as it may be amended". So even though these properties are being remapped into "new" zoning districts It is assumed they will continue to be governed by the Revised 1993 ZO and the development will not be considered legal non conforming.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Tuesday, July 12, 2022 1:55:47 PM

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## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

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Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Shelley
Last Name	Horneck
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Leesburg

Please provide general comments on the Zoning Ordinance Rewrite.

We do not want a zoning change on Gleedsville road. Please keep it residential. We have a sweet son with Autism who works at A Farm Less Ordinary on Gleedsville road and we need to keep this area zoned for residential for his safety and all of those with special needs safe while they are working at the farm. We also live on Gleedsville road. Gleedsville Road is too narrow to sustain any additional traffic. Thank you!

Areas of interest or concern

Zoning Districts, Uses

---

What is your question or concern?

We do not want a zoning change on Gleedsville road. Please keep it residential. We have a sweet son with Autism who works at A Farm Less Ordinary on Gleedsville road and we need to keep this area zoned for residential for his safety and all of those with special needs safe while they are working at the farm. We also live on Gleedsville road. Gleedsville Road is too narrow to sustain any additional traffic. Thank you!

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Saturday, July 9, 2022 10:56:06 PM

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## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

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Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Elizabeth
Last Name	L
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	20175
Election District	Leesburg

**Please provide general comments on the Zoning Ordinance Rewrite.**

It is apparent that the sewage disposal regulations stated in 1066 for privies and toilets are not being followed by many equestrian businesses in the county. How will this be corrected, since it has been supposedly been enforced since 1994? Permanent businesses require permanent means of sewage disposal. Unfortunately, there has been bias during pre application meetings. How can one business operate with a porta Jon, and another be required to upgrade their septic and get a commercial

well? All Loudoun county zoning and health departments are not on the same page when it comes to requirements for equestrian businesses.

Some equestrian business models vary immensely. If an equestrian business is offering limited weekend services: For example, lessons and birthday parties, how is it acceptable that they be held to the same sewage and well requirements as a 7 day a week facility offering camps, training, boarding, lessons, birthday parties, scout visits, leasing, and horse shows? There is no way the number of visitors and usage could possibly match each other.

The reality is 1066 is not being followed, or enforced by the county. However, businesses that would greatly benefit the community and offer an additional, rare agricultural experience are being stymied by bias during pre application meetings.

---

Areas of interest or concern

Uses, Procedures

---

What is your question or concern?

It is apparent that the sewage disposal regulations stated in 1066 for privies and toilets are not being followed by many equestrian businesses in the county. How will this be corrected, since it has been supposedly been enforced since 1994? Permanent businesses require permanent means of sewage disposal. Unfortunately, there has been bias during pre application meetings. How can one business operate with a porta Jon, and another be required to upgrade their septic and get a commercial well? All Loudoun county zoning and health departments are not on the same page when it comes to requirements for equestrian businesses.

Some equestrian business models vary immensely. If an equestrian business is offering limited weekend services: For example, lessons and birthday parties, how is it acceptable that they be held to the same sewage and well requirements as a 7 day a week facility offering camps, training, boarding, lessons, birthday parties, scout visits, leasing, and horse shows? There is no way the number of visitors and usage could possibly match each other.

The reality is 1066 is not being followed, or enforced by the county. However, businesses that would greatly benefit the community and offer an additional, rare agricultural experience are being stymied by bias during pre application meetings.

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

---



**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 11, 2022 6:39:19 PM

---

## Zoning Ordinance Rewrite

### Project Overview

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Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

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Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Clyde
Last Name	Grotophorst
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin
Please provide general comments on the Zoning Ordinance Rewrite.	My hope is the county begins to tighten the requirements on sort of commercial operation is permitted in a residential zone. Today, it seems you can fill a 4 acre lot with chickens right next to a neighbor's house and because of a misguided sense of "right to farm" the person living next to the smelly chickens can't do a thing about it. Does that seem fair?
Areas of interest or	Zoning Districts, Procedures, Definitions and Rules of

concern

Interpretation

---

What is your question  
or concern?

I hope you do something about the lack of enforcement of zoning regulations. More than once I have been told that county bza staff will not notify a violator or take action against the violation unless \*and until\* a citizen files a formal complaint. My feeling is I pay taxes like most of us and I'd like to think that part of that money goes to maintaining and enforcing zoning regulations. Putting the onus on the citizen who isn't causing the problem is just wrong!

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Wednesday, July 13, 2022 3:47:49 PM

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## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

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Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Nedim
Last Name	Ogelman
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	Absent additional compelling information from Loudoun County and in line with Purcellville's Comprehensive Plan I do not want zoning changes in the Joint Land Management Area or zoning that would permit uses, such as data centers, and that the Joint Land Management Area surrounding the Town of Purcellville should maintain its rural character consistent with our Comprehensive Plan as stated on p.25 of Plan Purcellville.

Areas of interest or concern

Zoning Districts, Uses, Development Standards, Officials, Boards, and Commissions, Definitions and Rules of Interpretation

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What is your question or concern?

The county appears to favor as stakeholders and represent the interests of developers who are often not residents of or voters over the interests of voting citizens and residents. Why is this? "Joint Land Management Area" seems to be a misnomer since this area provides for by right development in areas next to Western Loudoun towns--without the towns' input. I do not want to see any zoning changes in the Joint Land Management Area that would change limits on residential zoning that would increase density or that would permit uses, such as data centers or truck depots. Take away any zoning in Western Loudoun that would permit data centers. Don't increase the density or alter the rural feel of Western Loudoun including in the Joint Land Management Areas. The Joint Land Management Area surrounding the Town of Purcellville should maintain its rural character consistent with our Comprehensive Plan as stated on p.25 of Plan Purcellville.

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Wednesday, July 13, 2022 5:36:19 PM

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## Zoning Ordinance Rewrite

### Project Overview

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Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Jim
Last Name	Russell
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	N/A

Please provide general comments on the Zoning Ordinance Rewrite.

These comments are being made on behalf of the entire Housing Advisory Board (HAB):

In anticipation of supporting the Board of Supervisors (BOS) Unmet Housing Needs Strategic Plan (UHNSP), the Housing Advisory Board (HAB) looked at the attainable housing chapter (Chapter 8) of the zoning ordinance draft in terms of the bottom-line goals for increasing supply. The following existing conditions

and data served as our baseline for deliberations:

1. As of 6/30/21 there were 1,945 permitted ADUs remaining to be built
2. As of 2/16/22 the BOS adopted the UHNSP to provide 8,200 units of “attainable housing” at average rate of 410 new units per year.
3. Current inventory provides 4.75 years of new inventory units, however, nearly half of the units permitted reside in the Urban policy area and do not have projected to be built timelines.
4. As of 6/30/21 there were 25,523 permitted units remaining to be built in the county. 1,945, or 7.6% of the total units are ADUs.
5. To meet the UHNSP goals, we will need a pipeline of 6,255 attainable units that do not yet exist.

How are we going to achieve that goal? If we are to truly address the County’s need for attainable housing, we must ask: What is the Zoning Ordinance (ZO) doing to incentivize the development of affordable/attainable housing?

The HAB believes that:

1. Chapter 8 of the current ZO is much too prescriptive. This would further delay the process and the County would be unable to achieve its goals as a result, in addition to losing opportunities for funding.
2. The current ZO should be its own document and avoid simply codifying the 2019 General Plan.
3. Currently, to meet the UHNSP, Loudoun will need to produce a pipeline of 6,255 attainable units and the current draft of the zoning ordinance makes the development of affordable/attainable housing more difficult in the future.
4. The zoning ordinance caters too much to for sale units and not enough to the rental market whereas in the near term, there will be a great need for rental units.
5. The current draft of the zoning ordinance doesn’t align to state and federal housing guidance. Getting an alignment of guidance so the County can open the door to alternative funding and help developers help themselves.

The HAB recommends as follows:

1. Institute a process that allows a partnership between the County and developers. Such as the DED Fast Track process so that developers can meet timelines and access VHDA funding, for example. [LC Govt should set the criteria for developers the get this level of partnership.] – Reduce fees. Reduce uncertainty. Encourage innovative housing solutions and densities that achieve the needs of the UHNSP.
2. Institute some version of Form Based Code.

3. Waive capital facility fees for attainable housing (0-100% AMI), and consideration for the waiving of permit fees.

HAB additionally recommends the following creative alternative recommendation:

Applicant driven alternative opportunity process – operational logic for projects with significant portion of ADUs in the PD district and it is not required to overlay a zoning district. It also will not have a density cap.

With a County-set acreage minimum, PD district without prohibitions from modification to truly allow creative, innovative applicant driven proposals. PD district should be a stand-alone district that you can rezone to. The municipality would provide sewer and water services.

It is HAB's intent to follow-up with a more detailed letter to the Planning Commission for their Public Hearing.

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Areas of interest or concern

Attainable Housing

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What is your question or concern?

*Field not completed.*

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Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, July 14, 2022 9:00:07 AM

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## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

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We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Alan
Last Name	Karp
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catocin
Please provide general comments on the Zoning Ordinance Rewrite.	I am opposed to the continuation of zoning and "by right" rules and regulations that allow commercial businesses like the proposed Hamilton Farm LLC Brewery/Distillery to be sited in the midst of established residential areas such as the one on Hamilton Station Road.
Areas of interest or concern	Uses, Development Standards



---

What is your question  
or concern?

1) Traffic safety, water use, and disruptive noise associated with  
the siting of commercial projects like the proposed Hamilton  
Farm LLC Brewery/Distillery.

2) Misapplication of the "by right" approval to project that do not,  
in fact, qualify as farm breweries.

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, July 14, 2022 9:28:48 AM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Marsha
Last Name	Barg Karp
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin
Please provide general comments on the Zoning Ordinance Rewrite.	I/we are opposed to the proposed development of Hamilton Farm LLC Brewery/Distillery on Hamilton Station Rd., Hamilton, VA in a residential neighborhood. It is totally inappropriate for a large project to be built on 17.5 acres among five houses.
Areas of interest or concern	Uses, Development Standards

What is your question  
or concern?

All property owners in the area have their own wells. Breweries/Distilleries require a lot of water to operate. We do not want our wells to go dry so the brewery/distillery owner, who doesn't reside here, can make a profit at our expense. Other concerns are traffic/more drunk drivers with a winery across the street & noise/air pollution.

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, July 14, 2022 10:59:46 AM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Marsha
Last Name	Barg Karp
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin
Please provide general comments on the Zoning Ordinance Rewrite.	I/we are opposed to the proposed development of Hamilton Farm LLC Hamilton Station Brewery/Distillery, Hamilton, VA 20158 in a residential area among 5 houses. The large project on 17.5 acres is totally inappropriate for the site. The site perked for a house & if anything is built it should be a house not an enormous commercial enterprise.
Areas of interest or	Uses, Development Standards

concern

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What is your question  
or concern?

All the property owners in the neighborhood have their own wells. Breweries/Distilleries require a lot of water to operate. We do not want our wells to dry out so the brewery/distillery owner, who doesn't reside in area, can make a profit at our expense. Other concerns are traffic/drunk drivers (there already is a winery across the street) & noise/air pollution.

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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Email not displaying correctly? [View it in your browser.](#)

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, July 14, 2022 3:04:07 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Margit
Last Name	Royal
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	<ol style="list-style-type: none"><li>1. It would be helpful to have maps depicting the Rural Policy Areas, and the MDOD lands easily located within this document.</li><li>2. Thanks to all Loudoun staff and committee members who have dedicated time and attention to this task.</li><li>3. This is a major opportunity for Loudoun County to protect its important bona fide ag lands and mountain forests.</li></ol>
Areas of interest or	Zoning Districts, Uses, Overlay Districts, Definitions and Rules of

concern

Interpretation

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What is your question or concern?

1. The definition of a farm for the purposes of a Brewery, Limited is too lenient; if only 10 acres is required, the density of breweries along rural lanes and roads would be devastating on many levels.
2. Definitions: Adverse Impact: very good philosophical tenet, but who will interpret and enforce? Will this be based on "local" complaints only? Enforcement and/or application processes need to be stated as clearly as possible up front.
3. Definition: Ag Cultural Center: too vague; will allow creative efforts, such as an entity setting up a small viewing room for public "education" when in reality the function is commercial
4. Definitions: Ag Research: same as above;
5. Definitions: Ag Processing: should specify that the 51% of product should be grown on site, not simply shipped in from other locales
6. Definition: agritainment: such a broad statement; eliminate; e.g. a Limited Brewery could establish a petting zoo on site
7. MDOD; as the MDOD overlays on top of Rural North and Rural South Lands, and those lands have "liberal" uses permitted, please make sure any application for a large-scale commercial endeavor, such as a campground, winery, brewery/tap room, petting zoo, slaughter house, etc have a very specific "special exception" application process to follow, and that notification of residents within a 5-mile radius is part of the application process.
8. Cluster housing in MDOD lands - whether Rural North or South....minium of 10 acres/lot, with 50% of parcel left natural.
9. Thank you for removing "anything allowed in Ag-lands is allowed in MDOD" from the 2003 ordinances.

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, July 14, 2022 3:19:07 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Margit
Last Name	Royal
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	We are very interested in preserving MDOD lands.
Areas of interest or concern	Uses



What is your question  
or concern?

I see reference in the current Draft to Craft Beverage Industry, which requires central water hook up, presumably then these cannot be established where only well water is available - which is good. I don't see any listing of Brewery, Limited in the Small Business, Agricultural section: where will ordinances re: hours of operation and the # of "special events" be addressed?

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, July 14, 2022 6:31:28 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Sabina
Last Name	Puppo
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	████████
████████	██
████	██████████
Election District	Leesburg
Please provide general comments on the Zoning Ordinance Rewrite.	<i>Field not completed.</i>
Areas of interest or concern	<i>Field not completed.</i>

What is your question  
or concern?

I notice that new developments abound. Old mother trees are  
torn down and replaced with small seedlings that will take  
decades to mature. No large tree should be allowed to be torn  
down, as this interferes and weakens the networks of other trees.

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Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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Email not displaying correctly? [View it in your browser.](#)

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Friday, July 15, 2022 5:31:06 AM

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## Zoning Ordinance Rewrite

### Project Overview

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Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Margit
Last Name	Royal
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	My husband and I continue to review the current draft of the ZOR, and would like to provide additional comments
Areas of interest or concern	Overlay Districts

What is your question or concern?

1. Uses NOT permitted in the MDOD should be clearly stated, and should include enterprises with large volume traffic, large volume well water and septic field needs, as all require large swath clearing with negative impacts on habitat, ground water regeneration, runoff to parcels adjacent and below, and air cleansing.
2. Ridgeline setbacks should be at least 200 feet, and should clearly specify "ridgeline" not simply "crest."
3. Any commercial or cluster development within the MDOD should include mapping of stream heads, tree species, and exemplary habitats per the VÂ Dept of Conservation Resources. Loudoun's Blueridge Mts. host several endangered species per the Virginia Dept of Agriculture and Consumer Services.
4. Dark sky standards should be incorporated into any commercial and cluster development in MDOD lands, as wildlife corridors and migration patterns are impacted by unnatural lighting.
5. Loudoun's MDOD lands are a wonderful resource for residents and visitors alike; they attract visitors and are important neighbors for rural communities and businesses. It is important that they be preserved and protected.
- 4.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Friday, July 15, 2022 10:55:58 AM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Linda
Last Name	MacLean
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Leesburg

Please provide general comments on the Zoning Ordinance Rewrite.

Please oppose any off-site signs in Leesburg. The ground signs should be much smaller. They are very distracting especially on Rte. 15 and the traffic is already bad enough. We do not need distracted drivers as that road is already dangerous. We moved here 4 years ago, and the rate of growth is disheartening. Too many condos and housing ruining our natural habitat and just adding more traffic. Please stop the signage in Leesburg. It is ruining our beautiful town. Thank you very much for your concern

on this matter.

---

Areas of interest or concern

Signs

---

What is your question or concern?

Why are our leaders allowing Leesburg to grow so quickly and why do we now have so many signs out taking the beauty away from our beautiful surroundings. Please stop the growth! Thanks.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Saturday, July 16, 2022 10:21:04 AM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Emily
Last Name	Southgate
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	<i>Field not completed.</i>
Areas of interest or concern	Development Standards



What is your question or concern?

Comments submitted for the Piedmont Chapter of the Virginia Native Plant Society by Emily Southgate, President  
New Zoning Ordinance 5.06 Tree Planting, Replacement and Preservation

- to “encourage the preservation of existing trees to meet canopy requirements”
- to “Ensure that new development, redevelopment, and infill development incorporates existing native vegetation and plantings of native vegetation into the landscape design to the extent feasible.

Recommendation: The standards in 5.06.C and D do not prioritize the preservation of existing trees. They should provide for stronger protection of existing native trees, and incentives for their preservation. This would conform to the 2019 Comprehensive Plan.

Explanation: With the exception of the words I have highlighted, the introductory text conforms to the 2019 Comprehensive plan as quoted below:

2019 Comprehensive Plan  
Forests, Trees and Vegetation  
FTV Policy 4

A. Require applicants to submit a Tree Cover Inventory as part of all development applications and, where applicable, require applicants to submit a Tree Conservation Plan for designated Tree Conservation Areas; such Tree Conservation Plan should demonstrate a management strategy that ensures the long-term sustainability of these designated areas and address the removal and monitoring of invasive woody vegetation and insects.

B. Incentivize and encourage the preservation of existing trees within required landscape buffer areas and for screening of uses.  
Natural Heritage Resources

NHR Policy 6

C. Ensure that new development, redevelopment, and infill development incorporates existing native vegetation and plantings of native vegetation into the landscape design. However, the actual standards cited in the text in sections C and D do not prioritize the preservation of existing trees. The standards should provide for stronger protection of existing native trees, and incentives for their preservation. This would conform to the 2019 Comprehensive Plan.

5.03 Natural and Environmental Resources Protection Standards

Recommendation: The existence of rare and endangered species and habitats should be noted in any development application (on a checklist, perhaps) and the potential for protection be assessed by the appropriate development officials.

Explanation: Rare and endangered species and habitat locations should be explicitly included for all areas of the county. In the current zoning ordinances, they are mentioned for steep slopes,

etc., but nowhere else. I have been unable to find them anywhere in the new ordinances. The list of these, with locations, is available from the Virginia Department of Conservation and Recreation, Natural Heritage Office. Loudoun has several species and habitats that are highly endangered, that is, ranked S1.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Saturday, July 16, 2022 11:44:43 AM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Virginia
Last Name	Baxter
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	I have specific comments on Section 5.08.05 (Lighting Ordinance) which I will delineate below. I remain concerned in particular regarding the commercialization of Western Loudoun County, and the light and noise pollution that is occurring here. I have lived here for almost 20 years, and the serenity and dark skies of my neighborhood are being threatened.
Areas of interest or	Development Standards, Definitions and Rules of Interpretation

concern

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What is your question or concern?

1. The draft ordinance as it relates to Lighting Standards do not comply with Dark Sky requirements as outlined in the 2019 Comprehensive Plan. For example, but not limited to, the topics of light pollution and glare are not even addressed. There is a Model Lighting Ordinance ("MLO") that was written by The International Dark Sky Association and the Illuminating Engineering Society for local jurisdictions that can be used as a guide.
2. "Holiday" lighting needs to be defined and addressed. Just placing the word of "Holiday" in the revised ordinance is not specific enough. Which holiday? There are dozens. Recommend defining "Holiday" as the time period between Thanksgiving and New Years. Further, times that lights may remain on during the Holiday should be specified. Recommend that lights shall only remain on until the close of business or from 5 - 10PM, whichever is earlier.
3. The County needs to address how/when existing lighting that is not in compliance with the new ordinance shall be required to come into compliance.
4. Recommend the use of "cheat sheet" graphics to illustrate lighting standards to make it easier for people to understand and to facilitate compliance.
5. Definitions relating to lighting need to be added to the revised zoning ordinance. Again, the MLO contains many recommended ones.
6. The County should consider the use of lighting zones as recommended by the Dark Sky Association. Standards can, and should be, different for rural areas such as Bluemont, than for a more commercial one, like Sterling.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Saturday, July 16, 2022 5:46:37 PM

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## Zoning Ordinance Rewrite

### Project Overview

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Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Madeline
Last Name	Skinner
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	<i>Field not completed.</i>
Areas of interest or concern	Uses, Overlay Districts, Development Standards, Procedures, Definitions and Rules of Interpretation

What is your question or concern?

"3.04 TEMPORARY USES/EVENTS and 3.05.01 USE-SPECIFIC STANDARDS PURPOSE AND APPLICABILITY  
Event management regulations need to be consistent throughout the zoning ordinance, primarily for high-intensity uses to ensure compliance with 2019 Comp Plan Policy 3.1. Draft language in 3Q2021 addressing Event management at high-intensity uses, which was later deleted by the former DPZ Director should be reinserted, reviewed and considered by Staff, Planning Commission and BOS. [https://loudouncoalition.org/wp-content/uploads/2022/06/2021\\_09-15-Draft-Text-Deletions.pdf](https://loudouncoalition.org/wp-content/uploads/2022/06/2021_09-15-Draft-Text-Deletions.pdf)"

"3.05.01. USE-SPECIFIC STANDARDS PURPOSE AND APPLICABILITY. A "tier" or "levels" system based on intensity of the use should be considered, consideration should be given for properties with more than one primary use, and consider mechanism to exclude uses within existing overlay districts (e.g., MDOD, LOD, FOD, VCOD, etc.). The County should establish "tier" or "levels" system based on intensity of the use to be consistent and equitable with the application of "tiers" or "levels" for other existing Uses (e.g., B&B, Rural Resorts, Campgrounds, Farm Based tourism, Ag Support Uses, etc.).

"3.05.01. USE-SPECIFIC STANDARDS PURPOSE AND APPLICABILITY. Intense uses in the ARS/ARN should be separated and implemented through an overlay district or sub-district to remove uses to implement 2019 GP polices for the protection of MDOD, LOD, FOD and VCOD overlay districts. Establish a mechanism to implement the assignment of Uses in Use Tables by combination of Zoning District and existing Overlay District for protection of Mountainside, Limestone, Floodplain, River Stream Corridor Resource, and clarify residential versus commercial uses in Village Conservation Overlay Districts. "

"3.05.01.A. USE-SPECIFIC STANDARDS PURPOSE AND APPLICABILITY. The ordinance provides no mechanism to consider or evaluate properties with more than one primary use in terms of scale (location, total acreage), and intensity impacts. Provide standards to evaluate and address multiple principle uses on a parcel to ensure compatible scale, use, intensity, character, and environmental protections, including, but not limited to, acres calculation, scale, intensity, hours of operation, parking calculations, quantity of events and attendees, setbacks, buffering, road access, noise, etc.

"3.05.08.04. BREWERY, LIMITED. MISSING REGULATIONS. As indicated in 2017-2018 case studies and review of other county ordinances, Loudoun County CAN add regulations for the health, safety and welfare of the public. VIRGINIA COUNTIES COMPARISON REPORT\* summarizes regulations other

counties have approved and implemented for:

1) Minimum crop acre production, 2) Maximum attendees for Events and Special Events, 3) Yard standards for front yard, side yard, rear yard, 4) Landscaping, buffering, screening, 5) Road Access and heavy equipment, 6) Exterior lighting, including Dark Sky requirements for lighting on ridge lines/slopes in MDOD (seasonal or otherwise), 7) Noise, 8) Hours of Operation.

\*VIRGINIA COUNTIES COMPARISON REPORT - 2021

UPDATE <https://loudouncoalition.org/wp-content/uploads/2020/04/ZOR-2021-Virginia-Counties-Ordinance-Comparison.pdf>

"11.03. DEFINITION OF "FARM." Staff proposed text, "Farm: An agricultural use of one or more parcels of land, whether abutting or not, having a minimum of 5 acres and operated under the same ownership or stewardship, used for the production, cultivation, growing, harvesting or processing of agricultural or horticultural products or for animal husbandry purposes. Also reference "Agriculture, Bona Fide."

The proposed definition does not clearly state the requirement for production on the 5 acres. Need to make sure "processing" in and of itself doesn't make a property a "farm." A farm can "process," but that singular action in the definition does not define a "farm." Example: A business only processing ingredients not grown on the parcel to process a beverage (e.g., wine, beer, spirits) is not a "farm."

Because agricultural processing is a separate use, there is no need to include "processing" in the definition of farm. Delete processing from the definition. That way processing could be permitted on a farm, but solely processing wouldn't MAKE a property farm.

"5.08.04.F PERFORMANCE STANDARDS. NOISE. Because these standards are inconsistent and have known, (documented impacts via LEx complaints, emails and letters over many years), NOISE REGS MUST APPLY TO ALL HIGH-INTENSITY USES FOR COMPLIANCE AND CONSISTENCY."

"11.03. DEFINITIONS REQUIRED FOR CLARIFICATION OF USES AND USE-SPECIFIC STANDARDS. "Farm," "agricultural operations," "tasting room/tap room," "agriculture products," "agricultural production" and "agricultural manufacturing." These terms are used in the draft text without clear definitions. Code of Virginia requires limited breweries (and farm wineries) to be "located on a farm in the Commonwealth on land zoning agricultural."

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Saturday, July 16, 2022 4:19:21 PM

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## Zoning Ordinance Rewrite

### Project Overview

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Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

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Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	W. Joseph
Last Name	Coleman
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	Virginia's species of concern should be on the environmental checklist for any development occurring anywhere in the county and surveying for this wildlife should be a universal requirement throughout the zoning ordinance.
Areas of interest or concern	<i>Field not completed.</i>

What is your question  
or concern?

Protections of natural habitats, wildlife, and avoiding negatively  
impacting the climate and mitigating climate change.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Wednesday, July 13, 2022 12:39:12 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Shelley
Last Name	Tamres
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Algonkian
Please provide general comments on the Zoning Ordinance Rewrite.	The proposed zoning ordinance has some improvements. But a number of additional needs still must be addressed.
Areas of interest or concern	<i>Field not completed.</i>

What is your question or concern?

The following areas should be incorporated into the draft zoning ordinance:

Ensuring that uses (e.g. event centers of any kind, wineries, breweries) with similar offsite impacts have consistent standards on noise, lighting, traffic, etc.

More natural and historic resource protection during the development process

More farmland protection with rural economy uses

More standards to reduce climate and environmental impacts of development

Greater affordable housing requirements

Better sign standards

Increased lighting standards

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Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Sunday, July 17, 2022 9:44:32 AM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Robin-Eve
Last Name	Jasper
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

Thanks to Loudoun County Department of Planning and Zoning staff and members of the Board of Supervisors for your hard work on the Loudoun County Zoning Ordinance Rewrite (ZOR). As a resident of western Loudoun, Chair of the Unison Preservation Society Preservation Committee and a member of the Historic District Review Committee (HDRC), I have spent lots of time thinking about challenges to the unique qualities of rural and historic areas and ways to address the in the ZOR. My

consideration has been guided by the policies expressed in the 2019 Comprehensive Plan and a desire to see these policies effectively implemented for the cultural and recreational benefit of County residents and visitors, and for the economic well-being of the County.

I have provided through the enCode tool specific comments on various provisions of the ZOR. However, I am providing this general comment to emphasize several major threats that must be addressed to assure that the goals of the 2019 Comprehensive Plan can be achieved.

They are as follows:

- Protection of rural, historic areas from inappropriate uses.
- Protection for historic crossroads villages pending their formal designation as Rural Historic Villages
- Refinements to Adaptive Reuse provisions of the Code as applied to Historic Buildings
- Protection for the agricultural soils of western Loudoun

I would be pleased to be of any assistance that I can provide. Thank you for your consideration of these general comments, as well as specific comments provided by me, the residents of Unison and environs, and the HDRC.

Respectfully,

Robin-Eve Jasper

---

Areas of interest or concern

*Field not completed.*

---

What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Sunday, July 17, 2022 3:01:40 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Peter
Last Name	Weeks
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

Chapter 7  
Zoning enforcement within the MDOD should be guided by two principles: 1) The penalties for serious zoning violation should be sufficiently robust to discourage violation and not simply become a cost of doing business. 2) The penalties for serious zoning violations should require the violator to return the land to the condition it was in before the violation. It is not sufficient to stop the violation. The land must be returned to its original condition.

Specific wording changes include the following:

Section 7.13 B. 3. Zoning Administrator must take action to remove any violation or attempted violation of this Zoning Ordinance.

Section 7.13 B. 6. a. The Zoning Administrator will specify a reasonable time for the violation to cease and for the land to be fully returned to pre-violation condition.

Section 7.13E.10.b. In order to determine that a violation has been corrected the zoning administrator must determine that the land has been returned to pre-violation condition.

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Areas of interest or concern

Overlay Districts

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What is your question or concern?

Enforcement of ordinances within the MDOD is missing in the ZOR.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Sunday, July 17, 2022 3:23:40 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Peter
Last Name	Weeks
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	Chapter 3 - The inappropriate Uses now listed in the MDOD must be wholly different from the Uses listed County-wide, sharply reducing uses that threaten the mountain environment affecting clean water, flora & fauna.
Areas of interest or concern	Uses

What is your question  
or concern?

Why have the Uses within the MDOD not been rewritten?  
Clearly, almost all of the uses currently "by-right" are  
inappropriate if we are to save our mountains from development.

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Sunday, July 17, 2022 3:37:11 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Leslie
Last Name	Sinn
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin

Please provide general comments on the Zoning Ordinance Rewrite.

Thank you for the opportunity to comment on the Loudoun County Zoning Ordinance Rewrite process.

My principal concern relates to what I consider to be insufficient oversight of "farm breweries" that serve beer and may host events and food trucks with little or no restrictions as long as they are situated on land designated as "agricultural," such as one in

the planning stage which overlooks and is in immediate proximity to my property. There is currently a winery already in place across the street (704). The noise from which I can clearly hear on any given weekend (who knew there were so many variations on wedding toasts...).

The current by-right treatment of "farm breweries" is in effect enabling the placement of bars throughout Loudoun County without many of the limitations that are typically applicable to drinking establishments proposed in many other portions of the County. This is not equitable for those of us living in Western Loudoun.

Major categories of concerns we would like to see addressed by the ZOR rewrite can be summarized as:

Greater limitations on site development intended for multiple, high-intensity uses (e.g. commercial-scale brewery, tap rooms, events, etc.);

Varying permitted uses according to activity intensity and lot size;

Definition of agriculture operations/farms as they would pertain to "farm breweries;"

Improvements in noise and light pollution and enforcement of ordinances (ex. decibel limits);

Increased requirements for protection of well water use, process effluents, volume of patrons, traffic, parking, pedestrian crosswalks etc.,(ex.current proposed brewery is upstream from our well-established pond-all drainage will end up in that pond)

Streamlined and clarified mechanisms for monitoring, reporting and enforcement of applicable County rules and regulations.

To be specific, and to minimize redundancy, below are comments previously submitted by others that I have reviewed and support:

#### 5.01.03. SITE DEVELOPMENT, USES ON LOTS. MULTIPLE USES.

Where two or more primary uses are located on one parcel the required parcel size should be evaluated to be the sum of all minimum lot sizes (similar to parking) rather than the current requirement that the acreage meet only the size requirement for the largest use. Alternatively, if more than one primary use is applied for, the application should be reviewed via a site plan/visit with consideration given to intensity of use (volume of patrons, parking, traffic, noise, lighting, etc.) to confirm acreage

for multiple uses

5.08.01.C: PERFORMANCE STANDARDS. This section states that the regulations contained in the Performance Standards area do not apply to Agricultural Operations. Language should define "Agricultural Operations" and consider changing to bonafide production agricultural operations rather than merely the term "agricultural" which is too broad a term. This exception should not apply to tasting rooms or other retail operations. Only the bona fide agricultural operation portion of the business and property should be included in 5.08.01.C. as an exception to noise and lighting standards.

5.08.04 Performance Standards - Noise. Noise control is problematic. For business uses and residents it requires better distinctions for who responds (Sheriff? Zoning Enforcement?) to what types of complaints; when are investigations conducted by the Sheriff or Zoning Enforcement (upon complaint? by appointment only for weekends?); and should more clearly state how and from where the noise level is determined. In addition, it should also include better education for the public for how to submit and receive status of a complaint, as well as opportunities for businesses to reduce unwarranted complaints.

#### 5.08.04 PERFORMANCE STANDARDS. NOISE. EXEMPTIONS.

There should be a section that lists what sounds are prohibited and at what times they are prohibited Time limits should be added to this section or should there be a reference to time limit information.

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 to the noise standards listed consistently across ALL uses, and therefore provides insufficient 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 are well-known, (documented impacts via LEx complaints, emails and letters over many years), the rewrite should address how and when this will be reviewed and rectified.

#### 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?

5.08.05.C PERFORMANCE STANDARDS. SPECIAL EXCEPTION REVIEW FOR LIGHTING THAT DOES NOT COMPLY WITH STANDARDS. Should add: "Neighborhood meetings are required."

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?

5.08.01.d.1: PERFORMANCE STANDARDS. This section describes what data 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.

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." The term "external effects" is a term that 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?"

#### 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?

5.09.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?

5.09. 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 5.09.01 Road Access Standards (former Table 5-654) no longer states that Vehicle trips Per Day are to be "calculated," which is good. However, it now states that Vehicle Trips per Day (VTD) must be "determined by traffic study if required. Traffic studies are common for large developments in SPA, TPA and possibly 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 will it be evaluated? When is compliance confirmed? Or will it remain – as has been in the past – 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 gathered during permitting, county approvals of permits without verification, and lax enforcement for traffic levels that should have required special exception review. Why rewrite a Zoning Ordinance if the known issues will not be addressed and fixed?

Sincerely,

Leslie Sinn

---

Areas of interest or concern

Uses, Development Standards, Procedures, Definitions and Rules of Interpretation

---

What is your question or concern?

See above with specifics-concerned about impact of large scale breweries and wineries on rural living-it isn't sane or sustainable when done on such a large scale

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Sunday, July 17, 2022 3:44:40 PM

---

## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	John
Last Name	Benedict
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

Thank you for the opportunity to comment.

It is especially important to protect and preserve the tradition rural character of western Loudoun, even as the County continues to experience extraordinary growth in the east.

That includes, importantly, addressing and correcting the problems created by what are, too often, non-farm land uses in

rural communities --particularly breweries, wineries, and event centers.

The County should clarify and tighten requirements to ensure brewery, winery, event center or other nontraditional land uses do not create noise, traffic or light or wellwater pollution for rural neighbors.

It should clarify that meaningful farm production is required onsite, and using realistic acreage; it should further limit special events and hours; it should prohibit outside music; and it should disallow use of food trucks to skirt prohibition of restaurant operations.

Nontraditional uses should not be by-right, and zoning rewrite should ensure any such uses do not undermine the quality of life for western Loudoun's rural residents.

---

Areas of interest or concern

Uses

---

What is your question or concern?

Chief concern: impacts on neighbors and rural communities by "farm" breweries, wineries and event centers.

---

Thank you for your participation!

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First Name	John
Last Name	Benedict
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

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---

Areas of interest or concern

Uses

---

What is your question or concern?

Chief concern: impacts on neighbors and rural communities by "farm" breweries, wineries and event centers.

---

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[Visit the project webpage.](#)

First Name	Peter
Last Name	Weeks
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

Section 4.04 B.1. a. Applicability: Both the current and the proposed Zoning Ordinance defines the Mountain Development Overlay District (MDOD) on the basis of soil types and steep slopes. The definition is too narrow in that it fails to consider a mountain as one interconnected whole. Defining the MDOD by soil type and steep slopes would result in a patchwork district that would not cover the entire area of a mountain. The MDOD must be defined so as to protect the entire mountain from

inappropriate development and use

FBRM Recommendation — This draft Zoning Ordinance should be revised to define the MDOD geographically. FBRM recommends:

that the entirety of the elevated terrain above that boundary should be included in the MDOD.

that this MDOD's boundary should be defined to follow around the base of the mountain; and

that there should be only one MDOD that includes the entirety of any mountain.

FBRM recommends that a mountain's base be defined as that encompassing line where the surface slope at a mountain's base first exceeds 8%. [Generally, this 8% slope boundary can be obtained from USDA soil type maps.]

This definition will result in a clearly defined, contiguous MDOD that overlies the entire mountain region, above where the flat or undulating land at its base first steepens to form the elevated mountainous terrain.

---

Areas of interest or concern

Overlay Districts

---

What is your question or concern?

My concern is that there is not a definition that takes into account the mountain as a whole, vital entity. The current definition divides the mountain into sections that make uses very difficult to interpret.

---

Thank you for your participation!

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[Visit the project webpage.](#)

First Name	Steven
Last Name	Chase
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

Dear Zoning Commission, We write as 23 year residents of Unison and 32 year residents of Western Loudoun. We residents of Unison have an obligation to write you to support language from the Unison Preservation Society regarding historic overlay districts. These overlays are urgently needed in Unison and in surrounding villages and should be included in the Zoning Rewrite. We need deliberate preservation policies here in Unison and the surrounding countryside to ensure that what has been

called the "best preserved 19th century landscape in Virginia" remain that way in the future. You as a commission also have a responsibility to take to heart our comments and ensure that the historic and natural legacy of this landscape is preserved for future generations. We hope you will join our community as partners in conservation and preservation. The alternative to these efforts is too dire to contemplate. Best Regards, Steven and Karen Chase 21091 Unison Road.

---

Areas of interest or concern	Zoning Districts, Uses, Overlay Districts, Development Standards, Nonconformities, Officials, Boards, and Commissions, Definitions and Rules of Interpretation
What is your question or concern?	Concern that local conservation and preservation interests have an equal seat at the table with developer interests.

---

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[Visit the project webpage.](#)

First Name	Peter
Last Name	Weeks
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

Performance Standards in Highly Sensitive Areas Like the MDOD:

#### CATEGORIES FBRM COMMENTS

Preserve natural ridgeline features The maintenance of a closed forest canopy for the highest 100 vertical feet along any ridgeline

or crest, with no development projecting above the canopy, should be required without exception.

**Retain forest canopy** All development proposals should maintain the forest canopy in as closed a condition as is practicable, thus precluding clear cutting forestry projects, concentrated parking lots, etc.

**Control erosion** The water courses found in mountainous regions must be kept free of added sediments and other pollutants in order to maintain local water quality and meet downstream water quality standards.

**Prevent landslides and slumps** Mountain slopes are inherently unstable geologically, requiring that strict controls on removal of vegetative cover and disturbance of soils must be adhered to, so as to prevent development activities from creating increased landslides and slumping risks. The requirements in the draft ordinance are too weak to achieve these goals and should be strengthened accordingly.

**Preserve upland stream water quantity and quality** Mountain springs and headwater water courses are a critical component of the hydrological system serving natural and human water needs. These features are highly sensitive to nearby and upslope developments. The draft setback requirements are insufficient to achieve the required protections.

---

Areas of interest or concern

Overlay Districts

---

What is your question or concern?

What steps will you take to improve performance standards in the MDOD? My concern is that development standards as they are currently written will not protect and preserve our forest canopy, ensure clean drinking water, and maintain the integrity of the Appalachian Trail.

---

Thank you for your participation!

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Robert
Last Name	Ellis
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

As a resident for 26 years of the Village of Unison and owner of property that has been designated a National Historic Site, I am perplexed by your omission our Village as a HOD. Obviously the Village complies with every provision of 7.09.08 for Historic Site Districts (HS) as well as Historic and Cultural Conservation Districts (HCC). Nonetheless, It is not included in 4.07 Village Conservation Overlay District (VCOD). To not enumerate it in "B. District Boundaries" and make the necessary change of the

adopted zoning map is a gross oversight and Unison should be added to the list of District Boundaries before implementing the ZOR. Correcting this prior to adoption of the new Zoning Ordinance is of utmost importance.

Robert and Dana Ellis, 35080 Bloomfield Rd., Round Hill, VA  
20141  
540-554-9758

---

Areas of interest or concern

Overlay Districts

---

What is your question or concern?

Can the omission of Unison as a Village Conservation Overlay District in the ZOR be corrected prior to its adoption.

---

Thank you for your participation!

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[Visit the project webpage.](#)

First Name	Tim
Last Name	██████████
██████████	████████████████████
██████████	██████████████████
████	██████████
██████	██
██	██████
Election District	Catoctin

Please provide general comments on the Zoning Ordinance Rewrite.

Fundamentally, there needs to be alignment with the 2019 Comprehensive Plan (strategic focus) and while the Zoning Ordinance is to be more detailed than the Comprehensive Plan it cannot be so prescriptive that it restricts and mitigates developer innovation and creativity to keep Loudoun County vibrant, effective, and growing for our residents and our businesses. Given the modernization opportunities around metro stops the Zoning Ordinance also needs to optimize the potential for the

Urban Policy Area as well as Housing (for both current and future work needs). In general, the Zoning Ordinance needs to attract businesses and developers and not be so meticulous, prescriptive, or restrictive that Loudoun, in effect, removes itself from any of the strategic business growth opportunities we have come to realize over the past couple of decades. In closing, the Zoning Ordinance should provide general guidelines, be regionally and nationally competitive, and provide succinct data that promotes a healthy debate to grow Loudoun County.

---

Areas of interest or concern

Zoning Districts, Uses

---

What is your question or concern?

In my support of ZOR reviews, my main concern is that the Ordinance is still very prescriptive and onerous for developers to consider Loudoun County as a viable down-select opportunity. I am concerned that when compared to other competitive counties/regions Loudoun's Ordinance process will discourage developer engagement and potentially may distract them to the extent that they overlook many potential paths that do exist in Loudoun almost solely on the disproportionate demand on time to further investigate (when compared to other competitive County markets).

---

Thank you for your participation!

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**Date:** Sunday, July 17, 2022 9:28:30 PM

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[Visit the project webpage.](#)

First Name	Teresia
Last Name	Scott
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catocin

Please provide general comments on the Zoning Ordinance Rewrite.

1. "By Right" use: The zoning districts are too broad. Within ARS and ARN, there are locations that are predominantly residential, with only a few lots that aren't under some sort of development restriction or covenants. Those lots may not be appropriate locations for a "by right" use. If the "by right" use can not be changed, then more restrictions need to be placed on high intensity use facilities that are allowed "by right" in order to protect the health, safety and quality of life of the existing

residents.

In my opinion the "By Right" use isn't consistent with at least one of the stated purposes of the ARS District: "Ensure complementary rural economy uses, including traditional and new agricultural uses (agriculture, horticulture and animal husbandry), agriculture support and basic services directly associated with on-going agricultural activities, and other uses that can be developed in ways that are consistent with the rural character and existing residential development of the ARS District through mitigation and other standards."

2. For high intensity use facilities (wineries, breweries, tap rooms, entertainment venues, etc.), the existing residents should be taken into consideration. If a 10 acre lot is surrounded by homes, is that lot really a good location for a high intensity use establishment?

3. Also, the number of high intensity use businesses in a predominantly residential area should be taken into consideration. A residential neighborhood should not have to contend with two or more such facilities across the street from each other or even within a certain distance from each other. There are residents that are negatively impacted because they are beginning to be surrounded by these types of businesses.

4. There should be tighter restrictions on size, hours of operation, lighting, water use and traffic impact when these facilities are being proposed in predominantly residential areas; health, safety and quality of life concerns.

5. There needs to be tighter restrictions on the distance between a high intensity use facility and residents. From experience, noise from outdoor entertainment can be heard 800 feet away and sometimes up to 1,000 feet away, regardless of how many trees are between the business and residents. Enforcement of noise violations needs to be more impactful. The current fines don't seem to affect the businesses much. Maybe three strikes and your business license gets suspended for 1 month. Basically, these businesses need to be good neighbors or don't build their business in neighborhoods.

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Areas of interest or concern

Zoning Districts, Uses, Development Standards, Procedures, Officials, Boards, and Commissions, Definitions and Rules of Interpretation

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What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

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**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
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First Name	Laura
Last Name	Jacobson
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	N/A

Please provide general comments on the Zoning Ordinance Rewrite.

The proposed zoning ordinance rewrite (ZOR) does not adequately protect rural residential areas from nearby incompatible commercial use. The ZOR should prohibit "by-right" permitting in AR-1 zoned areas. The ZOR should empower the sheriff to enforce the noise ordinance. (When residents call the sheriff, we are told the zoning board has jurisdiction to enforce the ordinance, but they don't.) The ZOR should require specific public notice and comment (administrative due process), for

every B&B, country inn, farm winery etc. that requests a permit-- a notice in the newspaper/online is insufficient. The ZOR does not adequately address stream impacts in the siting of commercial businesses. Loudoun Co streams like the south fork of the Catoctin River feed the Potomac and ultimately the Chesapeake Bay. The ZOR does not meaningfully require detailed analysis of traffic impacts or destruction of farmland as part of the zoning process. Residents need provisions in the zoning ordinance that can be enforced; otherwise, we are left to file expensive nuisance suits. By changing allowable density levels, the Zoning Board is exacerbating existing traffic congestion and the environmental burden on Loudoun County. Increased vehicular pollutants pose climate, environmental and health issues and contribute to non-attainment of Clean Air Act standards. The ZOR should limit growth, not increase density. Loudoun residents pay higher taxes to live in a rural area; and, the county is breaking faith with residents by enabling incompatible commercial development, more density in housing that increases traffic and pollution all in the name of increased tax revenue.

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Areas of interest or concern

Zoning Districts, Uses, Development Standards, Procedures, Nonconformities

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What is your question or concern?

Besides filing a nuisance lawsuit, how will the ZOR prevent rural residents from suffering property damage, disturbance in the quiet enjoyment of their property, and noise ordinance violations, in situations where the Board of Supervisors has authorized a commercial wedding/event center & "farm" winery in the middle of a neighborhood with one country (non-county owned) lane for ingress & egress? This situation is a textbook example of incompatible use. The ZOR should be strengthened to prohibit commercial activity and development in AR1 zoned areas. The ZOR needs to have provisions requiring specific administrative due process (prominently displayed signage/mailbox notices) in cases where residents in AR1 zoned areas face commercial encroachment of any kind--e.g. a permit to open a B&B or farm winery.

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 11:49:49 AM

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## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Richard
Last Name	Rasmus
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin

Please provide general comments on the Zoning Ordinance Rewrite.

Thank you for the opportunity to comment on the Loudoun County Zoning Ordinance Rewrite process.

My principal concern relates to what I consider to be insufficient oversight of "farm breweries" that serve beer and may host events and food trucks with little or no restrictions as long as they are situated on land designated as "agricultural," such as one in

the planning stage which overlooks and is immediately adjacent to my property.

Its parking lot, brewery, tap rooms and outdoor seating would be located approximately 1,000 feet from my home in Hamilton (and even closer to several of my neighbors). It would sit on a 17 acre vacant lot that has been treated as a dump site, is in active violation of at least one county land use ordinance, and has seen no farming activity on-site for many years.

In effect, the current by-right treatment of “farm breweries” is in effect enabling the placement of bars throughout Loudoun County without many of the limitations that are typically applicable to drinking establishments proposed in many other portions of the County.

Major categories of concerns I – and many of my neighbors – would like to see addressed by the ZOR rewrite can be summarized as:

Greater limitations on site development intended for multiple, high-intensity uses (e.g. commercial-scale brewing, tap rooms, events, etc.);

Varying permitted uses according to activity intensity and lot size;

Definition of agriculture operations/farms as they would pertain to “farm breweries;”

Improvements in noise and light pollution and enforcement of ordinances;

Increased requirements for projection of well water use, process effluents, volume of patrons, traffic, parking, pedestrian crosswalks etc.,

Streamlined and clarified mechanisms for monitoring, reporting and enforcement of applicable County rules and regulations.

To be specific, and to minimize redundancy, below are comments previously submitted by others that I have reviewed and support:

5.01.03. SITE DEVELOPMENT, USES ON LOTS. MULTIPLE USES.

Where two or more primary uses are located on one parcel the required parcel size should be evaluated to be the sum of all minimum lot sizes (similar to parking) rather than the current requirement that the acreage meet only the size requirement for the largest use. Alternatively, if more than one primary use is applied for, the application should be reviewed via a site plan/visit with consideration given to intensity of use (volume of patrons, parking, traffic, noise, lighting, etc.) to confirm acreage for multiple uses

5.08.01.C: PERFORMANCE STANDARDS. This section states that the regulations contained in the Performance Standards area do not apply to Agricultural Operations. Language should define "Agricultural Operations" and consider changing to bonafide production agricultural operations rather than merely the term "agricultural" which is too broad a term. This exception should not apply to tasting rooms or other retail operations. Only the bona fide agricultural operation portion of the business and property should be included in 5.08.01.C. as an exception to noise and lighting standards.

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There should be a section that lists what sounds are prohibited and at what times they are prohibited Time limits should be added to this section or should there be a reference to time limit information.

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 to the noise standards listed consistently across ALL uses,

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#### 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?

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5.09. 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 5.09.01 Road Access Standards (former Table 5-654) no longer states that Vehicle trips Per Day are to be "calculated," which is good. However, it now states that Vehicle Trips per Day (VTD) must be "determined by traffic study if required. Traffic studies are common for large developments in SPA, TPA and possibly 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 will it be evaluated? When is compliance confirmed? Or will it remain – as has been in the past – 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

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Areas of interest or concern

Uses, Development Standards, Procedures, Nonconformities, Definitions and Rules of Interpretation

---

What is your question or concern?

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---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 2:01:16 PM

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## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Benjamin
Last Name	Winn
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin
Please provide general comments on the Zoning Ordinance Rewrite.	The General Plan called for a Scenic River Overlay District and a viewshed analysis. Neither of these show up in the ZOR. This should be remedied.
Areas of interest or concern	Overlay Districts

What is your question or concern? *Field not completed.*

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Thank you for your participation!  
To receive an email confirmation of this form, please check the box below.

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**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 3:18:11 PM

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First Name	Scott
Last Name	Pedowitz
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	N/A

Please provide general comments on the Zoning Ordinance Rewrite.

On behalf of the Apartment and Office Building Association (AOBA) of Metropolitan Washington, I write to express our concerns with the current draft of the Zoning Ordinance Rewrite. We are concerned that the draft ordinance is inflexible and difficult to comprehend. Proceeding with its adoption as written will likely create new barriers to real estate development, resulting in the loss of housing and employment opportunities within Loudoun County. Businesses, developers, and investors

all crave predictability and consistency in policy and process, and the proposed ordinance lacks these characteristics.

As you know, AOBA is the premier non-profit organization representing owners and managers of 400,000 apartment units and approximately 172 million square feet of office space in the District, Maryland, and Virginia. Of that portfolio, approximately 1.9 million square feet of office space and 11,000 multifamily residential units are located within Loudoun County. Our members play a critical role in building and operating the commercial and residential buildings that will accommodate the economy and workforce of the future. As such, our member companies consider themselves part of the Loudoun community and maintain a vested stake in the county's long-term economic sustainability and well-being.

Office and commercial flexibility are critical to ensure that Loudoun County can take advantage of economic development opportunities as they arise. The proposal to allow office buildings by right in urban policy areas and suburban mixed use, commercial, and employment policy areas, and by special exception in suburban neighborhood and compact neighborhood areas is sensible. For the same reason, we encourage allowing flexibility for other uses that may align with offices in the future; for example, allowing research and development by right in urban and suburban mixed use districts.

We support the draft zoning ordinance's strong goal for the provision of affordable housing. However, its complexity will likely be counterproductive to facilitating increased affordable housing development. The density bonus calculations in Section 8.01.D are unclear and could dissuade the development of affordable dwelling units if applicants are unsure whether the size of the increase will adequately support the units offered below market rate. Additionally, developers cannot always control the timing at which units come online, and so requiring specific linkage between the granting of market rate and affordable unit occupancy permits in Section 8.01.K could inhibit project delivery and thus prevent, rather than promote, the creation of new housing.

We look forward to further updates to the draft ordinance and to participating in the review thereof. We thank you for your consideration of our comments.

---

Areas of interest or concern

Uses, Attainable Housing

---

What is your question or concern?

*Field not completed.*

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Thank you for your participation!

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First Name	Jennifer
Last Name	Don
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	N/A
Please provide general comments on the Zoning Ordinance Rewrite.	Chapter 3 Uses Principal Use Table 3.02.02-3 DISCUSSION A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the

purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center Death Care Business Retail, General Commercial Winery Farm Machinery Business Public Safety Facility

Country Inn Civic Buildings Sawmill

Banquet/Event Facility Schools Slaughterhouse

#### RECOMMENDATION

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.
- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special Exception.

#### Chapter 4 Overlay Districts

##### Section 4.07 Village Conservation Overlay District

###### “Purpose”

###### DISCUSSION

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

###### RECOMMENDATION

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- Protect the character, culture and identity of the historic

crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.

#### CURRENT LANGUAGE

“A. Applicability.

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

#### RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

#### CURRENT LANGUAGE

“B. District Boundaries.

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

#### RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

#### CURRENT LANGUAGE

“C. Expansion of VCOD Boundaries.

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

#### RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic

crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

#### Section 4.08 Historic Districts

##### H. Right to Raze or Demolish.

###### DISCUSSION

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

###### RECOMMENDATION

NEW SECTION: Protection of Stone Walls in Beaverdam Creek Historic District

In order to better protect the stone walls and historic roads that comprise the Beaverdam Creek Historic District, property owners, non-profits, Loudoun County residents, and County government entities shall be entitled to place Beaverdam Creek Historic District signage in the public right-of-way. Such signage shall note the historic and protected status of the area and covered improvements and shall include telephonic and internet resources for obtaining more information and reporting threats to protected Beaverdam Creek Historic District walls and roads appropriate public officials.

##### I. Hazardous Conditions.

###### DISCUSSION

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

###### RECOMMENDATION

Require a notice/cure provision before razing or demolition is possible. Cure period should be substantial if reasonable demonstration can be made that people are reasonably

protected from unsafe conditions.

## Chapter 5 Adaptive Reuse

### B. Eligibility.

#### RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

1. Identified as historically significant by being:
  - a. Designated as a National Historic Landmark; or
  - b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or
  - c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or
  - d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC. Section B.3 Delete "... and the prior use or uses in the structure are obsolete or economically nonviable." Section B.3 Delete a. through c.

Standards and Requirements / Section C We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning set-backs or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

C In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

### D. Permitted Uses.

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

### E. Adaptive Reuse Incentives.

In addition to nonconforming lot or structure allowances pursuant

to Chapter 9, projects that are eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.

Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

Chapter 9 Nonconformities  
B.2 Discontinuation of Nonconforming Use.

PROVISION

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

RECOMMENDATION

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

---

Areas of interest or concern

*Field not completed.*

---

What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

---

Email not displaying correctly? [View it in your browser.](#)

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 5:02:25 PM

---

## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Susan
Last Name	Sutter
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin

Please provide general comments on the Zoning Ordinance Rewrite.

Dear County ZOR Staff,

I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our vast and varied historic resources. I sincerely appreciate the hard work you all are doing, and understand you must be inundated with feedback, but we must take this opportunity to safeguard Loudoun's identity which



attracts tourists and improves the lives of residents.

Considering the big picture, I implore you to focus on the following priorities:

Reduce development and density in the Rural Policy Area

Protect Loudoun's historic villages and districts

Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape

Define and install protections for our vast historic resources

More specifically, I request the following changes:

Section 2.04.01: "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 25 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres."

Section 2.04.02: "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural South district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 50 acres; Principal/ Subordinate Subdivision Option – 1 dwelling unit per 30 acres; Cluster Subdivision Option – 1 dwelling unit per 25 acres."

Section 4.07: "Each of Loudoun County's historic villages is unique, and each needs its own Small Area Plan. It is critical that the County commit to providing support and working with each village to create Small Area Plan, so that the unique character of each village is preserved in accordance with the Loudoun County 2019 Comprehensive Plan."

Section 5.04.01: "In order to ensure adequate open space is included whenever development is present, remove the following text from section 5.04.01.B.5: 'Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.'"

Section 5.07.04: "In order to establish strict standards to protect the historic integrity of the county's historic cemeteries, remove the following text in section 5.07.04.D.5: 'The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.'"

Section 11.03.H: "The zoning ordinance does not define the word "historic."

It is absolutely essential that this word be precisely defined in

order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation.”

Thank you for your time and consideration.

Respectfully,

Susan Sutter

---

Areas of interest or concern

Zoning Districts, Overlay Districts, Development Standards, Definitions and Rules of Interpretation

---

What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 6:32:34 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Janice
Last Name	Tauser
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin

Please provide general comments on the Zoning Ordinance Rewrite.

We are concerned with the impact by the proposed Hamilton Distillery on our residence adjoining that property on the north. Our concerns are:

- the effect on our well water
- the location of the brewery buildings are approx 50' from our residence; this causes major liability concerns with our pool and horse facility, as well as our home safety
- the noise from having a 'party atmosphere'

- the increased traffic on a 2-lane hilly and winding road, which happens to be a major access road for emergency vehicles

---

Areas of interest or concern

Uses

---

What is your question or concern?

We are concerned with the impact by the proposed Hamilton Distillery on our residence adjoining that property on the north. Our concerns are:

- the effect on our well water
- the location of the brewery buildings are approx 50' from our residence; this causes major liability concerns with our pool and horse facility, as well as our home safety
- the noise from having a 'party atmosphere'
- the increased traffic on a 2-lane hilly and winding road, which happens to be a major access road for emergency vehicles

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 6:37:31 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Clifford
Last Name	Sweatte
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

For both Sections 3.05.08.04 Brewery, Limited and 3.05.08.06 Winery, Commercial,  
Please add new paragraphs for Sections 3.05.08.04 Brewery, Limited and 3.05.08.06 Winery, Commercial: Mitigation of Impacts  
Commercial facilities must provide traffic, water and sewer impact studies acceptable to the governing agency and provide or bond for the infrastructure deemed necessary prior to

occupancy.

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Areas of interest or concern

Uses

---

What is your question or concern?

See request for addition of a project mitigation paragraph to both Sections 3.05.08.04 Brewery, Limited and 3.05.08.06 Winery, Commercial, Concern is that water and traffic impacts are not addressed during the permitting process. This is a request for due diligence by both the project proponent and Loudoun County prior to approving commercial projects.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 7:38:50 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Grace-Marie
Last Name	Turner
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin

Please provide general comments on the Zoning Ordinance Rewrite.

Western Loudoun County is one of the most beautiful and historic areas in the country. It is vital that the Comprehensive plan protect the historic and scenic integrity of the Heritage Area. The priorities in making decisions about zoning should be:

- Reducing development and density in the Rural Policy Area
- Protecting Loudoun's historic villages and districts
- Reducing ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape

--Defining and protecting historic resources

---

Areas of interest or concern

Zoning Districts, Uses, Procedures

---

What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 7:47:25 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Brenda
Last Name	Sargent
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	N/A

Please provide general comments on the Zoning Ordinance Rewrite.

Current zoning regulations and proposals allow by right, high intensity use facilities on a minimum of 10 acres without consideration of location, infrastructure, or environmental concerns. Additional controls/limitations need to be implemented to preserve the rural character which attracts thousands of visitors to western Loudoun, as well as to protect the property values and quality of life of current and future Loudoun residents.

There are numerous examples in Loudoun that demonstrate multiple issues that need to be addressed through increased regulation of rural enterprises. For instance, on one road in Waterford there are three high intensity use facilities located within a one mile area on a winding dirt road with sections where it is nearly impossible for two vehicles to pass each other while driving in opposite directions. In addition to presenting a traffic safety issue, increased weekend traffic contributes to the road's deterioration and maintenance needs. Furthermore, Waterford village is constantly facing traffic congestion issues and visitors to these facilities further exacerbate the problem.

Another high priority issue should be prohibiting high intensity use facilities from being located in most residential areas. With only a 10-acre minimum requirement and inadequate setback provisions, many wineries, breweries and other by right agricultural enterprises have been opened in residential areas where citizens must deal with increased traffic and noise issues, as well as having to contend with weekly "concerts" that they have no desire to "attend."

Imagine going out into your yard to enjoy a quiet Sunday afternoon with your family only to be greeted with amplified music and the chatter of multiple groups trying to talk to each other over the sound of the music. This scenario is becoming the reality of a growing number of Loudoun residents who moved to agricultural/rural areas of the county to raise their families and enjoy a quiet, rural lifestyle only to have high intensity use facilities open next door or nearby. Furthermore, some rural enterprises have no screening installed and are located so close to a neighboring property, it is completely impossible to go into one's own backyard and enjoy any semblance of privacy.

Lastly, current zoning provisions do not adequately take into consideration the impact of high intensity use facilities on the water, septic, and environmental sectors in rural Loudoun. Wells and septic systems are the norm in rural Loudoun with some areas of the county being infamous for low-flow wells and septic field problems. Initial approvals by the county for the systems used at rural agricultural enterprises were for the homes located on the properties and, in most cases, cannot possibly be built to handle the additional stress put on the systems by visitors to the establishment. The increased water use alone could potentially lead to dry wells for neighbors in some areas. Zoning regulations and permit processes need to consider potential negative effects on adjacent properties regarding these issues.

I love Loudoun County. I truly believe that many of the high intensity use facilities in rural Loudoun are wonderful additions that bring needed tax dollars and enjoyable activities for locals

and visitors. But additional safeguards, limitations, and provisions need to be enacted to ensure that current and future residents can continue to enjoy their homes without impediment from neighboring entities, while also supporting Loudoun's burgeoning rural economy.

---

Areas of interest or concern

Zoning Districts, Uses, Overlay Districts, Development Standards, Nonconformities

---

What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 11:29:52 PM

---

## Zoning Ordinance Rewrite

### Project Overview

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We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	John
Last Name	Ebersole
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Leesburg

Please provide general comments on the Zoning Ordinance Rewrite.

Please protect our prime farm soils. End by-right cluster zoning development, or at a minimum increase the minimum lot sizes in both AR zones by at least 5 acres. More needs to be done to reduce development pressure on the west, which will come at a huge cost to the county in the increased demand in services and no proffer system exists in the west. Also, people flock to Western Loudoun on the weekends to enjoy the beautiful scenery and our magnificent wineries and equine facilities.

People do not come out here from DC on the weekends to overlook asphalt shingles and vinyl siding. They come for the green lush open spaces and beautiful tree-lined ridges. Please move to reduce density in rural Loudoun and preserve our rural economy people from all over the region come to enjoy!

---

Areas of interest or concern

Zoning Districts, Uses, Overlay Districts, Development Standards

---

What is your question or concern?

Loss of prime farmlands and too much residential density in Western Loudoun.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 6:11:04 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	George
Last Name	Tauser
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin

Please provide general comments on the Zoning Ordinance Rewrite.

The concerns I have are with the current AR2 Zoning that allows for a farm light brewery in a residential neighborhood. The close proximity to the surrounding homes creates a very high neighborhood security problem. Then there is the amount of water a brewery needs to support a brewery. Since all the neighbors here are on a well this could have a major impact on the each of these wells. Especially, the ones that border the proposed brewery property. The increase of traffic on Hamilton

Station Rd. would create a safety problem not only with volume but the speed that vehicles travel. There have been many documented accidents in recent years. Breweries and wineries hire entertainment to attract customers. The sounds are usually very loud and violate the new noise ordinances. It disrupts the livestock that are in nearby barns and paddocks as well as the residents.

---

Areas of interest or concern

*Field not completed.*

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What is your question or concern?

See above general comments on Zoning Ordinance Rewrite

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Tuesday, April 19, 2022 4:45:51 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	Roger
Last Name	Lataille
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	Before any voting or adaption a document describing how this rewrite will affect every land and homeowner needs to be writed in standard english as to be understood by people who do not write ordinances for a living, this is long and filled with jargon, how will this affect my property, please respond.
Areas of interest or concern	Uses, Overlay Districts, Development Standards, Procedures, Nonconformities, Officials, Boards, and Commissions, Definitions



and Rules of Interpretation

---

What is your question  
or concern?

Needs to be written so it can be understood and compared to the  
old ordinance you are rewriting, you document is meaningless to  
me

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, June 13, 2022 11:31:37 AM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	janna
Last Name	leepson
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge
Please provide general comments on the Zoning Ordinance Rewrite.	please support all proposals to end the visual pollution of road signs!
Areas of interest or concern	Signs, Procedures

What is your question  
or concern?

So much pollution from the temporary road signs What can be  
done to control this tasteless and unnecessary pollution?

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, April 21, 2022 1:38:54 PM

---

## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	ted
Last Name	lewis
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin
Please provide general comments on the Zoning Ordinance Rewrite.	There is no way to identify which zoning district my home is in because the map does not have enough roadway or landmark information to determine specifically where my house is. Accordingly, it is impossible to make comments on the draft zoning ordinance without knowing whether it changed the zoning district of my home. This is what is most important to me.
Areas of interest or	Zoning Districts

concern

---

What is your question  
or concern?

I am concerned the information you provided does not allow us to  
effectively make comments.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Thursday, April 21, 2022 5:22:29 PM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	sunil
Last Name	vundela
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Election District	Dulles
Please provide general comments on the Zoning Ordinance Rewrite.	Need clarification on TLN1 Permitter Setback (5.11.E.1.B)
Areas of interest or concern	Development Standards

What is your question or concern?

Does the 100 feet perimeter setback apply to subdivision internal road as well. I understand that if the subdivision is along the existing public road the 100 feet perimeter setback applies. If a new internal road (subdivision road) is created as part of new subdivision to serve the subdivided lots. Will the 100 feet perimeter setback applies along the internal subdivision road as well ?

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Friday, April 22, 2022 6:22:38 AM

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## Zoning Ordinance Rewrite

### Project Overview

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[Visit the project webpage.](#)

First Name	David
Last Name	Ward
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catocin
Please provide general comments on the Zoning Ordinance Rewrite.	Table: Table 5.03.01-1 Please provide a map of River and Stream Corridor Resources Management Areas
Areas of interest or concern	Uses, Overlay Districts



What is your question  
or concern?

Table: Table 5.03.01-1 Please provide a map of River and  
Stream Corridor Resources Management Areas

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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Email not displaying correctly? [View it in your browser.](#)

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Saturday, April 23, 2022 5:48:12 PM

---

## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	William
Last Name	Steadly
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

The area west of Evergreen Mills Road at Red Hill Road shown in the new zoning map as A-3 (known as Q1 during the Comprehensive Plan process) should be redesignated for central utilities and higher density for several reasons:

- The area is surrounded by existing central utilities
- The area will have central utilities brought in by LCPS for schools

- There will be high intensity use of elementary, middle, and high schools occupying a huge part of the area
- The surrounding road network provides ready access to the new Metro silver line stops in Ashburn without burdening Routes 7 or 50

If a CPAM is necessary for this zoning redesignation, then that change should also be made as part of this process.

---

Areas of interest or concern

*Field not completed.*

---

What is your question or concern?

The area west of Evergreen Mills Road at Red Hill Road shown in the new zoning map as A-3 (known as Q1 during the Comprehensive Plan process) should be redesignated for central utilities and higher density for several reasons:

- The area is surrounded by existing central utilities
- The area will have central utilities brought in by LCPS for schools
- There will be high intensity use of elementary, middle, and high schools occupying a huge part of the area
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If a CPAM is necessary for this zoning redesignation, then that change should also be made as part of this process.

---

Thank you for your participation!

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**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, May 2, 2022 11:30:32 AM

---

## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	JOHN
Last Name	EDGEMOND
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

Please provide general comments on the Zoning Ordinance Rewrite.

I am writing concerning the area referred to as QI, or the donut hole.

We are currently zoned rural policy area – RPA, we need to be move to the transition policy area (TPA).

The issues to consider:

- Loudoun County plans to build 3 new schools
- The traffic impact will be extreme
- Population growth has exploded
- This is no longer a rural community
- In the TPA we can have access to sewer and water, as surrounding homeowners currently have.
- To be honest, we needed to be treated fairly with all future development planned

---

Areas of interest or concern

*Field not completed.*

---

What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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Email not displaying correctly? [View it in your browser.](#)

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, May 2, 2022 11:30:32 AM

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[Visit the project webpage.](#)

First Name	JOHN
Last Name	EDGEMOND
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Blue Ridge

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- Loudoun County plans to build 3 new schools
- The traffic impact will be extreme
- Population growth has exploded
- This is no longer a rural community
- In the TPA we can have access to sewer and water, as surrounding homeowners currently have.
- To be honest, we needed to be treated fairly with all future development planned

---

Areas of interest or concern

*Field not completed.*

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What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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Email not displaying correctly? [View it in your browser.](#)

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, May 2, 2022 1:41:38 PM

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## Zoning Ordinance Rewrite

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[Visit the project webpage.](#)

First Name	Tadeusz
Last Name	Lewis
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin
Please provide general comments on the Zoning Ordinance Rewrite.	While the goal of the transition policy area is to create a buffer between the suburban and rural policy areas, there is also a significant need for new housing. I am a proponent of adding some housing in the Transition Policy area, but not at the densities that are present in the Suburban policy area. Also, data centers should not be permitted in the transition policy area.
Areas of interest or	<i>Field not completed.</i>



concern

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What is your question or concern? *Field not completed.*

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

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Email not displaying correctly? [View it in your browser.](#)

**From:** Linda Stuntz  
**To:** [DEPT-PZ-ZORW](#); [Buffington, Tony](#); [Randall, Phyllis](#)  
**Subject:** [EXTERNAL] Please Protect Historic Villages like Unison and Their Surroundings  
**Date:** Monday, July 18, 2022 1:34:15 PM

---

Dear Chair Randall, Supervisor Buffington and Zoning Staff,

We own 35+ acres of horse pastures, barns, forest and pre-1990 homes between Unison Road and Dog Branch Creek, just north of the historic village of Unison. We support fully the comments developed by the Unison Preservation Society. These are included below for your convenient reference. As we look north to the booming towns of Purcellville and Round Hill, we are particularly concerned about the granting of exceptions that could enable encroachment on this neighborhood of dirt roads and stone walls.

Please remain vigilant to protect what remains of rural Loudoun, particularly the historic villages and their surroundings, so that our children and grandchildren may continue to have a place to experience nature, animals, fresh garden bounty, and the land that supports them.

Thank you for your consideration.

Linda and Reid Stuntz



UPS Comments:

**Chapter 3 Uses**

**Principal Use Table 3.02.02-3**

DISCUSSION

A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center	Death Care Business	
Retail, General		
Commercial Winery Facility	Farm Machinery Business	Public Safety
Country Inn	Civic Buildings	
Sawmill		
Banquet/Event Facility	Schools	
Slaughterhouse		

RECOMMENDATION

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted

without adequate opportunity for public review and comment.

- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.
- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special Exception.

## **Chapter 4 Overlay Districts**

### **Section 4.07 Village Conservation Overlay District**

“Purpose”

#### DISCUSSION

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

#### RECOMMENDATION

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*

#### **CURRENT LANGUAGE**

##### **“A. Applicability.**

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

#### RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

#### **CURRENT LANGUAGE**

##### **“B. District Boundaries.**

The VCOD boundaries are as established on the adopted zoning map and affect the

following villages set forth below.”

#### RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

#### CURRENT LANGUAGE

##### **“C. Expansion of VCOD Boundaries.**

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

#### RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

#### **Section 4.08 Historic Districts**

##### **H. Right to Raze or Demolish.**

#### DISCUSSION

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

#### RECOMMENDATION

##### **NEW SECTION: Protection of Stone Walls in Beaverdam Creek Historic District**

In order to better protect the stone walls and historic roads that comprise the Beaverdam Creek Historic District, property owners, non-profits, Loudoun County residents, and County government entities shall be entitled to place Beaverdam Creek Historic District signage in the public right-of-way. Such signage shall note the historic and protected status of the area and covered improvements and shall include telephonic and internet resources for obtaining more information and reporting threats to protected Beaverdam Creek Historic District walls and roads appropriate public officials.

## **I. Hazardous Conditions.**

### DISCUSSION

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

### RECOMMENDATION

Require a notice/cure provision before razing or demolition is possible. Cure period should be substantial if reasonable demonstration can be made that people are reasonably protected from unsafe conditions.

## **Chapter 5 Adaptive Reuse**

### **B. Eligibility.**

#### RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

1. Identified as historically significant by being:
  - a. Designated as a National Historic Landmark; or
  - b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or
  - c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or
  - d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC.

**Section B.3** Delete "... and the prior use or uses in the structure are obsolete or economically nonviable."

**Section B.3** Delete a. through c.

**Standards and Requirements / Section C** We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning set-backs or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

**C** In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

### **D. Permitted Uses.**

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

### **E. Adaptive Reuse Incentives.**

In addition to nonconforming lot or structure allowances pursuant to Chapter 9, projects that are

eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.

Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

## **Chapter 9 Nonconformities**

### **B.2 Discontinuation of Nonconforming Use.**

#### PROVISION

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

#### RECOMMENDATION

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

**From:** John Gardiner  
**To:** [DEPT-PZ-ZORW](#); [Buffington, Tony](#); [Phyllisrandall@loudoun.gov](mailto:Phyllisrandall@loudoun.gov)  
**Subject:** [EXTERNAL] Pls. Save Historic Unison from tract development  
**Date:** Monday, July 18, 2022 1:27:18 PM

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To all concerned with saving the historical small villages of Western Loudoun,

It would be a terrible shame if the historic village of Unison were left out of an overlay for historic preservation in a new zoning ordinance.

With a hundred-and-fifty year old store at its core and, and some houses a hundred and fifty years older than that, Unison has maintained its early-American character. The village has luckily escaped several attempts at housing development in and around it. And there are several large fields in and surrounding it that could still be spotted with new housing if not foreclosed from development. For one who has lived here for fifty year and appreciated what is left of historic western Loudoun the choice seems clear enough; let this village be protected in perpetuity or see its character despoiled forever with a measles of hillside and farm-dield housing.

Submitted with a sincere appreciation for your consideration,  
John R. Gardiner

**From:** Sharon Conner  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Richard Rasmus](#)  
**Subject:** [EXTERNAL] Proposed New Brewery Site on Hamilton Station Road  
**Date:** Sunday, July 17, 2022 3:19:08 PM

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To Whom It May Concern,

We would like to express my concerns relating to what we consider to be insufficient oversight of Loudoun County's "farm breweries" which are situated on land that has been designated as "agricultural". These "farm breweries" which serve beer, may have several food trucks on weekends and may also host weekend events with little or no restrictions. Our concerns are related to the brewery that Bill Haas' is planning on building on the property immediately adjacent to my own property located at 39048 Piggott Bottom Road, Hamilton. The current by-right treatment of "farm breweries" enables the placement of bars throughout Loudoun County without many of the limitations that are typically applicable to drinking establishments proposed in many other portions of the County.

According to the preliminary plans, the brewery's parking lot, brewery, tap rooms and outdoor seating will be located within 1,000 feet of our home (and even closer to several of our neighbors). The planned brewery will sit on the current vacant 17 acre lot which is adjacent to our property. Over the past ten years that we have lived in our home, the lot has been treated as a dump site, which is in violation of at least one the county's land use ordinance. The land has never been farmed over the past ten years.

Major categories of concerns that we and many of our neighbors would like to see addressed by the zoning ordinance rewrite are summarized as follows:

- Greater limitations on site development intended for multiple, high-intensity uses (e.g. commercial-scale breweries, tap rooms, events, etc.);
- Varying permitted uses according to activity intensity and lot size;
- Definition of agriculture operations/farms as they would pertain to "farm breweries;"
- Improvements in noise and light pollution and enforcement of ordinances;
- Increased requirements for projection of well water use, liquid waste or sewage, volume of patrons, noise volume, traffic, parking,
- Streamlined and clarified mechanisms for monitoring, reporting and enforcement of



applicable County rules and regulations.

In addition to the concerns listed above, we are also very concerned about the fact that there is a winery located directly across from the proposed brewery site. The increased traffic to an already dangerously precarious road which is heavily trafficked by both vehicles and bicycles on weekends is alarming at best. We are also concerned about what the addition of essentially a "commercial" property next to a residential area will do to the value of our homes.

Below are comments which have been previously submitted by others which we agree are applicable to our concerns:

#### 5.01.03. SITE DEVELOPMENT, USES ON LOTS. MULTIPLE USES.

Where two or more primary uses are located on one parcel the required parcel size should be evaluated to be the sum of all minimum lot sizes (similar to parking) rather than the current requirement that the acreage meet only the size requirement for the largest use. Alternatively, if more than one primary use is applied for, the application should be reviewed via a site plan/visit with consideration given to intensity of use (volume of patrons, parking, traffic, noise, lighting, etc.) to confirm acreage for multiple uses

5.08.01.C: PERFORMANCE STANDARDS. This section states that the regulations contained in the Performance Standards area do not apply to Agricultural Operations. Language should define "Agricultural Operations" and consider changing to bonafide production agricultural operations rather than merely the term "agricultural" which is too broad a term. This exception should not apply to tasting rooms or other retail operations. Only the bona fide agricultural operation portion of the business and property should be included in 5.08.01.C. as an exception to noise and lighting standards.

5.08.04 Performance Standards - Noise. Noise control is problematic. For business uses and residents it requires better distinctions for who responds (Sheriff? Zoning Enforcement?) to what types of complaints; when are investigations conducted by the Sheriff or Zoning Enforcement (upon complaint? by appointment only for weekends?); and should more clearly state how and from where the noise level is determined. In addition, it should also include better education for the public for how to submit and receive status of a complaint, as well as opportunities for businesses to reduce unwarranted complaints.

#### 5.08.04 PERFORMANCE STANDARDS. NOISE. EXEMPTIONS.

There should be a section that lists what sounds are prohibited and at what times they are prohibited. Time limits should be added to this section or should there be a reference to time limit information.

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 to the noise standards listed consistently across ALL uses, and therefore provides insufficient 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 are well-known, (documented impacts via LEx complaints, emails and letters over many years), the rewrite should address how and when this will be reviewed and rectified.

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?

5.08.05.C PERFORMANCE STANDARDS. SPECIAL EXCEPTION REVIEW FOR LIGHTING THAT DOES NOT COMPLY WITH STANDARDS. Should add: "Neighborhood meetings are required."

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?

5.08.01.d.1: PERFORMANCE STANDARDS. This section describes what data 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.

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." The term "external effects" is a term that 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?"

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?

5.09.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?

5.09. 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 5.09.01 Road Access Standards (former Table 5-654) no longer states that Vehicle trips Per Day are to be "calculated," which is good. However, it now states that Vehicle Trips per Day (VTD) must be "determined by traffic study if required. Traffic studies are common for large developments in SPA, TPA and possibly 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 will it be evaluated? When is compliance confirmed? Or will it remain – as has been in the past – 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 gathered during permitting, county approvals of permits without verification, and lax enforcement for traffic levels that should have required special exception review. Why rewrite a Zoning Ordinance if the known issues will not be addressed and fixed?

We appreciate the opportunity that we have been provided to submit our comments with hopes that they are taken into consideration in the Loudoun county Zoning Ordinance Rewrite Process for this issue.

Respectfully,

Mr. and Mrs. Christopher Conner

[REDACTED]



**From:** Sharon Conner  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Richard Rasmus](#)  
**Subject:** [EXTERNAL] Proposed New Brewery Site on Hamilton Station Road  
**Date:** Sunday, July 17, 2022 3:19:08 PM

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To Whom It May Concern,

We would like to express my concerns relating to what we consider to be insufficient oversight of Loudoun County's "farm breweries" which are situated on land that has been designated as "agricultural". These "farm breweries" which serve beer, may have several food trucks on weekends and may also host weekend events with little or no restrictions. Our concerns are related to the brewery that Bill Haas' is planning on building on the property immediately adjacent to my own property located at 39048 Piggott Bottom Road, Hamilton. The current by-right treatment of "farm breweries" enables the placement of bars throughout Loudoun County without many of the limitations that are typically applicable to drinking establishments proposed in many other portions of the County.

According to the preliminary plans, the brewery's parking lot, brewery, tap rooms and outdoor seating will be located within 1,000 feet of our home (and even closer to several of our neighbors). The planned brewery will sit on the current vacant 17 acre lot which is adjacent to our property. Over the past ten years that we have lived in our home, the lot has been treated as a dump site, which is in violation of at least one the county's land use ordinance. The land has never been farmed over the past ten years.

Major categories of concerns that we and many of our neighbors would like to see addressed by the zoning ordinance rewrite are summarized as follows:

- Greater limitations on site development intended for multiple, high-intensity uses (e.g. commercial-scale breweries, tap rooms, events, etc.);
- Varying permitted uses according to activity intensity and lot size;
- Definition of agriculture operations/farms as they would pertain to "farm breweries;"
- Improvements in noise and light pollution and enforcement of ordinances;
- Increased requirements for projection of well water use, liquid waste or sewage, volume of patrons, noise volume, traffic, parking,
- Streamlined and clarified mechanisms for monitoring, reporting and enforcement of

applicable County rules and regulations.

In addition to the concerns listed above, we are also very concerned about the fact that there is a winery located directly across from the proposed brewery site. The increased traffic to an already dangerously precarious road which is heavily trafficked by both vehicles and bicycles on weekends is alarming at best. We are also concerned about what the addition of essentially a "commercial" property next to a residential area will do to the value of our homes.

Below are comments which have been previously submitted by others which we agree are applicable to our concerns:

#### 5.01.03. SITE DEVELOPMENT, USES ON LOTS. MULTIPLE USES.

Where two or more primary uses are located on one parcel the required parcel size should be evaluated to be the sum of all minimum lot sizes (similar to parking) rather than the current requirement that the acreage meet only the size requirement for the largest use. Alternatively, if more than one primary use is applied for, the application should be reviewed via a site plan/visit with consideration given to intensity of use (volume of patrons, parking, traffic, noise, lighting, etc.) to confirm acreage for multiple uses

5.08.01.C: PERFORMANCE STANDARDS. This section states that the regulations contained in the Performance Standards area do not apply to Agricultural Operations. Language should define "Agricultural Operations" and consider changing to bonafide production agricultural operations rather than merely the term "agricultural" which is too broad a term. This exception should not apply to tasting rooms or other retail operations. Only the bona fide agricultural operation portion of the business and property should be included in 5.08.01.C. as an exception to noise and lighting standards.

5.08.04 Performance Standards - Noise. Noise control is problematic. For business uses and residents it requires better distinctions for who responds (Sheriff? Zoning Enforcement?) to what types of complaints; when are investigations conducted by the Sheriff or Zoning Enforcement (upon complaint? by appointment only for weekends?); and should more clearly state how and from where the noise level is determined. In addition, it should also include better education for the public for how to submit and receive status of a complaint, as well as opportunities for businesses to reduce unwarranted complaints.

#### 5.08.04 PERFORMANCE STANDARDS. NOISE. EXEMPTIONS.

There should be a section that lists what sounds are prohibited and at what times they are prohibited. Time limits should be added to this section or should there be a reference to time limit information.

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 to the noise standards listed consistently across ALL uses, and therefore provides insufficient 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 are well-known, (documented impacts via LEx complaints, emails and letters over many years), the rewrite should address how and when this will be reviewed and rectified.

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?

5.08.05.C PERFORMANCE STANDARDS. SPECIAL EXCEPTION REVIEW FOR LIGHTING THAT DOES NOT COMPLY WITH STANDARDS. Should add: "Neighborhood meetings are required."

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?

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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?

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5.09. 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 5.09.01 Road Access Standards (former Table 5-654) no longer states that Vehicle trips Per Day are to be "calculated," which is good. However, it now states that Vehicle Trips per Day (VTD) must be "determined by traffic study if required. Traffic studies are common for large developments in SPA, TPA and possibly 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 will it be evaluated? When is compliance confirmed? Or will it remain – as has been in the past – 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 gathered during permitting, county approvals of permits without verification, and lax enforcement for traffic levels that should have required special exception review. Why rewrite a Zoning Ordinance if the known issues will not be addressed and fixed?

We appreciate the opportunity that we have been provided to submit our comments with hopes that they are taken into consideration in the Loudoun county Zoning Ordinance Rewrite Process for this issue.

Respectfully,

Mr. and Mrs. Christopher Conner







**From:** Joan Gardiner  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Protect historic villages & landscape  
**Date:** Sunday, July 17, 2022 7:54:31 PM

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Dear Zoning staff,

I came to Unison in 1973, I was one of the first outsiders in the small village which largely consisted of folks who had been there their whole lives. Lots of things have changed since then like indoor plumbing and many home improvements to the houses. But the original character has not changed. People often drive or bicycle into Unison for the first time and stop by my honey stand. They are charmed by how unexpected this little spot on the map is and ask questions about the history. On my honey labels is written: "Unison makes a perfect home for honey bees. Here, where no monoculture or housing development disturb a healthy forage, the bees thrive...in a landscape unchanged in 200 years...". It makes a perfect home for those of us who are here too, and a welcome place for those taking a drive or ride through the countryside.

You need to honor and protect this kind of heritage, it enhances the soul of Loudoun county. Now is the time for vision in our future. Protect Unison.

Thank you,  
Joan Gardiner

Sent from my iPad

**From:** sgferster [REDACTED]  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Protections for Rural Villages  
**Date:** Monday, July 18, 2022 2:13:49 PM

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Dear Zoning Staff Members,

I am writing to urge you to revise the County Zoning Ordinance to protect historic rural villages in Loudoun, such as Unison, Willisville, Howardsville, Airmont, Bloomfield, Morrisonville and others. By protecting our rural landscapes and preserving village life that is so unique and historic, we preserve the elements that make these places attractive to residents and desirable for visitors, as well. Please take action and put protections in place through thoughtful Zoning Ordinances, and put tighter restrictions in place for incompatible uses or wanton development. I support the recommendations put forth by the Unison Preservation Society.

Thank you for your thoughtful consideration.

Respectfully,

Susan Ferster

[REDACTED]

Advisory Board Member  
Unison Preservation Society

**From:** Michael Marsh  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Question about Zoning Rewrite  
**Date:** Monday, May 2, 2022 7:52:15 PM

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Greetings-

I see that 3.06 restricts Guest Houses from being rented but I do not see the same restriction for Accessory Dwellings in 3.06.02.01. May Accessory Dwellings be rented (either long term or short term) separately from the primary dwelling?

Thank You,

MM

**From:** miriam westervelt  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Question re airbnbs in historic districts  
**Date:** Friday, April 29, 2022 9:21:14 PM

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Dear Zoning Rewrite, Can you tell me where in the draft ordinance is the language about prohibiting entire houses in historic districts to be Airbnb's? I wish to comment on that but don't see it in the ordinance? Thank you,  
Miriam Westervelt PhD

"Nature is party to all our deals and decisions and she has more votes, a longer memory, and a sterner sense of justice than we do." Wendell Berry

**From:** Frank Bowers  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] questions  
**Date:** Monday, May 9, 2022 1:24:38 PM

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Hi,

Me and my partners own 3 lots that are zoned PDIP. They are listed below. My question is that since the previous owners did not opt into the 1993 PDIP and we are stuck under the 1972 will this new zoning help us get out of the 1972? We have been told to get current to 1993 would be an expensive and time consuming process. I was just wondering if instead of doing that we could just wait until you guys approve the new zoning. Looking for some kind of guidance.

Thanks

Frank



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Frank Bowers  
[Fbowers@pestnow.com](mailto:Fbowers@pestnow.com)



**From:** dennis oneill  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Re: 43858 Spinks Ferry Road Leesburg, Va Parcel ID 074267947000  
**Date:** Thursday, May 5, 2022 9:54:51 AM

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Update. It appears my 17.5 property is presently zoned AR-1 and would be ARN under proposed zoning change. I read ordinance and am having trouble trying to understand if the new zoning is good or not for my property at 43848 Spinks Ferry Rd, Leesburg, VA 20176 Can someone help me with this? cell 732-797-0550 Thank you. Dennis Oneill

On Wed, May 4, 2022, 6:04 PM dennis oneill <[dfoneill2190@gmail.com](mailto:dfoneill2190@gmail.com)> wrote:

I am attempting to find my proposed new zoning on your website. My tax bill information indicates my property is Agricultural. When I go to your revised zoning chart I don't see "plain" Agricultural. I do see Agricultural A10, Agricultural A3, Agricultural Rural-1 and so forth. My specific question is what exactly is my present zoning on my property and what will exactly my zoning be if the proposed new rezoning plan is enacted? My cell is 732-797-0550 if you might need to contact me. Thank you. Dennis ONEill.

Sent from my iPad

**From:** Jennifer Gannaway  
**To:** [Clare, Gary](#); [DEPT-PZ-ZORW](#); [John Gannaway](#)  
**Cc:** [Jafari, Abbas](#); [Fultz, Zeb](#); [Haroun, Mohamed](#)  
**Subject:** [EXTERNAL] Re: Hamilton Station?  
**Date:** Monday, July 18, 2022 11:26:33 AM

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*Thank you for the opportunity to comment on the Loudoun County Zoning Ordinance Rewrite process.*

We just wanted it to be noted that we share the concerns of our neighbors on the Hamilton Station Brewery Project. We had to live through the illegal dumping on the property several years ago and are disheartened to see that another venue/brewery will be allowed in the neighborhood, right across the street from the Hamilton Barns Winery. We also have concerns as to how the property was allowed to be sold when there were existing violations on the land at the time of the sale to the new owner. Is there a county process that can monitor those violations and put a lien on the property until the violation is "fixed" before selling? Such a process of putting a lien on a property could naturally prevent "abuse" of dumping or misuse of properties like this one and Gable Farm.

Zion Springs down Piggott Bottom Road started out as a Bed and Breakfast and has since increased its operation to a full venue. While we are happy to see people succeed and flourish, we would like to note that the traffic volume has significantly increased due to the events held there and has made an impact on our neighborhood.

Once the Hamilton Station land is developed and used for the purpose of a brewery, who can guarantee that if it is developed as a brewery and then later sold that new owners would honor what the current developer states on how he will limit the use and have no outdoor music etc? ... The music and voices from Hamilton Barns and Zion Springs already filters over. It seems that lifelong Loudoun residents are paying higher and higher real estate taxes and getting less consideration for the quiet use and enjoyment of the property they bought in the "country" and are losing to big developers, breweries and wineries.

*To be specific, and to minimize redundancy, below are comments previously submitted by others that we have reviewed and we support. We have highlighted and underlined comments that particularly stand out to us and repeated the same comments under multiple sections where the comments apply.*

*Our principal concern relates to what we consider to be insufficient oversight of "farm breweries" that serve beer and may host events and food trucks with little or no restrictions as long as they are situated on land designated as "agricultural," such as one in the planning stage which overlooks and is immediately adjacent to our neighbor's property.*



*Its parking lot, brewery, tap rooms and outdoor seating would be located approximately 1,000 feet from our neighbor's home in Hamilton (and even closer to several of my other neighbors). It would sit on a 17 acre vacant lot that has been treated as a dump site, is in active violation of at least one county land use ordinance, and has seen no farming activity on-site for many years.*

*In effect, the current by-right treatment of “farm breweries” is in effect enabling the placement of bars throughout Loudoun County without many of the limitations that are typically applicable to drinking establishments proposed in many other portions of the County.*

*Major categories of concerns we and many of my neighbors – would like to see addressed by the ZOR rewrite can be summarized as:*

- *Greater limitations on site development intended for multiple, high-intensity uses (e.g. commercial-scale brewing, tap rooms, events, etc.);*
- *Varying permitted uses according to activity intensity and lot size;*
- *Definition of agriculture operations/farms as they would pertain to “farm breweries;”*
- *Improvements in noise and light pollution and enforcement of ordinances;*
- *Increased requirements for projection of well water use, process effluents, volume of patrons, traffic, parking, pedestrian crosswalks etc.,*
- *Streamlined and clarified mechanisms for monitoring, reporting and enforcement of applicable County rules and regulations.*

*To be specific, and to minimize redundancy, below are comments previously submitted by others that we have reviewed and support:*

#### **5.01.03. SITE DEVELOPMENT, USES ON LOTS. MULTIPLE USES.**

*Where two or more primary uses are located on one parcel the required parcel size should be evaluated to be the sum of all minimum lot sizes (similar to parking) rather than the current requirement that the acreage meet only the size requirement for the largest use. Alternatively, if more than one primary use is applied for, the application should be reviewed via a site plan/visit with consideration given to intensity of use (volume of patrons, parking, traffic, noise, lighting, etc.) to confirm acreage for multiple uses.*

"By Right" use: The zoning districts are too broad. Within ARS and ARN, there are locations that are predominantly residential, with only a few lots that aren't under some sort of development restriction or covenants. Those lots may not be appropriate locations for a "by right" use. If the "by right" use can not be changed, then more restrictions need to be placed on high intensity use facilities that are allowed "by right" in order to protect the health, safety and quality of life of the existing residents.

The "By Right" use isn't consistent with at least one of the stated purposes of the ARS District: "Ensure complementary rural economy uses, including traditional and new agricultural uses (agriculture, horticulture and animal husbandry), agriculture support and basic services directly associated with on-going agricultural activities, and other uses that can be developed in ways that are **consistent with the rural character and existing residential development of the ARS District** through mitigation and other standards."

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For high intensity use facilities (wineries, breweries, tap rooms, entertainment venues, etc.), the **existing residents should be taken into consideration**. If a 10 acre lot is surrounded by homes, is that lot really a good location for a high intensity use establishment?

5.08.04 Performance Standards - Noise. **Noise control is problematic. For business uses and residents it requires better distinctions for who responds (Sheriff? Zoning Enforcement?) to what types of complaints; when are investigations conducted by the**

*Sheriff or Zoning Enforcement (upon complaint? by appointment only for weekends?); and should more clearly state how and from where the noise level is determined. In addition, it should also include better education for the public for how to submit and receive status of a complaint, as well as opportunities for businesses to reduce unwarranted complaints.*

*"There needs to be tighter restrictions on the distance between a high intensity use facility and residents. From experience, noise from outdoor entertainment can be heard 800 feet away and sometimes up to 1,000 feet away, regardless of how many trees are between the business and residents. Enforcement of noise violations needs to be more impactful. The current fines don't seem to affect the businesses much. Noise Violations Penalties or fines.... three strikes and your business license gets suspended for 1 month. Basically, these businesses need to be good neighbors or don't build their business in neighborhoods."*

#### **5.08.04 PERFORMANCE STANDARDS. NOISE. EXEMPTIONS.**

*There should be a section that lists what sounds are prohibited and at what times they are prohibited. Time limits should be added to this section or should there be a reference to time limit information.*

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*The number of high intensity use businesses in a predominantly residential area should be taken into consideration. A residential neighborhood should not have to contend with two or more such facilities across the street from each other or even within a certain distance from each other. There are residents that are negatively impacted because they are beginning to be surrounded by these types of businesses.*

*There should be tighter restrictions on size, hours of operation, lighting, water use and traffic impact when these facilities are being proposed in predominantly residential areas; health, safety and quality of life concerns.*

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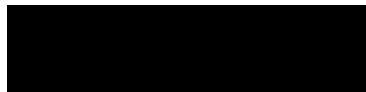
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Thank you

John and Jennifer Gannaway



On Fri, Jul 15, 2022 at 7:29 AM Clare, Gary <[Gary.Clare@loudoun.gov](mailto:Gary.Clare@loudoun.gov)> wrote:

Good morning Mr. Gannaway,

Sorry I missed your call. In order to avoid “phone tag” and so that I can get your question into the right hands to answer, please let us know via e-mail what the topic is. I recall your being in an e-mail string regarding Hamilton Station, so have cc’d the staff involved in that

project as well.

Sincerely,

Gary R. Clare, PE

Land Engineering Division Manager

[Gary.clare@loudoun.gov](mailto:Gary.clare@loudoun.gov)

703-777-0231

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**Jennifer Gannaway**

**From:** Jaime Steve  
**To:** [DEPT-PZ-ZORW](#); [Buffington, Tony](#); [Randall, Phyllis](#)  
**Subject:** [EXTERNAL] RE: Need to Revise Loudoun County's Zoning Ordinance to Protect Historic Rural Villages Like Unison, St. Louis, Willisville and Other Remaining Villages  
**Date:** Sunday, July 17, 2022 2:43:06 PM  
**Attachments:** [UPS Zoning Letter 7.17.2022.docx](#)

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Please accept out letter to the Board of Supervisors regarding the need to revise the Loudoun County Zoning Ordinance to protect rural, historic villages.

Our letter is both attached and below.

Thank you,

Mr. Jaime Steve  
Mrs. Whitney Steve



July 17, 2022

Dear Members of the Loudoun County Board of Supervisors,

RE: Need to Revise Loudoun County's Zoning Ordinance to Protect Historic Rural Villages such as Unison, VA and Other Rare Remaining Historic Villages.

We write to urge you to revise the County Zoning Ordinance as suggested by the Unison Preservation Society (UPS) to protect unique historic rural villages like Unison, St. Louis, Willisville, Airmont, Bloomfield, Howardsville and Morrisonville.

We have lived in a small, older house in Unison, VA for nearly twenty years. We selected the house BECAUSE it was in one of the few remaining historic, preserved and quickly vanishing rural villages in Loudoun County. We ask that you take action to preserve Loudoun's unique rural villages for future generations. Without strict regulations, developers will use every opportunity to destroy the very essence of what makes Western Loudoun County the beautiful and well-preserved place that it has been for hundreds of years. Please do not allow developers to do that.

Sincerely,

Mr. Jaime Steve and

Mrs. Whitney Steve





[REDACTED]

[REDACTED]

[REDACTED]

**From:** jennifer don  
**To:** [Linda Stuntz](#)  
**Cc:** [DEPT-PZ-ZORW](#); [Buffington, Tony](#); [Randall, Phyllis](#)  
**Subject:** [EXTERNAL] Re: Please Protect Historic Villages like Unison and Their Surroundings  
**Date:** Monday, July 18, 2022 1:53:40 PM

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Thanks Linda!

Sent from my iPhone

On Jul 18, 2022, at 1:34 PM, Linda Stuntz <[lsgstuntz@gmail.com](mailto:lsgstuntz@gmail.com)> wrote:

Dear Chair Randall, Supervisor Buffington and Zoning Staff,

We own 35+ acres of horse pastures, barns, forest and pre-1990 homes between Unison Road and Dog Branch Creek, just north of the historic village of Unison. We support fully the comments developed by the Unison Preservation Society. These are included below for your convenient reference. As we look north to the booming towns of Purcellville and Round Hill, we are particularly concerned about the granting of exceptions that could enable encroachment on this neighborhood of dirt roads and stone walls.

Please remain vigilant to protect what remains of rural Loudoun, particularly the historic villages and their surroundings, so that our children and grandchildren may continue to have a place to experience nature, animals, fresh garden bounty, and the land that supports them.

Thank you for your consideration.

Linda and Reid Stuntz



UPS Comments:

**Chapter 3 Uses**

**Principal Use Table 3.02.02-3**

DISCUSSION

A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center

Death Care

Business	Retail, General
Commercial Winery	Farm Machinery Business
Public Safety Facility	
Country Inn	Civic
Buildings	Sawmill
Banquet/Event Facility	
Schools	Slaughterhouse

**RECOMMENDATION**

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.
- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special Exception.

**Chapter 4 Overlay Districts**

**Section 4.07 Village Conservation Overlay District**

“Purpose”

**DISCUSSION**

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

**RECOMMENDATION**

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*

**CURRENT LANGUAGE**

**“A. Applicability.**

The Village Conservation Overlay District (VCOD) is established as an overlay district,

meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

**CURRENT LANGUAGE**

**“B. District Boundaries.**

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan. Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

**CURRENT LANGUAGE**

**“C. Expansion of VCOD Boundaries.**

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan. “Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

**Section 4.08 Historic Districts**

**H. Right to Raze or Demolish.**

## DISCUSSION

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

## RECOMMENDATION

### **NEW SECTION: Protection of Stone Walls in Beaverdam Creek Historic District**

In order to better protect the stone walls and historic roads that comprise the Beaverdam Creek Historic District, property owners, non-profits, Loudoun County residents, and County government entities shall be entitled to place Beaverdam Creek Historic District signage in the public right-of-way. Such signage shall note the historic and protected status of the area and covered improvements and shall include telephonic and internet resources for obtaining more information and reporting threats to protected Beaverdam Creek Historic District walls and roads appropriate public officials.

### **I. Hazardous Conditions.**

#### DISCUSSION

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

#### RECOMMENDATION

Require a notice/cure provision before razing or demolition is possible. Cure period should be substantial if reasonable demonstration can be made that people are reasonably protected from unsafe conditions.

## **Chapter 5 Adaptive Reuse**

### **B. Eligibility.**

#### RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

1. Identified as historically significant by being:
  - a. Designated as a National Historic Landmark; or
  - b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or
  - c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or
  - d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC.

**Section B.3** Delete "... and the prior use or uses in the structure are obsolete or economically nonviable."

**Section B.3** Delete a. through c.

**Standards and Requirements / Section C** We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning set-backs or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

**C** In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

#### **D. Permitted Uses.**

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

#### **E. Adaptive Reuse Incentives.**

In addition to nonconforming lot or structure allowances pursuant to Chapter 9, projects that are eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.

Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

### **Chapter 9 Nonconformities**

#### **B.2 Discontinuation of Nonconforming Use.**

##### **PROVISION**

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

##### **RECOMMENDATION**

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the

retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

**From:** Jerry Krumwiede  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Request the proposed changes to AR-1  
**Date:** Wednesday, May 4, 2022 4:51:38 PM

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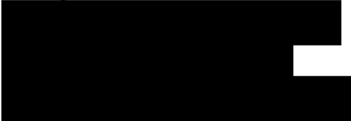
Citizen service:

Request to know if changes are being proposed to change the Agricultural Rural district AR-1 as it now exists

If so request provide a link to these proposed changes...

Thank you

Taxpayer,  
Jerry Krumwiede, PMP





**From:** Debbie Halla  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Rewrites and GHG emission reduction goals  
**Date:** Wednesday, June 8, 2022 10:29:47 AM


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Dear Zoning Rewrite Staff -

I have a house in Loudoun and am curious to know how our County will be merging our greenhouse gas reduction goals with zoning and building regulations. What are the committees that will oversee this process and how can residents participate?

Many thanks,

Debbie Halla



**From:** Jerry Krumwiede  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Kershner, Caleb](#); [Carey, Stacy](#); [Reed, Ryan](#); [Wegener, Brian](#)  
**Subject:** [EXTERNAL] Rezoning comments  
**Date:** Thursday, May 5, 2022 9:59:22 AM

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Ms Judy Birkitt:

Folks that live on Gleedsville Road have recommendations on any zoning changes to properties of AR-1

How do the Loudoun residents adjacent to AR-1 get their comments to "ZORW", whatever that is?

Here are the Properties

[ATTACHMENTS 1 and 2]

The subject properties are located on the west side of Gleedsville Road (Route 650), north of Woodside Place (Route 1001) and Browns Creek Place at 20191, 20179, 20173 Gleedsville Road, Leesburg, Virginia (collectively "subject properties") in the Catoctin Election District. [ATTACHMENT 3]

IN:

PIN/ADDRESS	ZONING	ACREAGE
315-39-2788 20191 Gleedsville Rd	AR-1 (Agricultural Rural-1); FOD (Floodplain Overlay District)(minor floodplain)	4.9
315-39-4049 20179 Gleedsville Rd	AR-1; FOD (minor floodplain)	8.01
315-30-2419 20173 Gleedsville Rd	AR-1	2.26



Page 2 of 15

Please provide an email address or real person phone number for any of residents communicate to Loudoun County person.

Please open the direct communications door

Thanks

Jerry Krumwiede, PMP



**From:** Elaine Meilahn  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Re-zoning Comprehensive Plan  
**Date:** Monday, July 18, 2022 4:30:02 PM

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As a 24y resident in the Western rural area of Loudoun County, I'm very concerned about the increased housing density and traffic leading to a decline in the quality of life for all residents, human and wildlife. In lieu of downzoning rural density (badly needed), we must reduce development impacts in the Rural Policy Area. Also, I strongly encourage you to re-start the PDR. Thank you, Dr. Elaine Meilahn. [REDACTED]

**From:** David Ward  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] RSCR Map  
**Date:** Thursday, April 21, 2022 5:59:11 AM

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Please identify where the RSCR Map may be viewed. Is there an interactive map where these zones may be viewed?

I see an early draft posted to <https://loudouncoalition.org/wp-content/uploads/2022/01/2022-01-05-Static-Maps-and-Graphics.pdf>

David Ward



**From:** Scott Reynolds  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning comments/input  
**Date:** Friday, July 15, 2022 4:23:31 PM  
**Attachments:** [2021\\_09-15-Draft-Text-Deletions.pdf](#)

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Hello and thanks for allowing me to comment.

I believe the September 15, 2021 draft text (3.06.XX) reviewed by the ZOC at that date should be reinstated in its entirety. A copy of this draft is attached.

Thank you for your consideration.

Scott Reynolds



### 3.06.01 Purpose and Applicability

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A. **Purpose.** The purpose of this section is to establish standards for specific uses to minimize negative impacts on neighboring properties, implement State and federal law, and ensure the orderly development of a diversity of land uses within the county. These standards will provide uniformity in the criteria for development approval, protect the public health, safety and welfare, and protect property values and economic development. These standards are consistent with and support The Loudoun County 2019 General Plan.

B. **Applicability.** ~~The use specific standards of this section apply in addition to all other applicable standards and regulations within this ordinance unless otherwise stated. In addition to the use specific standards of this section, the uses identified in this section are subject to all other applicable standards and regulations within this ordinance unless otherwise stated. These standards and regulations shall include, but not be limited to: Exterior Lighting (Section 5.12), Landscaping/Buffering/Screening (Section 5.07), Noise (Section 5.12), Parking (Section 5.05) and Roads/Access (Section 5.13).~~

~~Where applicable, a structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used in accordance with this section and is exempt from the minimum lot area, and set back from lot line requirements. Any expansion or enlargement of that structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures. MOVED THIS LANGUAGE TO ADAPRIVE REUSE SECTION 5.09.~~

C. **Conditions.** In addition to any standards in this Section 3.06, a use shall conform to any proffers applied pursuant to a zoning amendment (Section 7.08), conditions imposed pursuant to a special exception or minor special exception (Section 7.09) or variance (Section 7.13) review, or conditions or proffers applied pursuant to a planned unit development review (Section 7.10).

E. **3.06.03.01 Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn, and Rural Resorts**

A. **Applicability.** This section applies to any [Bed and Breakfast Homestay](#), [Bed and Breakfast Inn](#), [Country Inn](#), or [Rural Resort](#) that is established either as the initial use of the subject property, by change of use of the property, or by conversion of one use to another.

B. **Approval.** No Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn or Rural Resort shall be established until a [sketch plan or site plan, as applicable](#), for the proposed use is approved and the appropriate building permit and applicable Fire Prevention [Code](#) permits obtained. ~~Additional approval requirements are listed in Section 3.02 and on a per use basis in the following subsections.~~

**Bed and Breakfast Inn.** The following standards apply to a Bed and Breakfast Inn:

1. **Intensity/Character.**

a. **Number Permitted.** Only a single Bed and Breakfast Inn use type, and its related uses and accessory uses, is permitted on a lot in the ARN, ARS, and A-3 [zoning districts](#).

b. **Management.** The owner or manager of the premises shall provide full-time management at all times when the Bed and Breakfast Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises ~~and must be onsite at all times when the Bed and Breakfast Inn is occupied by overnight guests or private party attendees.~~

c. **Guest Rooms.** The number of guest rooms shall not exceed 10.

d. **Lot Area.** The minimum lot area is 5 acres.

e. **Size of Use.** Maximum floor area ratio: 0.04.

f. **Food Service.** The Bed and Breakfast Inn shall not contain restaurant facilities, but may provide food service only for overnight guests or private party attendees.

g. **Yard Standards.** Parking shall be [setback](#) 40 feet from all [lot lines](#).

F. **Country Inn.** The following applies to a Country Inn:

1. **Approval.** Minor special exception review and approval is required in ARN, ARS, and A-3 zoning districts if a Country Inn contains [a restaurant that serves more than 100 persons.](#)

a. ~~more than 20 guest rooms, or~~

b. ~~multiple structures, or~~

c. ~~a restaurant that serves more than 100 persons.~~

2. **Intensity/Character.**

a. **Number Permitted.** Only a single Country Inn use type, and its related uses and accessory uses, is permitted on a lot in the ARN, ARS, and A-3 zoning districts.

b. **Management.** The owner or manager of the premises shall provide full-time management at all times when the Country Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises ~~and must be onsite at all times when the Country Inn is occupied by overnight guests or private party attendees.~~

c. **Guest Rooms.** The number of guest rooms shall not exceed 40.

d. **Minimum Lot Area.** The minimum lot area is 20 acres.

#### A. Applicability

1. This section applies to limited breweries.
2. Limited breweries shall be licensed as a Limited Brewery in accordance with Title 4.1 of the Code of Virginia, as amended.
3. No limited brewery shall be established either as the initial use of the subject property or by change of use of the property until a sketch plan is approved per Chapter 7.
4. The owner of a limited brewery must is requested to contact the Loudoun County Department of Fire, Rescue and Emergency Management and Department of Building and Development for an informational inspection of the building(s) or structure(s) to be used for the limited brewery prior to establishing the use.

#### B. Location.

1. A limited brewery shall~~must~~ be located on a farm on land zoned agricultural.
2. For purposes of this definition, "farm" meansA limited brewery must be located on one or more contiguous parcels of land, totaling at least 10 acres, owned or leased by the licensed limited brewery and used as an "agricultural operation" or "production agriculture and silviculture" as defined in Section 3.2-300 of the Code of Virginia.

#### C. Intensity/Character.

1. Outdoor tasting rooms or similar outdoor activities must be set back at least 50 feet from all lot lines of adjacent agriculturally or residentially zoned properties under separate ownership.

D. **Limited Brewery Event.** For the purposes of this section, a "Limited Brewery Event" is any planned event conducted at a limited brewery on one or more days, where the purpose is agritourism or to promote beer sales, and which includes any of the following: receptions where beer is sold or served; beer club meetings and activities; beer tasting educational seminars; beer tasting luncheons, business meetings, and corporate luncheons with a focus on selling beer; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; brewmasters' dinners where beer is paired with food; agritourism promotions; fundraisers and charity events; or similar activities. On premises sale, tasting, or consumption of beer during regular business hours within the normal course of business, and private parties are not deemed "Limited Brewery Events."

1. **Permitted By Right.** Limited brewery events are permitted by right at a limited brewery if no more than 250 persons are in attendance at the brewery at any time and the events are related to agritourism or beer sales.
2. **Parking.** All parking for those events must be provided on site. Parking must meet the standards and requirements of Section 5.05.03.

E. **Limited Brewery Special Event.** For purposes of this section, a "Limited Brewery Special Event" is any planned event conducted at a limited brewery on one or more days, where the purpose is agritourism or to promote beer sales, and which includes beer festivals or any event identified as a Limited Brewery Event in which more than 250 persons are in attendance at the brewery at any time. On premises sale, tasting or consumption of beer during regular business hours within the normal course of business, and private parties are not deemed "Limited Brewery Special Events."

1. **Frequency.** Within a single calendar year, the same property may host no more than 10 limited brewery special events pursuant to this subsection. The temporary use permits for these special events may be reviewed and approved concurrently. At least 14 days shall lapse between special events on any one property, or the subsequent special event shall be at least 2,000 feet from the location of the previous event.
2. **Parking.** All parking for limited brewery special events should be provided on site out of the public right of way. If any special event parking is provided off site, a shuttle service must be provided.



3. ~~Approval.~~ Special events shall receive approval pursuant to Section 3.05.

F. ~~Prohibited Uses.~~ The following uses/activities are prohibited accessory uses at any Limited Brewery:

1. ~~Helicopter rides~~
2. ~~Grocery, convenience or general stores~~
3. ~~Go kart, motorized bike or four wheeler trails, tracks or rides~~
4. ~~Amusement park rides~~
5. ~~Flea markets~~
6. ~~Other uses that the Zoning Administrator determines are similar in nature or in impact to those listed above.~~

G. **Private Access Easements.** Limited Breweries that share a private access easement with another property owner/s, must show the easement allows a use of this type or written permission must be obtained by the sharing parties.

**From:** daddoo524@aol.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] staff planner regarding craft beverage manufacture  
**Date:** Monday, May 2, 2022 2:32:21 PM

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Hi

I am trying to contact the staff planner who is in charge of the draft for the craft beverage manufacture.  
Thank you

John Fuog



**From:** Jerry Krumwiede  
**To:** [DEPT-PZ-ZORW](#); [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] STOP BIG REHAB in Ag District AR-1/AR North  
**Date:** Tuesday, May 24, 2022 9:35:04 AM

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Ms Judy Birkitt  
Leaders of ZORW

The For Profit Newport Institute has requested that the following code of Virginia 15.2, 15.2-2291, i.e., Congregate Housing”, be allowed for use after their purchase of Dusault-Crowe properties located in AR-1 Agriculture Rural District 1, on Gleedsville Rd: 20191, 20179, and 20173 Gleedsville Rd.

**Congregate Housing is not allowed for residential use in AR -1.**

Do not approve this Newport Institute request for this unauthorized residential use in AR-1.

Newport Institute residential use of these properties will endanger the neighbor property owner residents. Under the for profit use of these Newport Academy properties, these properties will house young adults, ages 17 -26, suffering mental illness, substance abuse, alcoholism, depression, etc.

Since Loudoun County has no resources to examine the total number and daily status of these for profit patients, Newport Institute has no limit on the patients living in each facility, nor the joint activity of these confined clients taking place in the total property complex.

Client inmates will have every opportunity to wander from their resident areas. There is every risk patients will leave the limits of AR-1 and intrude on the proprieties of neighbors. This age group is undisciplined and eager to determine if the “rules” can be broken. Client inmates may also steal neighbor automobiles/other vehicles parked in neighbor driveway, “to get out of here”, or enter neighbor homes or act to intrude on neighbor activities. A Farm Less Ordinary is an activity that could be intruded upon at a danger of immediate harm to residents on the AFLO site. The highest risk is if any mental disarranged inmate under treatment covertly obtains a firearm or other dangerous weapon. Legal action after the fact is not a solution to the person(s) that suffer the injury. Calling “911” is always too late.

Every neighbor resident is in danger to intrusion of these addictive residents, 24/7. Every day addictive clients reside in AR-1, is a day of intrusion safety of concern to the neighbors. The fact is that there is nothing that Loudoun County Government can do to ensure neighborhood safety, **except of course**, to disapprove Newport Institute occupancy of the Dusault-Crowe properties for mental health treatment centers and use.

**Do Not approve the ‘for profit’ Newport Institute request for Congregate Housing residential use in AR-1!**

Jerry Krumwiede, PMP



**From:** Scott Reynolds  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Support for White Papers by BRMCA and Hamilton Station  
**Date:** Sunday, July 17, 2022 11:59:45 AM

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To Whom it May Concern,

Please use this email to confirm my support of the zoning white papers previously submitted by BRMCA and Hamilton Station Neighbors.

Thank you

Scott Reynolds  


**From:** Natalie Pien  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Sustainability Policies Loudoun 2019 General Plan & Draft Zoning Ordinance  
**Date:** Tuesday, July 12, 2022 8:04:18 AM  
**Attachments:** [Natalie.draft\\_ZOR\\_comments.docx.docx](#)

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Hello. My name is Natalie Pien. I reside in the Catoctin District at 20644 Gleedsville Rd, Leesburg, VA 20175. I noticed that the Draft Zoning Ordinance does not include any ordinances that reflect the two Sustainability Policies adopted in 2019. Attached are my comments that:

1. explain why Sustainability ordinances are urgently needed
2. reference past recommendations made through the Loudoun County Preservation and Conservation Coalition
3. identify the most important Sustainability policies/issues that should/must be included/added to the draft ZO under review
4. urge all LCPCCC recommendations be developed into ordinances for the Loudoun Zoning Ordinance.

Please let me know that you received my comments, how best to address my comments, and any questions you may have. Thank you very much.

Sincerely,  
Natalie Pien



**From:** Jerry Krumwiede  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [loiskrumwiede@gmail.com](mailto:loiskrumwiede@gmail.com)  
**Subject:** [EXTERNAL] Taxpayer comments on new zoning ordinance  
**Date:** Monday, May 2, 2022 11:45:36 AM

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Zorw:

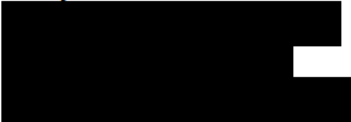
Request I be allowed to ask the following question at this subject hearing:

“Does the new ordinance allow Newport Institute apply for, with expected approval, Congregate Housing as a residential use in AR-1 Agriculture Rural District 1 District in Table 1?” If so the request is not to approve the ordinance as written.

Please answer the question

Thank you

Jerry Krumwiede, PMP



**From:** Robert Ellis  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Village of Unison Omission as Village Conservation Overlay District  
**Date:** Sunday, July 17, 2022 5:34:19 PM

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As a resident for 26 years of the Village of Unison and owner of property that has been designated a National Historic Site, I am perplexed by your omission our Village as a HOD. Obviously the Village complies with every provision of 7.09.08 for Historic Site Districts (HS) as well as Historic and Cultural Conservation Districts (HCC). Nonetheless, It is not included in 4.07 Village Conservation Overlay District (VCOD). To not enumerate it in “B. District Boundaries” and make the necessary change of the adopted zoning map is a gross oversight and Unison should be added to the list of District Boundaries before implementing the ZOR. Correcting this prior to adoption of the new Zoning Ordinance is of upmost importance.

Robert and Dana Ellis, [REDACTED]  
[REDACTED]



**From:** cathy ghattas  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Walkability  
**Date:** Monday, July 11, 2022 8:02:30 PM

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Hello my concern is the lack of safe bike lanes or sidewalks for children to go to school or visit friends. We live in Springs at Lenah in Aldie and Lenah Rd isn't paved and is so dangerous. Also if they want to get on Braddock Rd, there isn't any sidewalk or bike lane, no shoulder at all. We feel trapped in our neighborhood.

Thank you,

Cathy Q. Ghattas



**From:** Katherine Barker  
**To:** [DEPT-PZ-ZORW](#); [Buffington, Tony](#); [Phyliss.randall@loudoun.gov](mailto:Phyliss.randall@loudoun.gov)  
**Subject:** [EXTERNAL] ZO rewrite  
**Date:** Monday, July 18, 2022 11:44:38 AM

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Dear Sirs,

As a resident of Unison for over 35 years who has raised a family and continues to live in Unison I implore you to protect our village and the surrounding villages for their rural beauty and historical significance. Not much has changed in our peaceful neighborhood in these many years and it is loved and appreciated by those fortunate to call it home as well as by those passing by who marvel at this quaint, quiet and historical area of Virginia.

Please don't allow this to be wiped out as has happened to so many surrounding towns. Unison is the very essence of Virginia and we must protect our beloved town and its historical importance. I thank you for your work and for listening to the voices of the people who make up our rural communities.

John and Kitty Barker



**From:** bradley gable  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning changes  
**Date:** Thursday, July 7, 2022 5:05:40 PM

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I would like the family subdivision to be included in the new rural zoning.

It is an effective way for long term tax payers / loudoun stakeholders to keep family in our area.

Brad Gable

[REDACTED]

[REDACTED]

[REDACTED]

**From:** pqweeks [REDACTED]  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning Ordinance - Enforcement in the MDOD  
**Date:** Sunday, July 17, 2022 2:52:43 PM

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Zoning enforcement within the MDOD should be guided by two principals: 1) The penalties for serious zoning violation should be sufficiently robust to discourage violation and not simply become a cost of doing business. 2) The penalties for serious zoning violations should require the violator to return the land to the condition it was in before the violation. It is not sufficient to stop the violation. The land must be returned to its original condition.

Specific wording changes include the following:

<!--[if !supportLists]--> <!--[endif]-->Section 7.13 B. 3. Zoning Administrator *must take action to remove any violation* or attempted violation of this Zoning Ordinance.

<!--[if !supportLists]--> <!--[endif]-->Section 7.13 B. 6. a. The Zoning Administrator will specify a reasonable time for the violation to cease *and for the land to be fully returned to pre-violation condition*.

<!--[if !supportLists]--> <!--[endif]-->Section 7.13E.10.b. In order to determine that a violation has been corrected the zoning administrator must determine that the land has been returned to pre-violation condition.

Peter Weeks  
[REDACTED]

**From:** Kim Roszel  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning Ordinance  
**Date:** Monday, July 18, 2022 11:44:14 AM

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Hello,

My name is Kim Roszel and I'm a member of the community of Unison. I've lived in this beautiful area for 5 years and I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our important historic resources. These resources provide cultural and recreational activities for all Loudoun County residents and have a positive fiscal impact on the County. I appreciate the hard work being done on these matters and believe it is of critical importance to focus broadly on the following matters:

- *Protect Loudoun's historic villages and districts, including during the period prior to completion of Comprehensive Plan mandated criteria to officially designate rural historic villages and complete small area plans.*
- *Reduce the ease of approval for uses and use exceptions that compromise the scenic and historic integrity of our landscape.*

*Our specific recommendations are:*

**Chapter 3 Uses**

**Principal Use Table 3.02.02-3**

DISCUSSION

A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center	Death Care Business	
Retail, General		
Commercial Winery Facility	Farm Machinery Business	Public Safety
Country Inn	Civic Buildings	
Sawmill		
Banquet/Event Facility	Schools	
Slaughterhouse		

RECOMMENDATION

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs

and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.

- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special Exception.

## **Chapter 4 Overlay Districts**

### **Section 4.07 Village Conservation Overlay District**

“Purpose”

DISCUSSION

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

RECOMMENDATION

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*

#### **CURRENT LANGUAGE**

##### **“A. Applicability.**

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

#### **CURRENT LANGUAGE**

##### **“B. District Boundaries.**

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic

crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

#### **CURRENT LANGUAGE**

##### **“C. Expansion of VCOD Boundaries.**

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

#### **RECOMMENDATION**

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

#### **Section 4.08 Historic Districts**

##### **H. Right to Raze or Demolish.**

#### **DISCUSSION**

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

#### **RECOMMENDATION**

##### **NEW SECTION: Protection of Stone Walls in Beaverdam Creek Historic District**

In order to better protect the stone walls and historic roads that comprise the Beaverdam Creek Historic District, property owners, non-profits, Loudoun County residents, and County government entities shall be entitled to place Beaverdam Creek Historic District signage in the public right-of-way. Such signage shall note the historic and protected status of the area and covered improvements and shall include telephonic and internet resources for obtaining more information and reporting threats to protected Beaverdam Creek Historic District walls and roads appropriate public officials.

##### **I. Hazardous Conditions.**

#### **DISCUSSION**

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

#### **RECOMMENDATION**

Require a notice/cure provision before razing or demolition is possible. Cure period should be

substantial if reasonable demonstration can be made that people are reasonably protected from unsafe conditions.

## **Chapter 5 Adaptive Reuse**

### **B. Eligibility.**

#### RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

1. Identified as historically significant by being:
  - a. Designated as a National Historic Landmark; or
  - b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or
  - c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or
  - d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC.

**Section B.3** *Delete "... and the prior use or uses in the structure are obsolete or economically nonviable."*

**Section B.3** Delete a. through c.

**Standards and Requirements / Section C** We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning set-backs or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

**C** In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

### **D. Permitted Uses.**

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

### **E. Adaptive Reuse Incentives.**

In addition to nonconforming lot or structure allowances pursuant to Chapter 9, projects that are eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.



Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

**Chapter 9 Nonconformities**

**B.2 Discontinuation of Nonconforming Use.**

PROVISION

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

RECOMMENDATION

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

Thank you for your time and consideration!

Respectfully,

Kim Roszel

[Redacted signature]

[Redacted contact information]

**From:** J Harris  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning Ordinance Rewrite - Comments  
**Date:** Sunday, July 17, 2022 11:40:48 PM

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**To:** Loudoun County Staff  
**From:** Joyce and Henry Harris  
**RE:** Zoning Ordinance Rewrite  
**Date:** 17 July 2022

### **General Comment**

The draft zoning ordinance should protect residents against "personal recreational fields" or unpermitted dumps like the Gable landfill. Click on this link to see a short video of the landfill: <https://vimeo.com/313057628>

Many of the zoning and enforcement changes that we have suggested and discussed in the past (2019-2020) -- with County staff and former Supervisor Higgins -- have not been incorporated into the draft zoning ordinance.

More recently, our comments for changes on specific sections of the ordinance -- submitted to the County through the Loudoun County Preservation and Conservation Coalition and the Zoning Ordinance Committee -- have been "noted" by the County, but there is no evidence of changes in the draft ordinance.

Please revisit this issue and give it the attention that it deserves so that others do not have to experience the assault on their neighborhood as we have experienced.

Changes in the zoning ordinance should be incorporated into these sections: stockpiling (excessive fill), permits, site plan, enforcement and definitions. Current regulations and policies regarding "stockpiling" and "excessive fill" will not prevent future "personal recreational fields" or unpermitted dumps. The new zoning ordinance should be revised to achieve that end. The revisions should provide for public notice, public hearings, manifesting of waste, objective physical standards for the permitting process and careful monitoring and regulation.

Watch the video. If you lived next door to a "personal recreational field" like the one featured in the video, what changes would you implement in the zoning ordinance to assure that others would be protected from "personal recreational fields" or unpermitted dumps?

Below is a sampling of our comments for suggested zoning ordinance changes.

### **3.06.07.05 Stockpiling**

#### **A. Applicability**

Change to Stockpiling, Utilization of Excessive Fill

If this section in the zoning ordinance only addresses "stockpiling", where in the ordinance is "excessive fill" addressed? Loudoun County's website merges these terms as one "Stockpiling of Dirt/Excessive Use of Dirt as Fill". These terms should use the same standards. If the Gable landfill were considered a stockpile, it would not be permitted. If these terms are different, they should be well-defined in terms of volume, height, siting, acreage, etc, and there should be separate sections for both terms, clearly spelling out their differences.

### **3.06.07.05 Stockpiling**

#### **1. Size of Use**

#### **C. Height**

How was the height limit of 25 feet determined? Note, for clean earth and inert waste fill activity, Albemarle County has a height limit of 8 feet above natural grade with no opportunity for expansion. Why does Loudoun County allow much higher amounts?

Why is there no volume limit for stockpiles? Volume limits further protect the public against huge mountains of dirt.

### **3.06.07.05 Stockpiling**

#### **2., B. Siting**

Stockpiles should not be permitted at the top of a watershed or where neighbor's views are obstructed.

When a stockpile or excessive fill project is located adjacent to a protected area, such as a conservation easement, public notice, neighborhood meetings and/or a special exception should be required to determine the impact on the easement. Additionally, Loudoun County should require clean earth fill for agricultural land stockpiling or excessive fill projects. (Albemarle County approved a "clean earth" amendment to their ordinance in 2020.)

### **3.06.07.05 Stockpiling**

#### **D. Materials**

What is the definition of "uncontaminated dirt" and does it include asphalt? (It is not defined in the definition section.) Are other materials that are not "dirt", regulated in some other way? How will it be determined if the "dirt" is uncontaminated? The County should require owner/managers of stockpiles/excessive fill piles to provide the County with certified manifests from dumpers to prove that the dirt is uncontaminated.

Why is there no statement prohibiting liquid dumping?

### **3.06.07.05 Stockpiling**

#### **G. Compliance with other Ordinances**

Does the zoning permit and grading permit technically require the specification of volume of dirt prior to commencement of any stockpiling? If not, why not? Wasn't this added to the B&D forms?

### **3.06.07.05 Stockpiling**

#### **Reinstate "Noise" heading**

Why is there no guideline with respect to NOISE? This has been removed from the new draft. "Noise created by the activity at the stockpile of dirt shall comply with Section 5-649(B)." Please reinstate. There is a lot of noise produced by trucks, bulldozers and other earth-moving equipment during the dumping.

### **3.06.07.05 Stockpiling**

#### **Add new heading - "Dust Control"**

Why is there no guideline with respect to DUST CONTROL beyond public rights-of-way and roads? There is a lot of dust produced by trucks, bulldozers, and other earth-moving equipment in and around the stockpile during the dumping.

### **3.06.07.05 Stockpiling**

#### **Add new heading - "Truck Traffic on Public Roads"**

It is estimated that the Gable landfill had more than 28,000 truckloads of waste (420,000 cubic yards) over a three year period. How will Loudoun County protect roads not designed to take heavy loads from dump trucks? How will truck traffic be monitored and controlled?

### **3.06.07.05 Stockpiling**

#### **Add new heading - "Surface Water, Groundwater"**

Why did the County decide not to insert a new heading "Surface Water, Groundwater"? How will surface water and groundwater on or around the stockpile/excessive fill sites be monitored to assure that the dirt is not contaminated? Will stagnant pools and undrained pockets be permitted, and if so, will they follow Virginia Department of Health rules? Should the owner of the stockpile/excessive fill site be required to periodically test groundwater if the site is beyond a certain volume?

### **3.06.07.05 Stockpiling**

#### **Add new heading - "Narrative"**

When we met with County staff a couple of years ago, we discussed having applicants provide narratives. Why did the County decide not to add a new heading - "Narrative"? Narratives should be required and provide justification for the amount of stockpiling/excessive fill required for a project.

### **3.06.07.05 Stockpiling**

#### **Add new heading - "Timeline"**

This was another subject that was discussed with the County. Why did the County decide not to add a new heading "Timeline"? There should be a time limit for completion of a stockpiling/excessive fill projects to protect the public from hazards such as noise, traffic, runoff and other nuisances.

## **7.03 Zoning Permit**

### **A. Applicability, 4**

### **B. Initiation, F.**

### **C. Review and Decision, 1.**

As discussed with the County (2019-2020), grading permits should include a detailed narrative. Permits for grading should be subject to a stringent review if the permit requires importing of large amounts of fill (50,000 cubic yards or more?) to a site to determine if stockpiling is occurring. A stringent review of the request for a permit should include **objective standards** regulating "technically necessary" excessive fill.

Manifests and public notice should be required for large projects to prevent the importing of contaminated fill and to protect the health, safety and welfare of the general public.

## **7.05 Site Plan**

Plan sheet descriptions for "use" should be binding. Plan sheets for REST-2015-0003 provide information and describe the use: "Personal Recreational Fields (not open to the public or used for any commercial purposes.)" However, the process of creating the "personal recreational field" was a highly commercial and lucrative business.

## **7.13.B.4 Enforcement**

"Written complaint" should be defined.

### **7.13. 6.A Enforcement**

What does "within such reasonable time" mean? The County issued a notice of violation to the property owner of the Gable landfill on November 29, 2018. On November 3, 2021, the Loudoun County General District Court entered an Order of Abatement that required the property owner to correct the violations outlined in the Notice of Violation dated November 29, 2018. To date, we are still waiting for the property owner to correct his violations dating back to 2018.

### **11.03 Definitions**

Why are we not defining the following: "excessive fill", "fill", "dirt", "clean earth", "construction debris" and "uncontaminated dirt"?

#### **11.03.23.06**

#### **Use Definitions, Infrastructure, Utility Minor**

Why was "watershed" removed?

**From:** Tom & Cheryl Wright  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning Ordinance Rewrite  
**Date:** Tuesday, May 24, 2022 10:05:50 PM

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To Whom It May Concern:

I strongly object to changing current residential zoning parameters to add congregate facilities with a special permit. AR rural zones are incompatible with a commercial environment. During the Zoning Ordinance Rewrite Public Engagement Meeting on May 2, staff member Judi Birkitt stated that adding congregate uses appeared to be an error, can you confirm it was an error and that congregate facilities will not be permitted in rural zones?

Respectfully,

Cheryl & Tom Wright



**From:** Roger La Rouche  
**To:** [DELETED@ZOR](#)  
**Subject:** [EXTERNAL] Zoning Ordinance  
**Date:** Sunday, July 17, 2022 10:34:16 AM

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Dear County ZOR Staff,

I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our vast and varied historic resources. I sincerely appreciate the hard work you all are doing, and understand you must be inundated with feedback, but we must take this opportunity to safeguard Loudoun's identity which attracts tourists and improves the lives of residents.

Considering the big picture, I implore you to focus on the following priorities:

1. *Reduce development and density in the Rural Policy Area*
2. *Protect Loudoun's historic villages and districts*
3. *Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape*
4. *Define and install protections for our vast historic resources*

More specifically, I request the following changes:

1. *Section 2.04.01:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural North district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 25 acres; Principal/Subordinate Subdivision Option – 1 dwelling unit per 15 acres; Cluster Subdivision Option – 1 dwelling unit per 15 acres."
2. *Section 2.04.02:* "It is critical that we limit density and development in the Rural Policy Area. In the table in 2.04.01.D.9, the standards for lot sizes in the Agricultural Rural South district in reference 9 should be: Base Density Division Option – 1 dwelling unit per 50 acres; Principal/Subordinate Subdivision Option – 1 dwelling unit per 30 acres; Cluster Subdivision Option – 1 dwelling unit per 25 acres."
3. *Section 4.07:* "Each of Loudoun County's historic villages is unique, and each needs its own Small Area Plan. It is critical that the County commit to providing support and working with each village to create Small Area Plan, so that the unique character of each village is preserved in accordance with the Loudoun County 2019 Comprehensive Plan."
4. *Section 5.04.01:* "In order to ensure adequate open space is included whenever development is present, remove the following text from section 5.04.01.B.5: 'Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.'"
5. *Section 5.07.04:* "In order to establish strict standards to protect the historic integrity of the county's historic cemeteries, remove the following text in section 5.07.04.D.5: 'The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.'"
6. *Section 11.03.H:* "The zoning ordinance does not define the word "historic." It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation."

Thank you for your time and consideration.

Respectfully,

Roger LaRouche

**From:** K & K Boi  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning Rerwrite  
**Date:** Sunday, July 10, 2022 7:26:29 AM

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Dear County ZOR Staff,

We are very concerned about the future of Loudoun's beautiful historic landscape, and we strongly urge you to revise the zoning ordinance to appropriately protect our vast and varied historic resources. We sincerely appreciate the hard work you all are doing, and understand you must be inundated with feedback, but we must take this opportunity to safeguard Loudoun's identity which attracts tourists and improves the lives of residents.

Considering the big picture, we implore you to focus on the following priorities:

1. *Reduce development and density in the Rural Policy Area*
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3. *Reduce the ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape*
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More specifically, we request the following changes:

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Comprehensive Plan.”

4. *Section 5.04.01*: “In order to ensure adequate open space is included whenever development is present, remove the following text from section 5.04.01.B.5:  
‘Development applications for up to and including 4 new single-family dwelling units, regardless of form (SFD or SFA duplex, triplex or quadruplex) are exempt from providing open space according to the requirements contained in Chapter 2, Zoning Districts unless the affected land area was included in an approved zoning map amendment or CDP with open space requirements.’”
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‘The Zoning Administrator may approve a request to waive or modify the preservation buffer in accordance with the requirements of Section 5.07.08 or in conjunction with a Minor Special Exception request pursuant to Section 5.07.04.C.4.’”
6. *Section 11.03.H*: “The zoning ordinance does not define the word “historic.” It is absolutely essential that this word be precisely defined in order establish standards to protect our priceless historic sites and resources. We recommend using the criteria for evaluation on the National Register of Historic Places, as found in 36 CFR § 60.4 - Criteria for evaluation.”

Thank you for your time and consideration.

Respectfully,

Keith and Kathy Boi

**From:** HarryBigley  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning Re-write Comments  
**Date:** Monday, July 18, 2022 2:49:03 PM

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Dear Members of the Department of Zoning and the Zoning Rewrite,

As a resident of Loudoun County I remain concerned about the future of Loudoun's historic resources and landscape. I strongly believe revisions to the zoning ordinance to more adequately protect the County's historic resources are needed. All Loudoun County residents enjoy the fiscal and recreational benefits of the rural historic towns and villages that dot the County's landscape and a greater effort to protect these treasures should be among our highest priorities.

I do appreciate the hard work being done on these common concerns and believe right now it is critical to focus on the following matters:

- *Protect Loudoun's historic villages and districts, including during the period prior to completion of Comprehensive Plan mandated criteria to officially designate rural historic villages and complete small area plans.*
- *Reduce the ease of approval for uses and use exceptions that compromise the scenic and historic integrity of our landscape.*

To that end my edit recommendations are as follows:

### **Chapter 3 Uses**

#### **Principal Use Table 3.02.02-3**

##### **DISCUSSION**

A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center	Death Care Business	
Retail, General		
Commercial Winery Facility	Farm Machinery Business	Public Safety
Country Inn	Civic Buildings	
Sawmill		
Banquet/Event Facility	Schools	
Slaughterhouse		

##### **RECOMMENDATION**

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within

1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.

- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special Exception.

## **Chapter 4 Overlay Districts**

### **Section 4.07 Village Conservation Overlay District**

“Purpose”

#### **DISCUSSION**

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

#### **RECOMMENDATION**

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*

#### **CURRENT LANGUAGE**

##### **“A. Applicability.**

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

#### **RECOMMENDATION**

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

#### **CURRENT LANGUAGE**

##### **“B. District Boundaries.**

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

#### **RECOMMENDATION**

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

## CURRENT LANGUAGE

### **“C. Expansion of VCOD Boundaries.**

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

## RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status of historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

## Section 4.08 Historic Districts

### **I. Hazardous Conditions.**

#### DISCUSSION

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

#### RECOMMENDATION

Require a notice/cure provision before razing or demolition is possible. Cure period should be substantial if reasonable demonstration can be made that people are reasonably protected from unsafe conditions.

## Chapter 5 Adaptive Reuse

### **B. Eligibility.**

#### RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

1. Identified as historically significant by being:

- a. Designated as a National Historic Landmark; or
- b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or
- c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or
- d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC.

**Section B.3** *Delete "... and the prior use or uses in the structure are obsolete or economically nonviable."*

**Section B.3** Delete a. through c.

**Standards and Requirements / Section C** We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning set-backs or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

**C** In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

**D. Permitted Uses.**

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

**E. Adaptive Reuse Incentives.**

In addition to nonconforming lot or structure allowances pursuant to Chapter 9, projects that are eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.

Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

**Chapter 9 Nonconformities**

**B.2 Discontinuation of Nonconforming Use.**

**PROVISION**

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

**RECOMMENDATION**

Recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building or at least **able to** be reviewed to verify the "discontinued use" was in conflict with the policy intent of the new Zoning Ordinance.

Thank you for your time, hardwork, and consideration!

Respectfully,

Harry Bigley



**From:** Bruce Isaachsen  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Zoning rewrite  
**Date:** Saturday, May 14, 2022 9:59:18 AM

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What are the differences between TR1- UBF and TLN-1 other than the names?  
Thanks.

Bruce Isaachsen  


**From:** Mary O'Connor  
**To:** [DEPT-PZ-ZORW](#); [Buffington, Tony](#); [Randall, Phyllis](#)  
**Subject:** [EXTERNAL] Zoning update: Historic districts need protection  
**Date:** Monday, July 18, 2022 7:19:15 AM

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We discovered Unison quite accidentally, after I had been coming to Virginia a few times a year for show jumping competitions. We had begun to think about moving here when speculators sent property values soaring in my native Southampton NY. Owning a house in Southampton has become prohibitively expensive, and development had eaten up the in open land we had kept horses on. The first few properties we looked at here in Loudoun County were already surrounded by impersonal housing developments with cookie cutter houses lining cookie cutter roads that stretched until they disappeared over the hilltops.

It will soon be 20 years ago that we first saw the farm we have now. We knew we had found a new home in Unison, where time seems to have stood still for hundreds of years. Surrounding us are Bloomfield, Wellbourne, Willisville, St. Louis, Upperville, Bluemont, and Philomont, areas that together make this rural part of Western Loudoun County uniquely beautiful, yet very fragile and extremely vulnerable to development pressures. We have seen what overbuilding and overdevelopment can do to a beautiful location. We sincerely hope that can be prevented from happening here.

Although housing is a necessary commodity, it should be constructed thoughtfully as needed, in locations that have the least negative impact on existing communities, and should not be the object of rampant speculation. It is incredibly important to protect the unique, historical places in our midst and prevent them from being overwhelmed, surrounded, and consumed by development.

I believe you have already received a list of specific recommendations pertaining to the county's zoning update from the Unison Preservation Society. We fully support these suggestions (attached here for your reference) and hope that you will carefully consider each of these carefully, and include them in any zoning updates in their entirety in the interest of preserving the beauty and rural character of our area of Western Loudoun.

Sincerely,

Mary O'Connor  
Cornelius (Neil) O'Connor



From: pqweeks@aol.com  
 To: [DEPT-PZ-ZORW](#)  
 Subject: [EXTERNAL] ZOR - Chapter 4.04 MDOD  
 Date: Sunday, July 17, 2022 4:28:55 PM

**Evaluation Criteria Table**  
**To be added to Section 4.04 F**  
**Performance Standards in Highly Sensitive Areas**

Submitted by Peter Weeks [REDACTED]

CATEGORIES	
<b>Preserve natural ridgeline features</b>	The maintenance of a closed forest canopy for the highest 100 vertical feet along any ridgeline or crest, with no development projecting above the canopy, should be required without exception.
<b>Retain forest canopy</b>	All development proposals should maintain the forest canopy in as closed a condition as is practicable, thus precluding clear cutting forestry projects, concentrated parking lots, etc.
<b>Control erosion</b>	The water courses found in mountainous regions must be kept free of added sediments and other pollutants in order to maintain local water quality and meet downstream water quality standards.
<b>Prevent landslides and slumps</b>	Mountain slopes are inherently unstable geologically, requiring that strict controls on removal of vegetative cover and disturbance of soils must be adhered to, so as to prevent development activities from creating increased landslides and slumping risks. The requirements in the draft ordinance are too weak to achieve these goals and should be strengthened accordingly.
<b>Preserve upland stream water quantity and quality</b>	Mountain springs and headwater water courses are a critical component of the hydrological system serving natural and human water needs. These features are highly sensitive to nearby and upslope developments. The draft setback requirements are insufficient to achieve the required protections.
<b>Protect ground water recharge areas</b>	Mountainous regions are a prime source for recharging ground water aquifers that supply much of our developed water supply, thus making it imperative that these recharge areas be identified and protected from any development that would diminish their recharge capacity.
<b>Minimize impervious surfaces, and require mitigation</b>	Impervious surfaces such as rooftops and asphalted roads are disruptive to the natural hydrological flow, so to the extent feasible their use must be limited in mountainous regions, and their runoff strictly regulated so as not to impact the functioning of natural water courses or to create sheet flow runoff.
<b>Retain rural unpaved roads as per current Loudoun County policy</b>	Loudoun's unpaved rural roads are a part of its history and are more environmentally compatible than paved replacements. They must be preserved to the extent possible.
<b>Protect wildlife habitat and migration corridors</b>	MDOD development restrictions should protect wildlife habitats and migration corridors.
<b>Protect air quality and visibility</b>	Air pollution emissions from elevated terrain is more visible from distant vantage points and is more prone to travel greater distances to impact other areas; additionally, mountain ecosystems are more sensitive to polluted air resulting in potential decline of critical vegetative cover.



<b>Preserve dark skies</b>	Light pollution from ill designed lighting systems results in unnecessary visible loss of nighttime sky features and can be avoided by use of purposefully designed lighting elements.
<b>Avoid intrusive encroachments on the Appalachian Trail corridor and prime viewsheds</b>	<p>The Appalachian Trail (AT) is an important historical, cultural, and economic resource for Loudoun County, so measures are warranted to avoid development encroachments on the AT and its corridor and prime viewsheds that would be detrimental to its premier trail status.</p> <p>Peter Weeks [REDACTED]</p>

**From:** Katherine Barker  
**To:** [DEPT-PZ-ZORW](#); [Buffington, Tony](#); [Randall, Phyllis](#)  
**Cc:** [jennifer\\_don@icloud.com](mailto:jennifer_don@icloud.com)  
**Subject:** [EXTERNAL] ZOrewrite  
**Date:** Monday, July 18, 2022 12:08:58 PM

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Dear Sirs,

As a resident of Unison for over 35 years who has raised a family and continues to live in Unison I implore you to help us protect our village as well as surrounding villages for their rural beauty and historical significance. Not much has changed in our peaceful neighborhood in these many years and it is loved and appreciated by those who call it home as well as those passing by who marvel at this quaint, quiet and historic area of Virginia.

Please don't allow this to be wiped out as has happened in so many surrounding towns. Unison is the very essence of Virginia and we must protect our beloved town for generations to enjoy and to honor its place in the history of our nation.

I thank you for your work and for listening to the voices of the people who make up our rural communities.

John and Kitty Barker

[REDACTED]  
[REDACTED]

## An Approach to Rural Cluster Provisions to Maximize Farmland Retention

Regarding the zoning ordinance revision to implement the new comprehensive plan: if generous density bonuses continue to be granted AR-1 subdivisions in return for clustering and dedicated open space, there should be strict rules for the retention of blocks of farmable land.

Once the minimum acreage for the drain field requirements of each permitted house has been set aside, the additional land needed for house footprint, garage, driveway, and minimal yard use should come from secondary or non-agricultural soils; driveways needn't be paved over good soils. Grouping the several residential lots in a tight juxtaposition rather than on a conventional street grid would minimize access road cost and the visual disruption of the countryside.

The well drained soils remaining---whether "prime" or secondary--- after building lot creation should be consolidated into a *separate workable block with a building right*. These parcels of contiguous and preserved prime and secondary agricultural soil would then be attractive for purchase and development for farm or natural conservation use. This outcome is preferable to leaving conserved land for management by an HOA. HOAs, typically, merely mow the retained space, monocropping it as lawn, producing neither income nor food for livestock or people.

There may be properties meeting the 20 acre minimum for cluster that have only enough good drainage to support the permitted houses; in that case, the mandatory set aside percentage would largely have only scenic, open space value. But in others, once the absolute minimum has been used for the houses, there may remain substantial well drained soil to group into a farmable package. The key to maximizing the soils not needed for residential uses is the lay-out of the clustered neighborhood. Adjacency to the blocks of best land is required, but houses needn't be dotted all about the prime soils, spoiling the remnants for farming.

In return for extra density developers of rural residential lots should abide by exacting new performance standards.

How big should residential lots in clustered areas be? In a cluster done on our former vegetable farm in Wheatland, the average square footage needed for the working and reserve drain fields per five bedroom house was 18,750, roughly .4 acre.\* Adding this to the fee simple building lot size of 1/3 acre, our cluster used roughly three quarters of an acre per house. Keep lots this small. Buyers wanting huge lots to spend their weekends mowing can always choose conventional developments.

It costs the county to serve new houses with schools, roads, services. As an incentive to conserve rather than build, those properties actually being constructed as clusters could be granted only three units per 20 acres, while those being appraised for a conservation easement donation would be valued at the 4 units/20 acres.

Chip Planck, Wheatland Vegetable Farms, 6/30/2022

*\*We invite county officials to visit our hamlet, Chalk Farm, on John Wolford Road west. Since it was carried out under the 1993 hamlet ordinance, the particular regulations applying would not be in effect today. But the use of clustering procedures to combine residential development with farmland and open space preservation makes the outcome pertinent to current discussion. On our 60 acres, we created 7 clustered building lots of 1/3 acre each, occupying a total of 2 acres. These are surrounded by 8 acres of common open space where wells and drain fields are located. Each house required about one-half acre for drain field and reserve, the only land requiring drainage capacity comparable to good agricultural soils. This resulted in an average lot size of three quarters of an acre. The lots sold readily, even when we also specified the house plans. The remaining 50 acres are in conservancy lots of 10 and 40 acres, each with one existing house and no further development potential. Both lots continue to be farmed. The end result is that 96% of the original 60 acres is under conservation easement.*

**From:** dennis oneill  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] 43858 Spinks Ferry Road Leesburg, Va Parcel ID 074267947000  
**Date:** Wednesday, May 4, 2022 6:04:58 PM

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I am attempting to find my proposed new zoning on your website. My tax bill information indicates my property is Agricultural. When I go to your revised zoning chart I don't see "plain" Agricultural. I do see Agricultural A10, Agricultural A3, Agricultural Rural-1 and so forth. My specific question is what exactly is my present zoning on my property and what will exactly my zoning be if the proposed new rezoning plan is enacted? My cell is 732-797-0550 if you might need to contact me. Thank you. Dennis ONEill.

Sent from my iPad

To: County ZOR Staff

From: Philip and Kelly Foltman

July 11, 2022

The following is a summary of areas of concern to our family in regard to the zoning rewrite.

**3.05.05.01 Amphitheater:**

This use should only be allowed in the rural policy area by Special Exception and should require hours of operation. Consideration needs to be given to the overall seat capacity which may be excessive for the rural area at up to 2000 seats. At a minimum, road access should require being on a paved road, and intensity should consider location in terms of adjacent properties and other road conditions. This use should be differentiated from bandstands which are common at tourism venues including limited breweries and farm wineries. Bandstands need to be small enough to fit within the rural/farming surroundings with appropriate setbacks and screening.

**3.02 use table and 3.05 use standards: Small scale processing:**

Under 3.02 Use Tables and 3.05 Use-Specific Standards: Small scale processing of agricultural products grown within Loudoun should be allowed on farms in ARN and ARS. Small producers often have multiple small parcels that may not be contiguous. The requirements should be amended to allow processing of products from multiple parcels in Loudoun County owned by the same individual on one parcel that is also used for production, instead of, as currently written, to require individual processing centers on each parcel. The requirement for at least 51% of the processing be from products grown or raised in Loudoun County should remain.

Under 11.03 Definitions: The definition of Agricultural Processing should be part of the definition of: Agriculture, Horticulture, Animal Husbandry, Feedlot, Farm Co-ops to recognize that agricultural processing is an intrinsic activity in those uses. The definition of “farm” should be amended such that processing by itself does not define a farm. Processing should be eliminated from the “Farm” definition.

**Equestrian concerns:**

3.02.02-2: **Equestrian Event Facility.** Currently prohibited in Transition/JLMA-LE. This use should be allowed by-right (P) or minor spex (M) if the minimum acreage is available.

3.05.08.02 and .03 **Agriculture Support.** Equine livery and event should both be under Agriculture (vs. Ag. Support). Equestrian uses don’t easily fit into the agricultural support.

25 acres is excessive for an equine livery and that 10 acres should be a minimum. Pasture stocking rates will dictate how many animals can be present and many existing operations are on smaller acreage and successfully doing best practices. In addition, there should be no cap on the largest allowable acreage for an equestrian operation.

Hours of operation during equestrian events (6 am to 9 pm and 6 am to 1pm) should not include *deliveries or preparation and care of animals during an event* outside of those times.

Under C: Size of structure: Most Stable Livery and Stable Event uses as well as many Stable Private uses have indoor riding arenas of 100 x 200 which is a larger footprint than allowed for all combined structures on < 25 acres, and within 4,000 sq ft. for all parcels 25-50 acres. Stables, storage areas, pasture sheds and indoor arenas should instead be considered agricultural structures. Additional considerations such as the need for fire walls can be given if an apartment or large meeting room is connected to any of these structures. A coliseum, whether for equestrian only or multi-use will also be in excess of the allowable square footage but may better fit within the agricultural support use if the allowable square footage is increased to accommodate it.

**Considering definitions:** 11.03: Would an equestrian indoor riding arena/ring be considered an **accessory building** or an **agricultural structure**? The typical arena size is 100x200 for a private or livery type use and may be larger for an event center. The allowable square footage needs adjusting for these uses if these structures will be considered accessory buildings. Refer to previous comments under Agriculture Support: 3.06.08.02 and .03. We contend that these are really agricultural buildings.

Stable, Private: says that no more than one employed instructor engaged for the purpose of educating and training students shall be permitted. This seems arbitrary and unnecessary. The number of horses should be the most defining criteria.

We support codifying the LPAT plan within development standards and recommend language that clearly includes equestrians as users of multi-use trails. Trails need to be defined under LPAT terms (5.04.07 **Trails**: Hikers, bikers and equestrians should ALL be priority users and have trails developed with them in mind, with work arounds as required to maintain continuity of the trail system throughout the county.) Areas that specifically need LPAT codification include: 5.04.03A1b: **Passive Recreation Open Space**, 5.04.03A3: **Natural, Environmental, or Heritage Open Space**, 5.04.03B2 **Public Open Space** and 5.04.04A5 **Bonus Credit**, and 5.04.06B **Passive Use Design Standards**. Furthermore, Open space within Rural Retreats and easements for Data Centers should include LPAT trails.

#### **Limited Breweries and Farm Wineries:**

There should be standardized hours, levels of intensity and regulations on events . The code of VA states  
*§ 15.2-2288.3. (Eff. Jan. 1, 2022) Licensed farm wineries,*

*§ 15.2-2288.3:1. (Eff. Jan. 1, 2022) Limited brewery license.*

*Local restriction upon such activities and events of [farm wineries / limited brewery] licensed in accordance with Title 4.1 to market and sell their products **shall be reasonable** and shall take into account the economic impact [on the farm winery / on such licensed brewery] of such restriction, **the agricultural nature of such activities** and events, **and** whether such activities and events are usual and customary.*

Thus, events that are not directly agricultural in nature should have reasonable standards. Nightly music/bands is not agricultural.

Use standards adopted by the BnB community have been very workable for that industry while reducing conflicts with neighbors. Zoning should consider implementing similar tiers or levels for various size operations for both farm wineries and limited breweries to manage impacts. In addition, a site visit should be required as for BnBs for all new Limited Breweries and Farm wineries to ensure indoor and outdoor licensed space comply with parking and road access standards. Furthermore, tasting rooms and tap rooms need to be considered as **agricultural support structures**, not full agricultural buildings. Set backs sufficient to reduce noise and light conflicts with neighbors must be considered.

Hours of operation should NOT be that of the ABC law which allows bars to open from 6am to 2am. ABC law should establish different hours of operation for Limited Breweries and Farm Wineries that reflect the rural location of these uses. Alternatively, all event and noise producing activities should cease at an earlier hour that fits within the rural setting.

Lastly, limited breweries should be on a working farm as per VA code:

**Reference: § 4.1-206.1. (Effective July 1, 2022) Manufacturer licenses.**

*4. Limited brewery licenses, to breweries that manufacture no more than 15,000 barrels of beer per calendar year, provided that (i) **the brewery is located on a farm in the Commonwealth on land zoned agricultural and owned or leased by such brewery or its owner and (ii) **agricultural products, including barley, other grains, hops, or fruit, used by such brewery in the manufacture of its beer are grown on the farm.** . . . For purposes of this subdivision, "land zoned agricultural" means (a) land zoned as an agricultural district***

Having a few fruit trees, an herb garden or vegetable patch similar in size to an urban backyard garden is NOT a farm nor is it farming. This loophole must be removed. IF limited breweries can not be located on a farm then sufficient open space must be maintained to reduce the intensity of the operation. This may be similar to what is required for rural retreats.

Several current Limited Breweries are also not manufacturing beer on site and are bringing in beverage from other vendors. When they are also not located on a working farm, they then become nothing more than a rural bar. This is not what the spirit of the VA state code intended.

**5.05 Parking:** must be on site on land owned and contiguous to the limited brewery or farm winery to avoid patrons walking along roadways.

## **Noise, Light and Glare performance standards**

**5.08.04 Noise Performance Standards:** Noise control is problematic for anyone to understand. Draft text in 5.08 is clear on how loud the noise can be (55dBa), and where it is measured. What is NOT clear is by whom (other than "Zoning Administrator" for zoning use-related noise/light issues versus other noises in codified ordinance) and when (time of incident? Or required to make an appointment?)

Noise standards need to be better defined for business uses in the rural area including 1) application of noise standards and outdoor music end time for similar intensity operations and 2) by whom and when are noise issues investigated and measured for complaints received. This should also include better education for the public as well as opportunities for businesses to reduce unwarranted or nuisance complaints.



**Section 5.08.05 Light and Glare Performance Standards:** Light and Glare standards should be consistent for rural business uses of similar operation and/or intensity. Standards should apply consistently and be in line with recommended hours of operation for entertainment and/or educational components of use activities. Loudoun should adopt “dark sky” criteria to minimize night glare that not only impacts the quality of life for neighbors but also negatively impacts migratory animals and other wildlife.

**Section 7.13 Zoning Enforcement**

- 7.13 B. 3. The Zoning Administrator must take action to remove any violation or attempted violation of this Zoning Ordinance.
- 7.13 B. 6. a. The Zoning Administrator will specify a reasonable time for the violation to cease and for the land to be fully returned to pre-violation condition.
- 7.13E.10.b. In order to determine that a violation has been corrected the zoning administrator must determine that the land has been returned to pre-violation condition.

Thank you for your efforts on this very detailed and important document that will provide guidelines for businesses and protections for Loudoun residents and businesses for years to come.

Philip and Kelly Foltman

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████████████████████

**From:** [Torrible, Christina](#)  
**To:** [Torrible, Christina](#)  
**Subject:** FW: [EXTERNAL] AR-1 and wineries/"vineyards", breweries, distilleries and entertainment venues  
**Date:** Thursday, January 20, 2022 8:47:19 AM

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Committee Members,

Please see below public input from Ms. Scott.

Thank you, Chris

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**From:** Teresa Scott <[REDACTED]>  
**Sent:** Wednesday, January 19, 2022 4:11 PM  
**To:** Reed, Ryan <[Ryan.Reed@loudoun.gov](mailto:Ryan.Reed@loudoun.gov)>; Torrible, Christina <[Christina.Torrible@loudoun.gov](mailto:Christina.Torrible@loudoun.gov)>  
**Cc:** Teresa Scott <[REDACTED]> David, James <[James.David@loudoun.gov](mailto:James.David@loudoun.gov)>; Kershner, Caleb <[Caleb.Kershner@loudoun.gov](mailto:Caleb.Kershner@loudoun.gov)>; Buffington, Tony <[Tony.Buffington@loudoun.gov](mailto:Tony.Buffington@loudoun.gov)>  
**Subject:** [EXTERNAL] AR-1 and wineries/"vineyards", breweries, distilleries and entertainment venues

Mr. Reed and Ms. Torrible,

I hope this email isn't too late to be considered when re-writing the Zoning Ordinance.

Please consider current residents and the density of wineries, breweries and entertainment venues of an area when rewriting the Zoning Ordinance. These establishments, while bringing in money to the county, can create a hostile environment for the existing residents. Homeowners have the right to the peaceful enjoyment of their property. Most of these establishments have outdoor entertainment that increases traffic on rural roads, create noise and could potentially affect existing wells.

I would also suggest the Loudoun County's definition of a "farm" be expanded to not only be 10+ acres, but that land needs to be in agriculture use (more than growing hay) and the owner live on the property. Otherwise, these wineries, breweries are just plain old businesses. They have nothing to do with farming or agriculture in any sense of the word. If we are being honest, these businesses bring in money to the county, but they do nothing for agriculture of Loudoun County. The majority of the components that these establishments use in their products are grown outside of Loudoun County and some of the products themselves are made outside of Loudoun County.

I am a 25 year resident of Western Loudoun County that is concerned about the proliferation of wineries, breweries, destination/entertainment businesses into AR-1 Zoning areas that are now predominantly residential. It appears that there is no

consideration given to the residents that are already in these areas. And it appears that there isn't any home owner/voter representation on some of the County councils/groups/committees.

The majority of Western Loudoun appears to be zoned AR-1. How often has County officials taken a look at the residential development of these areas over the past 25 years? Not all areas zoned AR-1 are the same. Some areas are more residential than others and a distinction should be made in their zoning. Areas change over the years, they are not static. If an area is zoned AR-1, which allows for residential use, and after 25 years or more, houses are built to the point where the area is predominately residential (very few undeveloped property), at what point should that area be rezoned?

For example: I live just outside of Hamilton on Hamilton Station Road, a narrow two lane road that is predominately residential. There are a few "home based" businesses or businesses that don't really get much traffic. However, currently there is a winery/"vineyard" that is within 800 feet of my house. Every weekend, during nice weather, we can hear their music while out in our yard and on a few occasions, we have heard their music inside our house. Making friendly calls to ask them to turn down the music did nothing. The next door neighbor to the winery (500 feet away) couldn't enjoy her pool because of the noise coming from this winery. The only recourse neighbors have is to call the Loudoun County Sheriff's Office.

Now, we have a proposal from Hamilton Farm, LLC in the County system for a "Limited" brewery/distillery across the street from the existing winery. This proposed industrial sized business brings up all sorts of concerns from the residents.

- Increased traffic: The proposed parking lot is designed for at least 250 vehicles in addition to 8 buses. The parking lot alone will be about 3X the size of the winery's parking lot (see diagram below). Hamilton Station Road averaged 30 vehicle accidents for the past several years. If this proposed business is approved, there will be increased accidents and property damage. Not to mention potential for accidents with cyclists. The W&OD bike trail attracts numerous cyclists to this road in warm weather. Because of the two businesses being so close together there is the possibility of pedestrians crossing the road to patron both businesses.
- Water use; beer making can use from 7-10 gallons of water for every gallon of beer produced. This brewery will use water from a well; all of the residents are dependent on wells.
- Increased noise; the brewery will undoubtedly have outdoor entertainment, patron noise, and vehicle noise. Even with planned plantings, the noise will not be abated. There are a ton of trees between my house and the winery; we can't see them, but we can hear them.
- Increased light pollution: The proposed lighting will increase the light pollution that already exists. We can't see the Milky Way as we did when we moved in 25 years ago.

Numbers...

Wineries in Loudoun County: 45 (37 in Western Loudoun)

Breweries in Loudoun County: 31 (13 in Western Loudoun)

Numerous "entertainment" venues that have alcohol, music and traffic

Most people move out to Western Loudoun to raise a family, enjoy the peacefulness of their property. I have heard from several neighbors that they are thinking about selling their houses before the brewery is built. It is a shame.

Again, please keep in mind how some AR-1 areas are now more residential, the density of these businesses in an AR-1 residential area and how these types of businesses affect the well-being of those residents.

Thank you,

Teresia Scott



**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Buffington, Tony](#)  
**Subject:** FW: [EXTERNAL] Concerned Unison Village Resident  
**Date:** Monday, July 18, 2022 11:02:39 AM

---

Dear ZOR staff,

Please find the following input from a Unison Resident to add to the ZOR input.

Thank you.

Warmly,  
Robin

*Robin W. Bartok*

**Robin W. Bartok**

Senior Legislative Aide to Supervisor Tony R. Buffington  
Blue Ridge District Supervisor  
Loudoun County Board of Supervisors  
[robin.w.bartok@loudoun.gov](mailto:robin.w.bartok@loudoun.gov)  
[www.loudoun.gov/blueridge](http://www.loudoun.gov/blueridge) \*\*Teleworking – please email

Interested in receiving Supervisor Buffington's electronic Newsletter updates and Alerts? Provide us with your mailing address to begin receiving area specific updates.

**All correspondence is subject to the Virginia Freedom of Information Act (FOIA)**

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**From:** Zach [REDACTED]  
**Sent:** Sunday, July 17, 2022 8:45 AM  
**To:** Buffington, Tony <Tony.Buffington@loudoun.gov>  
**Subject:** [EXTERNAL] Concerned Unison Village Resident

Dear Mr. Buffington,

I am sorry to bother you on a Sunday. However, I am writing you to share my concerns about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our important historic resources. These resources provide cultural and recreational activities for all Loudoun County residents and have a positive fiscal impact on the County. I appreciate the hard work being done on these matters and believe it is of critical importance to focus broadly on the following matters:

- *Protect Loudoun’s historic villages and districts, including during the period prior to completion of Comprehensive Plan mandated criteria to officially designate rural historic villages and complete small area plans.*
- *Reduce the ease of approval for uses and use exceptions that compromise the scenic and historic integrity of our landscape.*

Our specific recommendations are:

**Chapter 3 Uses**

**Principal Use Table 3.02.02-3**

-  
DISCUSSION

A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center	Death Care Business	Retail, General
Commercial Winery	Farm Machinery Business	Public Safety Facility
Country Inn	Civic Buildings	Sawmill
Banquet/Event Facility	Schools	Slaughterhouse

RECOMMENDATION

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.
- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special Exception.

**Chapter 4 Overlay Districts**

**Section 4.07 Village Conservation Overlay District**

“Purpose”

DISCUSSION

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

RECOMMENDATION

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*

**CURRENT LANGUAGE**

**“A. Applicability.**

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

-  
“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

**CURRENT LANGUAGE**

**“B. District Boundaries.**

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

**CURRENT LANGUAGE**

**“C. Expansion of VCOD Boundaries.**

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

**Section 4.08 Historic Districts**

## H. Right to Raze or Demolish.

### DISCUSSION

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

### RECOMMENDATION

#### **NEW SECTION: Protection of Stone Walls in Beaverdam Creek Historic District**

In order to better protect the stone walls and historic roads that comprise the Beaverdam Creek Historic District, property owners, non-profits, Loudoun County residents, and County government entities shall be entitled to place Beaverdam Creek Historic District signage in the public right-of-way. Such signage shall note the historic and protected status of the area and covered improvements and shall include telephonic and internet resources for obtaining more information and reporting threats to protected Beaverdam Creek Historic District walls and roads appropriate public officials.

## I. Hazardous Conditions.

### DISCUSSION

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

### RECOMMENDATION

Require a notice/cure provision before razing or demolition is possible. Cure period should be substantial if reasonable demonstration can be made that people are reasonably protected from unsafe conditions.

## Chapter 5 Adaptive Reuse

### B. Eligibility.

#### RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

1. Identified as historically significant by being:
  - a. Designated as a National Historic Landmark; or
  - b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or
  - c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or
  - d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC.

**Section B.3** *Delete "... and the prior use or uses in the structure are obsolete or economically nonviable."*

**Section B.3** Delete a. through c.

**Standards and Requirements / Section C** We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning set-



backs or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

**C** In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

**D. Permitted Uses.**

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

**E. Adaptive Reuse Incentives.**

In addition to nonconforming lot or structure allowances pursuant to Chapter 9, projects that are eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.

Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

**Chapter 9 Nonconformities**

**B.2 Discontinuation of Nonconforming Use.**

PROVISION

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

RECOMMENDATION

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

Thank you for your time and consideration!

Respectfully,

Zach Roszel  
Unison, Virginia

[Redacted signature]

Zach Roszel  
[Redacted contact information]

**From:** [Britain, Allison](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: [EXTERNAL] Fwd: Richards Mill Project - PIN 413-251-403  
**Date:** Monday, June 6, 2022 9:01:47 AM  
**Attachments:** [Richards Mill Project 5-27 Zoning.pdf](#)  
[Zoning Determinations.docx](#)  
[Zoning Ordinance Amendment FOD.docx](#)

---

Hi Judi and Ryan,

Forwarding over from the DPZ inbox.

Kind Regards,  
Allison Britain  
Planner | Customer Service Center  
Loudoun County Department of Planning and Zoning  
1 Harrison Street, 3<sup>rd</sup> floor/PO Box 7000, Leesburg, VA 20177  
703.777.0246, option 5 (main)  
703.771.5779 (direct)  
571.498.2573 (cell)

Visit Us on the Web: [www.loudoun.gov/planningandzoning](http://www.loudoun.gov/planningandzoning)

This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator. In keeping with the Virginia Freedom of Information Act (FOIA), emails and all attachments may be released to others upon request for inspection and copying without prior notification.

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**From:** Don Richards [REDACTED]  
**Sent:** Monday, June 6, 2022 8:48 AM  
**To:** DEPT-PZ-PLANNING\_ZONING <DPZ@loudoun.gov>  
**Cc:** Bartok, Robin <Robin.W.Bartok@loudoun.gov>  
**Subject:** [EXTERNAL] Fwd: Richards Mill Project - PIN 413-251-403

ZOR,

I have provide comments through the ZOR website. Please see this email/documentation from my original request back in 2014. Please forward this information to the ZOR team for consideration of my comments.

Thank you!

Don Richards  
[REDACTED]

-----Original Message-----

From: [drichards](#) [REDACTED]  
To: [Charles.Yudd@loudoun.gov](mailto:Charles.Yudd@loudoun.gov); [d](#) [REDACTED]

Sent: Thu, May 29, 2014 3:03 pm  
Subject: Richards Mill Project - PIN 413-251-403

Hi Charles,

Thank you for taking the time to speak with me today on my water mill project at the corner of Rt. 9 and Berlin Turnpike. As you might know Loudoun County has deep rooted history with [Mills](#) dating back to the early 1740's. I would welcome an opportunity to design and build one here in Loudoun county especially on Catoctin Creek.

I have attached the following documentation per your request :

- Richards Mill Concept presentation (PDF) - presented to Michelle Lohr and Mark Depo on 5/27
- Request for a Zoning Determination - use of a stone Mill as an accessory use in the coffeehouse/teahouse
  - Submitted to Nicole Dozier, Zoning Administrator 5/27
- Request for Zoning Ordinance Amendment FOD/Steep Slopes Considerations
  - Presented and provided copies to all members of the ZOAG 5/28

If you need any additional information please don't hesitate to call or email me below. I live in downtown Leesburg so I am only minutes away from the county building if my presence is needed.

Best,  
Don Richards

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

# Memorandum

To: Nicole Dozier, Zoning Administrator

CC: Ryan Reed, Natural Resources Team Leader; Eric Zicht, Chair FOD/Steep Slopes ZOAG Subcommittee; Kellie Boles, Agricultural Development Officer

From: Don Richards

Date: 5/28/2014

Re: Zoning Ordinance Amendment FOD/Steep Slopes Considerations

---

## **Zoning Ordinance Amendments-Floodplain Overlay District/Steep Slopes**

Natural flowing creeks and streams provide a natural power source for clean, renewable energy. Current Loudoun County Floodplain Overlay District (FOD) standards do not include a scenario for a permitted use within the FOD that would allow for, or make an exception for, the ability to utilize a natural, renewable power source that supports a Permitted Use.

I own a seven (7) acre parcel zoned AR1; of which 5 acres lies within the FOD. Catoctin Creek runs through the center of my property. I would like the ability to harness this natural power source by installing an old-fashioned water mill. The water mill would provide a natural power source in direct support of the proposed principal permitted use of a Coffeehouse/Teahouse.

I request the Zoning Ordinance Action Group subcommittee consider the following scenarios when amending the FOD standards in reference to expanding Permitted Uses and/or Special Exception Uses.

### 4-1505 Permitted Uses

- I request the Zoning Ordinance Action Group (ZOAG) consider the addition of a definition for water mill - a facility for private power generation from a renewable source that supports a Permitted Use. The zoning ordinance amendment

would allow the Permitted Use (in my case, the Coffeehouse/Teahouse) to be constructed in the floodplain only when an associated water source power generation facility (water mill) is attached to the Permitted Use and defined in the site plan.

-OR-

- Incidental Structures - I request the Zoning Ordinance Action Group (ZOAG) consider the addition of a definition for water mill - a facility for private power generation from a renewable source that supports a Permitted Use, when the Permitted Use is constructed outside of the floodplain and the water mill is constructed inside the floodplain.

I appreciate your consideration of the suggested zoning amendments for the FOD. If you need additional information please do not hesitate to contact me.

Don Richards



# Memorandum

---

**To:** Nicole Dozier, Zoning Administrator  
**CC:** Kellie Boles, Agricultural Development Officer  
**From:** Don Richards  
**Date:** 7/15/2022  
**Re:** Zoning Determination - PIN 413-251-403

---

## **Request for Zoning Determination-PIN 413-251-403**

The proposed principal use on the seven (7) acre parcel in the AR1 zoning district is a Coffeehouse/Teahouse. The project will be executed within the performance standards in the Loudoun County Revised 1993 Zoning Ordinance for a Coffeehouse/Teahouse for

- Intensity/Character,
- Size of Use,
- Location on Site/Dimensional Standards,
- Landscaping/Buffering/Screening,
- Parking,
- Road Access Standards and
- Exterior Lighting Standards.

This correspondence is a request to determine the ability to install and operate a small scale grain mill as an accessory use to the Coffeehouse/Teahouse.

- The grain would not be grown onsite, rather would be purchased from local sources.
- The milled grain would be used in the coffeehouse/ teahouse establishment in the preparation of baked goods and light meals.
- The milled grain would also be available for retail purchase onsite.

I appreciate your consideration of the zoning determination on parcel 413-251-403. If you need additional information please do not hesitate to contact me at 703-861-6931 or [drichards1920@verizon.net](mailto:drichards1920@verizon.net)

Richards Mill  
(Teahouse/Coffee House)

[REDACTED]

[REDACTED]

7 Acre Parcel – Rt 9 and Rt 287  
Zoned AR1

Don Richards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

# Description of Project Land Use – Teahouse/Coffeehouse and Water Mill

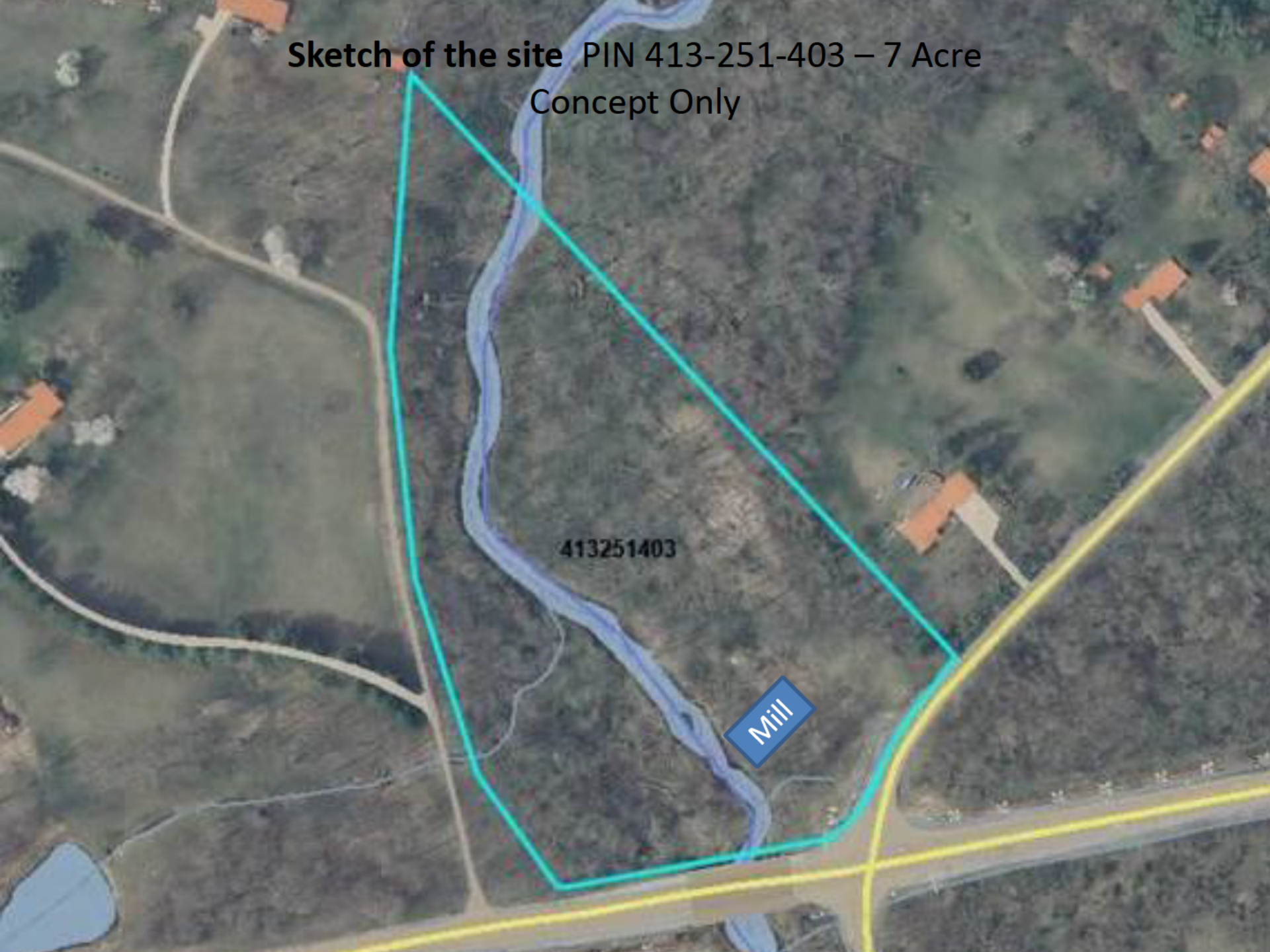
- Use Clarification and Guidance on PIN 413-251-403 based on AR1 zoning designation and Floodplain Zoning guidelines for its intended use below:
  - Primary Use-Commercial Teahouse / Coffee House – Permitted
  - Mill House / Process Wheat and Grains
    - Onsite food offerings per the Teahouse/Coffeehouse Use
    - Value added offering for local farmers
    - Value added offering for local restaurants
- PE Engaged on Project – Mark Jefferies
- Health Department
  - Well and Septic Installed – PE Engaged
- Floodplain
  - Water Mill to provide mechanical power to drive Stone Mill
  - Water Mill to provide hydro electric
  - Building on Stilts above Floodplain 100 Year flood Level
- Building size less than 2,500 as permitted for Teahouse/Coffeehouse



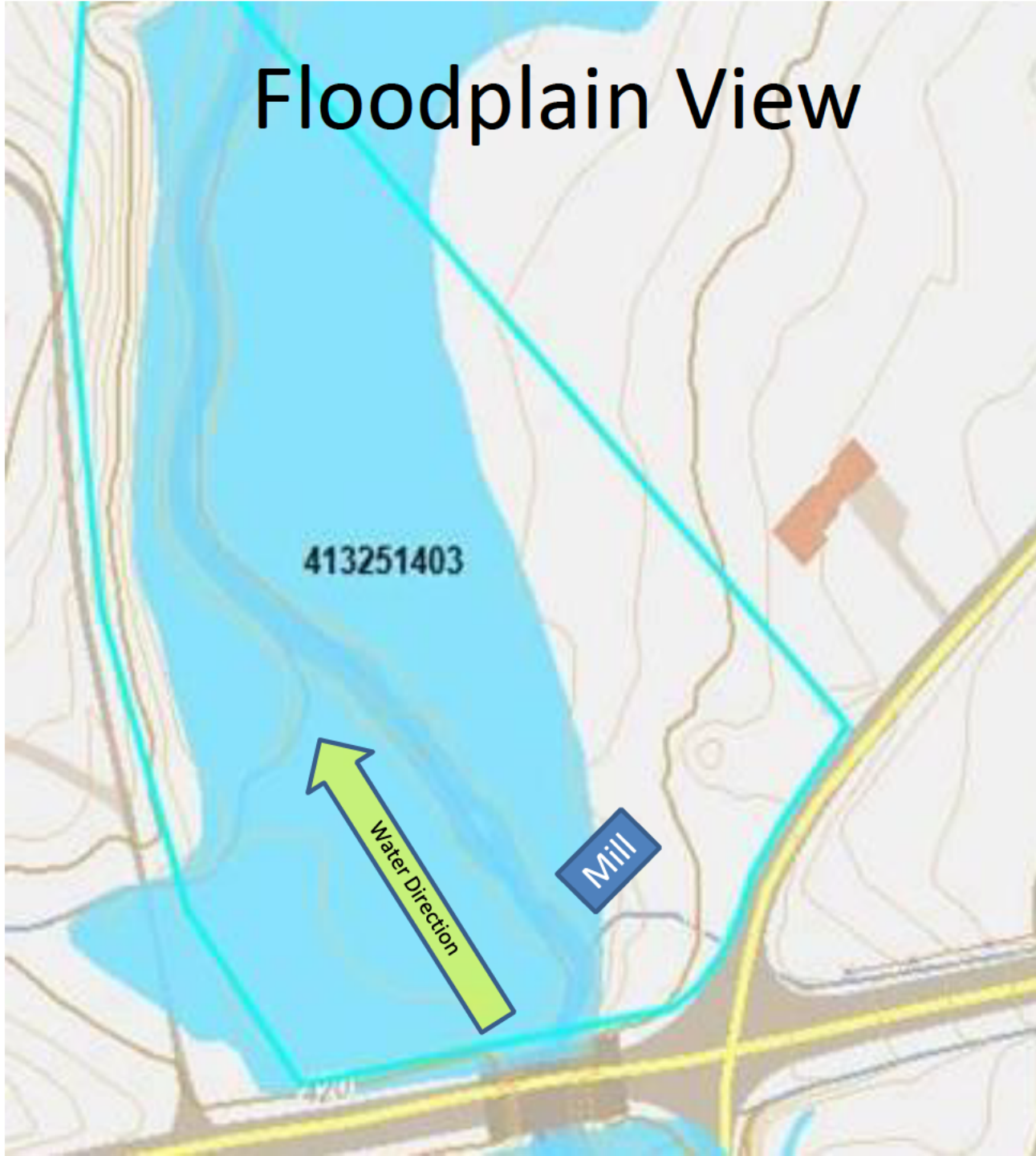
Sketch of the site PIN 413-251-403 – 7 Acre  
Concept Only

413251403

Mill



# Floodplain View

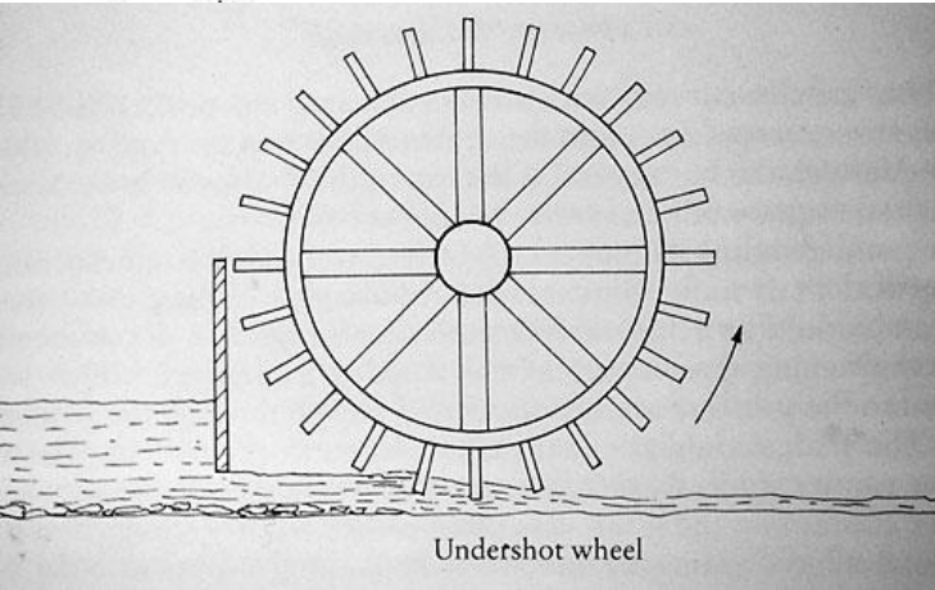
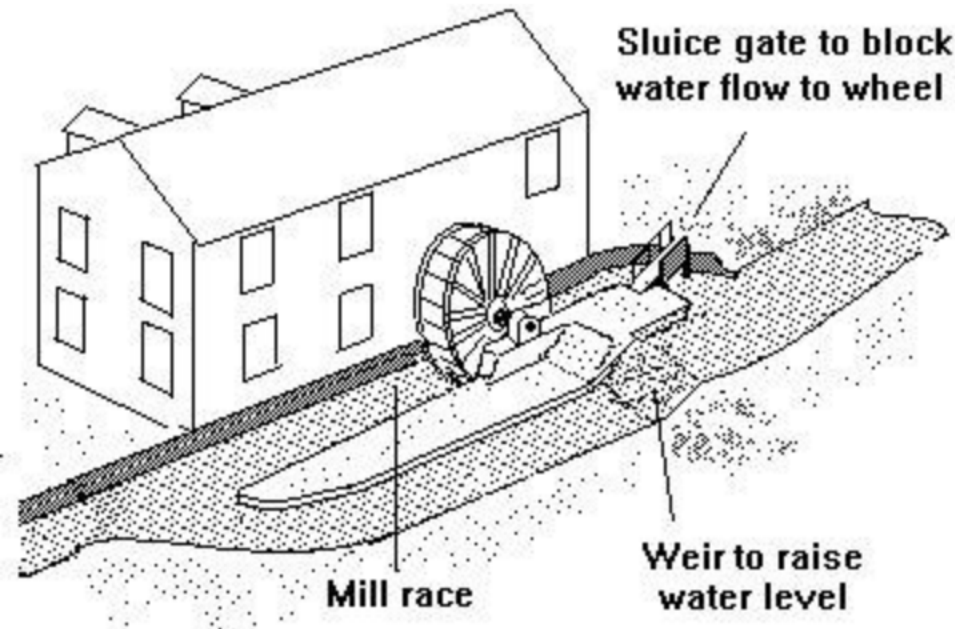


413251403



Mill

# Type of Water Mill & Proposed Design



- Propose to build the Mill structure on stilts
- Bottom of building structure would be higher than Higher than the FOD 100 Year flood plane
- Currently that level 418'

# East Tyrol grain mills, stone mills



- Stone mill is ideal for milling any type of grain, rice, corn, chestnuts, herbs, etc.
- Volcanic and Naxos Stones wheels
- Electric or Direct Mechanical Drive

**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: [EXTERNAL] Historic Overlay District for Unison  
**Date:** Monday, July 18, 2022 9:16:21 AM

---

Good morning,

Supervisor Buffington is passing along this email so that these comments are recorded as public comment prior to today's public input deadline for the Zoning Ordinance Rewrite.

Thank you,  
Christi

Christi Maple  
Chief of Staff to Supervisor Tony R. Buffington  
Blue Ridge District Supervisor  
Loudoun County Board of Supervisors  
[christi.maple@loudoun.gov](mailto:christi.maple@loudoun.gov)  
[www.loudoun.gov/blueridge](http://www.loudoun.gov/blueridge)

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-----Original Message-----

From: STEVEN Chase [REDACTED]  
Sent: Sunday, July 17, 2022 4:21 PM  
To: Buffington, Tony <[Tony.Buffington@loudoun.gov](mailto:Tony.Buffington@loudoun.gov)>  
Subject: [EXTERNAL] Historic Overlay District for Unison

Dear Tony,

Please see the comments below we sent to the Planning Commission regarding Historic Overlay Districts in and around Unison:

Dear Zoning Commission, We write as 23 year residents of Unison and 32 year residents of Western Loudoun. We residents of Unison have an obligation to write you to support language from the Unison Preservation Society regarding historic overlay districts. These overlays are urgently needed in Unison and in surrounding villages and should be included in the Zoning Rewrite. We need deliberate preservation policies here in Unison and the surrounding countryside to ensure that what has been called the "best preserved 19th century landscape in Virginia" remain that way in the future. You as a commission also have a responsibility to take to heart our comments and ensure that the historic and natural legacy of this landscape is preserved for future generations. We hope you will join our community as partners in conservation and preservation. The alternative to these efforts is too dire to contemplate. Best Regards, Steven and Karen Chase 21091 Unison Road.

We urge you to support these overlay Districts to conserve and preserve our historic countryside.

Sincerely,

Steven Chase



**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Yudd, Charles](#)  
**Subject:** FW: [EXTERNAL] Loudoun County Zoning Ordinance  
**Date:** Monday, July 18, 2022 4:00:39 PM

---

FYI  
RB

-----Original Message-----

From: Howard Lewis [REDACTED]  
Sent: Monday, July 18, 2022 3:07 PM  
To: Buffington, Tony <Tony.Buffington@loudoun.gov>  
Subject: [EXTERNAL] Loudoun County Zoning Ordinance

I am writing today to express my concern about the rewriting of the Zoning Ordinance. I hope that the Board of Supervisors will continue to protect the integrity of the open land in Western Loudoun. It is a valuable resource for all who live in Loudoun and cannot be replaced if it is destroyed or if incompatible uses are allowed to be implemented. I urge all concerned to consider the future of the area and vote to conserve what exists for all Loudoun residents to enjoy.

Sincerely,  
Phillipa Lewis

[REDACTED]

[REDACTED]

**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Yudd, Charles](#)  
**Subject:** FW: [EXTERNAL] Loudoun County's Zoning Ordinance  
**Date:** Monday, July 18, 2022 12:25:41 PM

---

Hi-

We will continue to forward what we receive. Thanks for all that you are doing.

Warmly,  
Robin

*Robin W. Bartok*

**Robin W. Bartok**

Senior Legislative Aide to Supervisor Tony R. Buffington

Blue Ridge District Supervisor

Loudoun County Board of Supervisors

[robin.w.bartok@loudoun.gov](mailto:robin.w.bartok@loudoun.gov)

[www.loudoun.gov/blueridge](http://www.loudoun.gov/blueridge) \*\*Teleworking – please email

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**From:** Gillian Sims [REDACTED]  
**Sent:** Monday, July 18, 2022 8:26 AM  
**To:** Buffington, Tony <Tony.Buffington@loudoun.gov>  
**Subject:** [EXTERNAL] Loudoun County's Zoning Ordinance

July 17, 2022

Dear Mr. Buffington,

I am writing to you with the request to revise the county's zoning ordinance to facilitate the protection of unique historic rural villages such as Unison, Bluemont, Philomont and others. These old and historical Loudoun County villages are an important piece of the county's history and heritage and should be protected as such. If development is allowed to encroach upon these countryside jewels, then much of Loudoun's agricultural and rural beauty will be lost forever. The beauty of the farms and rural nature of western Loudoun has always been one of the county's best features. Indeed, in recent years this has proven to be a huge draw for tourism and economic gain for the county, but once these rural landscapes are developed and turned into mini suburbia areas, that magic of western Loudoun will disappear forever.



Loudoun will be just another Fairfax County where the beauty of the rolling fields, wildlife, and historic villages can only be recollected in stories told by the old. I ask you, is this really progress? Is this how we protect our history for future generations?

Please keep western Loudoun rural and protect the historic villages. Protect the very heritage of this county and state. Keep Loudoun a county that people want to visit and live in because of its combination of amenities in the eastern half and the historical charm and beauty of its rural western half.

Sincerely,

Gillian Sims

[REDACTED]

[REDACTED]

**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: [EXTERNAL] Protect historic Unison and Loudoun's landscape  
**Date:** Monday, July 18, 2022 11:19:35 AM

---

Passing along another comment.

Thanks,

Robin

Robin W. Bartok  
Robin W. Bartok  
Senior Legislative Aide to Supervisor Tony R. Buffington  
Blue Ridge District Supervisor  
Loudoun County Board of Supervisors  
[robin.w.bartok@loudoun.gov](mailto:robin.w.bartok@loudoun.gov)  
[www.loudoun.gov/blueridge](http://www.loudoun.gov/blueridge) \*\*Teleworking – please email

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-----Original Message-----

From: Joan Gardiner <[joanggardiner@gmail.com](mailto:joanggardiner@gmail.com)>  
Sent: Sunday, July 17, 2022 8:07 PM  
To: Buffington, Tony <[Tony.Buffington@loudoun.gov](mailto:Tony.Buffington@loudoun.gov)>  
Subject: [EXTERNAL] Protect historic Unison and Loudoun's landscape

Dear Tony Buffington,

I came to Unison in 1973, I was one of the first outsiders in the small village which largely consisted of folks who had been there their whole lives. Lots of things have changed since then like indoor plumbing and many home improvements to the houses. But the original character has not changed. People often drive or bicycle into Unison for the first time and stop by my honey stand. They are charmed by how unexpected this little spot on the map is and ask questions about the history. On my honey labels is written: "Unison makes a perfect home for honey bees. Here, where no monoculture or housing development disturb a healthy forage, the bees thrive...in a landscape unchanged in 200 years...". It makes a perfect home for those of us who are here too, and a welcome place for those taking a drive or ride through the countryside.

You need to honor and protect this kind of heritage, it enhances the soul of Loudoun county. Now is the time for vision in our future. Protect Unison.

Thank you,  
Joan Gardiner

Sent from my iPad

**From:** [Britain, Allison](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: [EXTERNAL] Reviewing revised Zoning Ordinance  
**Date:** Wednesday, April 27, 2022 9:55:29 AM

---

Hello,

Forwarding over from the DPZ inbox. Let me know if I should forward this elsewhere. Thank you!

Best,  
Allison Britain  
Planner | Customer Service Center  
Loudoun County Department of Planning and Zoning  
1 Harrison Street, 3rd floor/PO Box 7000, Leesburg, VA 20177  
703.777.0246, option 5 (main)  
703.771.5779 (direct)  
571.498.2573 (cell)

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-----Original Message-----

From: John Hunter <[john.e.h@comcast.net](mailto:john.e.h@comcast.net)>  
Sent: Tuesday, April 26, 2022 4:23 PM  
To: DEPT-PZ-PLANNING\_ZONING <[DPZ@loudoun.gov](mailto:DPZ@loudoun.gov)>  
Subject: [EXTERNAL] Reviewing revised Zoning Ordinance

I have been reviewing the revised Zoning Ordinance and am finding the process to be very time consuming because of the way comments have to be made. For example, I have commented on typos, grammatical errors, and confusing language just in the definitions alone and it has taken three hours to get through A-C. This process would be much quicker if I could use a red pen on printed text. Is that possible? I would be happy to come in to your office if you would welcome my comments.

John Hunter



**From:** [Wegener, Brian](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Reed, Ryan](#)  
**Subject:** FW: [EXTERNAL] SIGN POLLUTION  
**Date:** Thursday, July 7, 2022 8:54:31 AM  
**Attachments:** [image001.png](#)

---

Hello,

This appears to be feedback on new sign regulations.

Best,

Brian Wegener, AICP, CZA  
Acting Division Manager | Customer Service Center  
Loudoun County Department of Planning and Zoning  
1 Harrison Street, Mailstop #062/PO Box 7000  
Leesburg, VA 20177  
703.777.0246, option 5 (main)  
703.771.5146 (direct)

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---

**From:** Lauren Woolcott [REDACTED]  
**Sent:** Thursday, July 7, 2022 6:09 AM  
**To:** DEPT-PZ-PLANNING\_ZONING <DPZ@loudoun.gov>  
**Subject:** [EXTERNAL] SIGN POLLUTION

To Whom it may Concern:

I oppose large signs in our rural community. Suburban dwellers would not welcome these in neighboring yards, we do not welcome them in our areas either. Thank you!

Relevant points:

**6.0.1** Rural areas.

Boards have allowed businesses which originally required farming, such as wineries, which now are described as "Commercial". The consultants have asked for different rules for rural residential and rural "commercial". We all live together. The current sign sizes are doing a good job when coupled with the internet and GPS.

**6.03:B. Off-Premise Signs.**

**We oppose ANY off-site signs.** VDOT does not allow signs in the ROW for safety of drivers and grass-

mowers. We ask that the County stick to its long-standing policy of no off-site signs.

**6.0.4-1 Ground Signs.**

This table (5) allows signs in the Rural area to be up to 45 sq ft plus an additional 15 sq ft for lots larger than 5 acres; identical to the sq ft allowed for Commercially zoned areas. Currently home occupations are allowed 2 sq ft, and Bed and Breakfasts 4 sq feet. **These new numbers need to be scaled back.**

**>New Supreme Court ruling says we cannot assign different sizes to different types of businesses.**

**6.0.4-1 (11) Illumination**

Illumination is added to rural signs...light up the dark hours, harm nocturnal wildlife habits and more. I am strictly opposed to this!

**6.0.4-2 Pole signs**

Don't think we miss this and oppose this fact: 45 sq feet, plus additional 15' pole

6.0.4-1 & 2: Total **cumulative** signs (Ground Sign + Pole = **60 sq ft.**

**In addition:**

**6.0.5-1 Wall signs (5)**

Allow up to **60 sq ft.**

**6.0.5 (5)**

Adds an additional **20 sq ft.** Allowed

**6.0.6 (3) Temporary signs:**

**These signs must be removed from the ordinance completely. Each sign can be 8 high and 32 Sq feet with no limit on the number of signs, nor any cumulative square footage.**

**>Do not be fooled; we are aware of this section and will act to protect against it!**

**6.0.9 (B.) Enforcement for equal treatment**

The County does not enforce the ordinance under current or past policy, thereby leaving the problem to citizens. We need enforcement for equal treatment. The vast majority of businesses follow the rules and have to put up with cluttered neighboring businesses.

**6.10 Sign Measurements.**

Currently, folks make a sign then attach a piece of non-lettered board the same color to their sign. It is not considered part of the sign and so is legal. Hope this will not be allowed in the future.

Most respectfully and sincerely,

Lauren Woolcott

[Redacted signature]

[Redacted signature]

**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Buffington, Tony](#)  
**Subject:** FW: [EXTERNAL] Village of Unison Omission from ZOR as Village Conservation Overlay District  
**Date:** Monday, July 18, 2022 11:15:25 AM

---

Dear Staff,

I am forwarding these comments onto you from a resident.

Thank you.

*Robin W. Bartok*

**Robin W. Bartok**

Senior Legislative Aide to Supervisor Tony R. Buffington

Blue Ridge District Supervisor

Loudoun County Board of Supervisors

[robin.w.bartok@loudoun.gov](mailto:robin.w.bartok@loudoun.gov)

[www.loudoun.gov/blueridge](http://www.loudoun.gov/blueridge) \*\*Teleworking – please email

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---

**From:** Robert Ellis <robertellislaw@gmail.com>

**Sent:** Sunday, July 17, 2022 5:38 PM

**To:** Buffington, Tony <Tony.Buffington@loudoun.gov>

**Cc:** Randall, Phyllis <Phyllis.Randall@loudoun.gov>

**Subject:** [EXTERNAL] Village of Unison Omission from ZOR as Village Conservation Overlay District

As a resident for 26 years of the Village of Unison and owner of property that has been designated a National Historic Site, I am perplexed by the omission our Village as a HOD. Obviously the Village complies with every provision of 7.09.08 for Historic Site Districts (HS) as well as Historic and Cultural Conservation Districts (HCC). Nonetheless, It is not included in 4.07 Village Conservation Overlay District (VCOD). To not enumerate it in “B. District Boundaries” and make the necessary change of the adopted zoning map is a gross oversight and Unison should be added to the list of District Boundaries before implementing the ZOR. Correcting this prior to adoption of the new Zoning Ordinance is of upmost importance.

Robert and Dana Ell [REDACTED]

**From:** [Britain, Allison](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: [EXTERNAL] Zoning Ordinance Rewrite - Enforcement in MDOD  
**Date:** Monday, July 18, 2022 8:27:30 AM

---

Hi Judi and Ryan,

Forwarding this over from the DPZ inbox.

Kind Regards,

Allison Britain

Planner | Customer Service Center

Loudoun County Department of Planning and Zoning

1 Harrison Street, 3<sup>rd</sup> floor/PO Box 7000, Leesburg, VA 20177

703.777.0246, option 5 (main)

703.771.5779 (direct)

571.498.2573 (cell)

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---

**From:** [REDACTED]  
**Sent:** Sunday, July 17, 2022 2:55 PM  
**To:** DEPT-PZ-PLANNING\_ZONING <DPZ@loudoun.gov>  
**Subject:** [EXTERNAL] Zoning Ordinance Rewrite - Enforcement in MDOD

Zoning enforcement within the MDOD should be guided by two principals: 1) The penalties for serious zoning violation should be sufficiently robust to discourage violation and not simply become a cost of doing business. 2) The penalties for serious zoning violations should require the violator to return the land to the condition it was in before the violation. It is not sufficient to stop the violation. The land must be returned to its original condition.

Specific wording changes include the following:

- Section 7.13 B. 3. Zoning Administrator *must take action to remove any violation* or attempted violation of this Zoning Ordinance.
- Section 7.13 B. 6. a. The Zoning Administrator will specify a reasonable time for the violation to cease *and for the land to be fully returned to pre-violation condition.*
- Section 7.13E.10.b. In order to determine that a violation has been corrected

the zoning administrator must determine that the land has been returned to pre-violation condition.

Peter Weeks





**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Yudd, Charles](#)  
**Subject:** FW: [EXTERNAL] Zoning/ Unison Historic village area  
**Date:** Monday, July 18, 2022 3:56:29 PM

---

FYI  
RB

---

**From:** Caroline Nash [REDACTED]  
**Sent:** Monday, July 18, 2022 3:44 PM  
**To:** Buffington, Tony <Tony.Buffington@loudoun.gov>  
**Subject:** [EXTERNAL] Zoning/ Unison Historic village area

Dear Board of Supervisors,

I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our important historic resources. These resources provide cultural and recreational activities for all Loudoun County residents and have a positive fiscal impact on the County. I appreciate the hard work being done on these matters and believe it is of critical importance to focus broadly on the following matters:

- *Protect Loudoun's historic villages and districts, including during the period prior to completion of Comprehensive Plan mandated criteria to officially designate rural historic villages and complete small area plans.*
- *Reduce the ease of approval for uses and use exceptions that compromise the scenic and historic integrity of our landscape.*

Yours truly,  
Caroline Nash Helmly

[REDACTED]  
[REDACTED]

**From:** [Britain, Allison](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: [EXTERNAL] ZOR - Chapter 3 - Uses in the MDOD  
**Date:** Monday, July 18, 2022 8:27:34 AM

---

Kind Regards,  
Allison Britain  
Planner | Customer Service Center  
Loudoun County Department of Planning and Zoning  
1 Harrison Street, 3<sup>rd</sup> floor/PO Box 7000, Leesburg, VA 20177  
703.777.0246, option 5 (main)  
703.771.5779 (direct)  
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**From:** [REDACTED]  
**Sent:** Sunday, July 17, 2022 3:47 PM  
**To:** DEPT-PZ-PLANNING\_ZONING <DPZ@loudoun.gov>  
**Subject:** [EXTERNAL] ZOR - Chapter 3 - Uses in the MDOD

*Principal Use Table for Rural Policy Areas that Need Revision in the MDOD:*

## **CATEGORIES**

### **HOUSEHOLD LIVING**

### **GROUP LIVING**

### **LODGING**

### **RURAL RESORT**

### **ANIMAL SERVICES**

### **RESTAURANT – SIT DOWN**

The negative impact of residential uses in the MDOD is directly related to density. FBRM proposes that residential uses, regardless of the specific type of dwelling, should be limited to no more than one structure per 10 acres.

A Rural Resort should not be a permitted use in the MDOD. The MDOD environment is too fragile to accommodate the intensity of use associated with a rural resort.

FBRM has concerns regarding the density for animal services use. Any facility should be limited to 10,000 square feet per 10 acres.

A sit-down restaurant should not be a permitted use in the MDOD. The MDOD environment cannot accommodate the traffic and parking associated with a sit-down restaurant.

**SNACK OR  
BEVERAGE BAR**

A snack or beverage bar should not be a permitted use in MDOD. The MDOD environment cannot accommodate the amount of traffic, parking and refuse associated with a snack or beverage bar.

**WINERY –  
COMMERCIAL**

A commercial winery should not be permitted By Right in the MDOD and should only be permitted if in compliance with rigid performance standards regarding traffic generated, parking, noise, lighting, and waste disposal.

**PERSONAL/BUSINESS  
SERVICES**

Personal/business services should not be a permitted use in the MDOD because the MDOD environment cannot accommodate the traffic and parking associated with personal/business services.

**RETAIL**

Retail should not be a permitted use in the MDOD because the MDOD environment cannot accommodate the traffic and parking associated with retail.

**ASSEMBLY**

Assembly uses should not be permitted in the MDOD because the MDOD environment cannot accommodate the traffic and parking associated with Assembly.

**AGRICULTURAL  
EDUCATION OR  
RESEARCH**

Agricultural education or research should not be permitted By Right in the MDOD. The use should be permitted only in compliance with rigid performance standards regarding traffic generated, parking, noise, and lighting. The definition of an Agricultural Education or Research facility does not include any reference to scale or intensity and thus its impact upon the MDOD environment cannot be evaluated.

**RURAL RETREAT**

Rural Retreat should not be permitted By Right in the MDOD. Rural Retreat should be permitted only in compliance with rigid performance standards regarding traffic generated, parking, noise, and lighting.

**AGRICULTURAL  
CULTURAL CENTER**

Agricultural cultural center should not be permitted By Right in the MDOD. Agricultural cultural center should be permitted only in compliance with rigid performance standards regarding traffic generated, parking, noise, and lighting. The definition of an Agricultural Cultural Center does not include any reference to scale or intensity and thus its impact upon the MDOD environment cannot be evaluated.

**AGRITAINMENT**

Agritainment should not be permitted By Right in the MDOD. Agritainment should be permitted only in compliance with rigid performance standards regarding traffic generated, parking, noise, and lighting. The definition of an Agritainment facility does not include any reference to scale or intensity and thus its impact upon the MDOD environment cannot be evaluated.

**AMPHITHEATER**

Amphitheater should not be a permitted use in the MDOD. The MDOD environment cannot accommodate the traffic, parking, noise, and lighting associated with an amphitheater.

**CULTURAL TOURISM**

Cultural Tourism should not be a permitted use in the MDOD. The MDOD environment cannot accommodate the traffic and parking associated with cultural tourism. The definition of a Cultural tourism facility does not include any reference to scale or intensity and thus its impact upon the MDOD environment cannot be evaluated.

**SAWMILL**

A sawmill should not be a permitted use in the MDOD. The MDOD environment cannot accommodate the noise, traffic, parking, and waste product associated with a sawmill.

**TRANSPORTATION  
PARKING**

Transportation uses should not be permitted in the MDOD. The MDOD environment cannot accommodate the traffic, and parking associated with transportation uses.

**COMMUNICATIONS  
FACILITIES**

Communication facilities should not be a permitted use on the ridge line. This is current County policy and currently a county zoning restriction. The policy and restriction should be maintained in any amendment to the County zoning ordinance.

**AGRICULTURE**

Agriculture, farm distribution hub, winery, commercial and winery, Virginia farm should not be allowed By Right in the MDOD. Each of these uses has the potential to negatively impact the delicate MDOD environment in a significant way because of associated traffic, parking, noise, lighting, and waste product. Each use should be permitted in the MDOD only in compliance with rigid standards protecting the MDOD environment.

Peter Weeks



**From:** [Britain Allison](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: [EXTERNAL] ZOR Chapter 4 - MDOD Performance Standards  
**Date:** Monday, July 18, 2022 8:27:43 AM

---

Kind Regards,  
Allison Britain  
Planner | Customer Service Center  
Loudoun County Department of Planning and Zoning  
1 Harrison Street, 3<sup>rd</sup> floor/PO Box 7000, Leesburg, VA 20177  
703.777.0246, option 5 (main)  
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**From:** pqweeks@[REDACTED]  
**Sent:** Sunday, July 17, 2022 4:31 PM  
**To:** DEPT-PZ-PLANNING\_ZONING <DPZ@loudoun.gov>  
**Subject:** [EXTERNAL] ZOR Chapter 4 - MDOD Performance Standards

**Evaluation Criteria Table**  
**To be added to Section 4.04 F**  
**Performance Standards in Highly Sensitive Areas**

***Submitted by Peter Weeks    Bluemont, Virginia***

CATEGORIES	
<b>Preserve natural ridgeline features</b>	The maintenance of a closed forest canopy for the highest 100 vertical feet along any ridgeline or crest, with no development projecting above the canopy, should be required without exception.
<b>Retain forest canopy</b>	All development proposals should maintain the forest canopy in as closed a condition as is practicable, thus precluding clear cutting forestry projects, concentrated parking lots, etc.
<b>Control erosion</b>	The water courses found in mountainous regions must be kept free of added sediments and other pollutants in order to maintain local water quality and meet downstream water quality standards.
<b>Prevent landslides and slumps</b>	Mountain slopes are inherently unstable geologically, requiring that strict controls on removal of vegetative cover and disturbance of soils must be adhered to, so as to prevent development activities from creating increased landslides and slumping risks. The requirements in the draft ordinance are too weak to achieve these goals and should be strengthened accordingly.
<b>Preserve upland stream water quantity and quality</b>	Mountain springs and headwater water courses are a critical component of the hydrological system serving natural and human water needs. These features are highly sensitive to nearby and upslope developments. The draft setback requirements are insufficient to achieve the required protections.

<p><b>Protect ground water recharge areas</b></p>	<p>Mountainous regions are a prime source for recharging ground water aquifers that supply much of our developed water supply, thus making it imperative that these recharge areas be identified and protected from any development that would diminish their recharge capacity.</p>
<p><b>Minimize impervious surfaces, and require mitigation</b></p>	<p>Impervious surfaces such as rooftops and asphalted roads are disruptive to the natural hydrological flow, so to the extent feasible their use must be limited in mountainous regions, and their runoff strictly regulated so as not to impact the functioning of natural water courses or to create sheet flow runoff.</p>
<p><b>Retain rural unpaved roads as per current Loudoun County policy</b></p>	<p>Loudoun's unpaved rural roads are a part of its history and are more environmentally compatible than paved replacements. They must be preserved to the extent possible.</p>
<p><b>Protect wildlife habitat and migration corridors</b></p>	<p>MDOD development restrictions should protect wildlife habitats and migration corridors.</p>
<p><b>Protect air quality and visibility</b></p>	<p>Air pollution emissions from elevated terrain is more visible from distant vantage points and is more prone to travel greater distances to impact other areas; additionally, mountain ecosystems are more sensitive to polluted air resulting in potential decline of critical vegetative cover.</p>
<p><b>Preserve dark skies</b></p>	<p>Light pollution from ill designed lighting systems results in unnecessary visible loss of nighttime sky features and can be avoided by use of purposefully designed lighting elements.</p>
<p><b>Avoid intrusive encroachments on the Appalachian Trail corridor and prime viewsheds</b></p>	<p>The Appalachian Trail (AT) is an important historical, cultural, and economic resource for Loudoun County, so measures are warranted to avoid development encroachments on the AT and its corridor and prime viewsheds that would be detrimental to its premier trail status.</p>

**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: comments/concerns about Loudoun's historic landscape  
**Date:** Monday, July 18, 2022 7:40:10 PM  
**Attachments:** [image001.png](#)

---

Hello DPZ Staff,

We are sharing this note with you from a Blue Ridge District constituent for inclusion in the ZOR public input process.

Thank you,  
Christi

**Christi Maple**

Chief of Staff to Supervisor Tony R. Buffington  
Blue Ridge District Supervisor  
Loudoun County Board of Supervisors  
[christi.maple@loudoun.gov](mailto:christi.maple@loudoun.gov)  
[www.loudoun.gov/blueridge](http://www.loudoun.gov/blueridge)

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---

**From:** Constance Chatfield-Taylor <constance@fc-tv.com>  
**Sent:** Monday, July 18, 2022 5:19 PM  
**To:** Buffington, Tony <Tony.Buffington@loudoun.gov>; Randall, Phyllis <Phyllis.Randall@loudoun.gov>  
**Subject:** [EXTERNAL] comments/concerns about Loudoun's historic landscape

Dear Supervisors Buffington and Randall,

I grew up in Lincoln, VA where my mother lived until her death in 2020 at nearly 101. We put her farm in easement with the Land Trust of Virginia that same year. She wanted, as she said at 99, to 'look outside and see cows, horses, open fields - just as it looks now, somewhere you can breathe.' The conservation of her farm which touches Lincoln connects with other farms in easement and provides a 'green link' into the village.

I realize the importance of Historic Villages and Districts, now own property in the village of Upperville, and fully realize the benefits of keeping our villages just that – places one enters that have a sense of being, of having a presence. 'You've arrived somewhere,' said my sister who made preservation her life's work, 'when you enter a village'.

I am very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our important

historic resources. These resources provide cultural and recreational activities for all Loudoun County residents and have a positive fiscal impact on the County. I appreciate the hard work being done on these matters and believe it is of critical importance to focus broadly on the following matters:

- *Protect Loudoun’s historic villages and districts, including during the period prior to completion of Comprehensive Plan mandated criteria to officially designate rural historic villages and complete small area plans.*
- *Reduce the ease of approval for uses and use exceptions that compromise the scenic and historic integrity of our landscape.*

Our specific recommendations are:

**Chapter 3 Uses**

**Principal Use Table 3.02.02-3**

-  
DISCUSSION

A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center	Death Care Business	
Retail, General		
Commercial Winery Facility	Farm Machinery Business	Public Safety
Country Inn	Civic Buildings	
Sawmill		
Banquet/Event Facility	Schools	
Slaughterhouse		

RECOMMENDATION

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.
- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that



require a Special Exception.

## **Chapter 4 Overlay Districts**

### **Section 4.07 Village Conservation Overlay District**

“Purpose”

DISCUSSION

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

RECOMMENDATION

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*

### **CURRENT LANGUAGE**

#### **“A. Applicability.**

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

-

“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

### **CURRENT LANGUAGE**

#### **“B. District Boundaries.**

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

### **CURRENT LANGUAGE**

#### **“C. Expansion of VCOD Boundaries.**

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

**Section 4.08 Historic Districts**

**H. Right to Raze or Demolish.**

DISCUSSION

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

RECOMMENDATION

**NEW SECTION: Protection of Stone Walls in Beaverdam Creek Historic District**

In order to better protect the stone walls and historic roads that comprise the Beaverdam Creek Historic District, property owners, non-profits, Loudoun County residents, and County government entities shall be entitled to place Beaverdam Creek Historic District signage in the public right-of-way. Such signage shall note the historic and protected status of the area and covered improvements and shall include telephonic and internet resources for obtaining more information and reporting threats to protected Beaverdam Creek Historic District walls and roads appropriate public officials.

**I. Hazardous Conditions.**

DISCUSSION

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

RECOMMENDATION

Require a notice/cure provision before razing or demolition is possible. Cure period should be substantial if reasonable demonstration can be made that people are reasonably protected from unsafe conditions.

**Chapter 5 Adaptive Reuse**

**B. Eligibility.**

RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

1. Identified as historically significant by being:
  - a. Designated as a National Historic Landmark; or
  - b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or

- c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or
- d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC.

**Section B.3** Delete "... and the prior use or uses in the structure are obsolete or economically nonviable."

**Section B.3** Delete a. through c.

**Standards and Requirements / Section C** We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning setbacks or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

**C** In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

#### **D. Permitted Uses.**

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

#### **E. Adaptive Reuse Incentives.**

In addition to nonconforming lot or structure allowances pursuant to Chapter 9, projects that are eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.

Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

### **Chapter 9 Nonconformities**

#### **B.2 Discontinuation of Nonconforming Use.**

##### PROVISION

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

##### RECOMMENDATION

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

Thank you for your time and consideration, and helping to keep Virginia a special place -

Sincerely,

Constance Chatfield-Taylor

[Redacted signature block]

 [Redacted signature block]

**From:** [Wegener, Brian](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** FW: Zoning District Change Date  
**Date:** Tuesday, June 21, 2022 9:06:51 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Hello,

Would the ZOR team be able to respond to this email?

Best,

Brian Wegener, AICP, CZA  
Acting Division Manager | Customer Service Center  
Loudoun County Department of Planning and Zoning  
1 Harrison Street, Mailstop #062/PO Box 7000  
Leesburg, VA 20177  
703.777.0246, option 5 (main)  
703.771.5146 (direct)

Visit Us on the Web: [www.loudoun.gov/planningandzoning](http://www.loudoun.gov/planningandzoning)



This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator. In keeping with the Virginia Freedom of Information Act (FOIA), emails and all attachments may be released to others upon request for inspection and copying without prior notification.

---

**From:** Javier Zablah <javier@morrowhill.com>  
**Sent:** Monday, June 20, 2022 5:14 PM  
**To:** DEPT-PZ-PLANNING\_ZONING <DPZ@loudoun.gov>  
**Subject:** [EXTERNAL] Zoning District Change Date

Hello,

Looking to confirm when the new Zoning district change is going to be implemented. I am working with a Tenant and looking to confirm when Current Zoning District that are to be consolidated are going to transition to new proposed district names as this influences if our use is allowed in the property.

**Loudoun County Zoning District Names: Current and Proposed**

Current Zoning District(s) to be Consolidated	PROPOSED District Name
	<i>Urban Districts</i>
PD-TRC	Urban Transit Center/Mixed Use – UT/UM
PD-TREC	Urban Employment – UE
	<i>Suburban Districts</i>
R-4	Suburban Neighborhood – SN
R-8, R-16, R-24	Suburban Compact Neighborhood – SCN-8, SCN-16, SCN-24
PD-MUB, PD-TC	Suburban Mixed Use – SM
PD-CC(NC) and (CC)	Suburban Commercial – SC, also for commercial components that can be in SN & SCN
PD-OP, PD-IP, PD-RDP, CLI (south side of Route 50)	Suburban Employment – SE
PD-GI	Suburban Industrial – SI
MR-HI, GB, CLI, (north side of Route 50)	Suburban Mineral Extraction – SME
	<i>Transition Districts</i>
TR-10, TR-3, TR-1	Transition Large Lot Neighborhood – TLN-10, TLN-3, TLN-1
New District	Transition Small Lot Neighborhood – TSN
New District	Transition Compact Neighborhood – TCN
New District w/PD-CC(NC) as a base	Transition Community Center – TCC
PD-IP	Transition Light Industrial – TLI
PD-GI	Transition Industrial – TI
MR-HI	Transition Mineral Extraction – TME
	<i>Rural Districts</i>
AR-1	Rural North – ARN
AR-2	Rural South – ARS
	<i>Rural Historic Village</i>
CR-1, CR-2, CR-3, CR-4	Village Residential – VR-1, VR-2, VR-3, VR-4
RC	Village Commercial – VC
A-3	Village Agricultural/Residential – VAR
	<i>Joint Land Management Area (JLMA) Districts</i>
JLMA, 1, JLMA-2, JLMA-3	JLMA-1, JLMA 2, JLMA 3
R-4	Joint Land Management Area – Leesburg JLMA Residential Neighborhood (JLMA-LN)

Attachment 2



**From:** [Buffington, Tony](#)  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Yudd, Charles](#)  
**Subject:** FW: Zoning Ordinance Revision  
**Date:** Monday, July 18, 2022 12:29:23 PM  
**Attachments:** [image001.png](#)

---

FYI

*Robin W. Bartok*

**Robin W. Bartok**

Senior Legislative Aide to Supervisor Tony R. Buffington  
Blue Ridge District Supervisor  
Loudoun County Board of Supervisors

[robin.w.bartok@loudoun.gov](mailto:robin.w.bartok@loudoun.gov)

[www.loudoun.gov/blueridge](http://www.loudoun.gov/blueridge) \*\*Teleworking – please email

Interested in receiving Supervisor Buffington’s electronic Newsletter updates and Alerts? Provide us with your mailing address to begin receiving area specific updates.

**All correspondence is subject to the Virginia Freedom of Information Act (FOIA)**

---

**From:** Ivan Blumberg [REDACTED]  
**Sent:** Monday, July 18, 2022 9:02 AM  
**To:** Buffington, Tony <Tony.Buffington@loudoun.gov>  
**Cc:** Jennifer Don [REDACTED]; Pam [REDACTED]  
**Subject:** [EXTERNAL] Zoning Ordinance Revision

Tony, I hope that you, Christina and the kids are all doing well. As you know, we live on Bloomfield Road, less than a mile from the Unison Store. I am very concerned about the future of Loudoun’s beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our important historic resources. These resources provide cultural and recreational activities for all Loudoun County residents and have a positive fiscal impact on the County. I appreciate the hard work being done on these matters and believe it is of critical importance to focus broadly on the following matters:

- *Protect Loudoun’s historic villages and districts, including during the period prior to completion of Comprehensive Plan mandated criteria to officially designate rural historic villages and complete small area plans.*

- *Reduce the ease of approval for uses and use exceptions that compromise the scenic and historic integrity of our landscape.*

Our specific recommendations are:

**Chapter 3 Uses**

**Principal Use Table 3.02.02-3**

-  
DISCUSSION

A variety of high intensity commercial uses are authorized with Minor Special Exceptions or Special Exceptions in the ARS Policy Area. Certain of these uses may be incompatible with the purposes of the Village Conservation Overlay Districts (VCODs) and the Historic Overlay Districts (HODs), when implemented within those Districts or within 1,500 feet of the boundary of VCODs or HODs. Such commercial uses include, but are not limited to:

Rural Retreat Center	Death Care Business	Retail, General
Commercial Winery	Farm Machinery Business	Public Safety Facility
Country Inn	Civic Buildings	Sawmill
Banquet/Event Facility	Schools	Slaughterhouse

RECOMMENDATION

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.
- Breweries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special Exception.

**Chapter 4 Overlay Districts**

**Section 4.07 Village Conservation Overlay District**

“Purpose”

DISCUSSION

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

RECOMMENDATION

Add the following new bullet point after the fifth bullet point in the Purpose statement:

- *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*



**CURRENT LANGUAGE**

**“A. Applicability.**

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

-  
“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

**CURRENT LANGUAGE**

**“B. District Boundaries.**

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

**CURRENT LANGUAGE**

**“C. Expansion of VCOD Boundaries.**

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

**Section 4.08 Historic Districts**

**H. Right to Raze or Demolish.**

DISCUSSION

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to

raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

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**B. Eligibility.**

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Expand eligibility as follows:

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requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

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**Chapter 9 Nonconformities**

**B.2 Discontinuation of Nonconforming Use.**

PROVISION

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

RECOMMENDATION

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

Thank you for your time and consideration!

**Ivan G. Blumberg**



**From:** John Wylie  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] \_rotect Loudoun  
**Date:** Saturday, June 11, 2022 2:24:34 PM

---

*I strongly object to changing current residential zoning parameters to add congregate facilities with a special permit. AR rural zones are incompatible with that type of commercial environment. During the Zoning Ordinance Rewrite Public Engagement Meeting on May 2, staff member Judi Birkitt stated that adding congregate uses appeared to be an error, can you confirm it was an error and that congregate facilities will not be permitted in rural zones?*

**From:** noreply@civicplus.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Zoning Ordinance Rewrite  
**Date:** Monday, July 18, 2022 7:38:50 PM

---

## Zoning Ordinance Rewrite

### Project Overview

The Zoning Ordinance is the primary implementation tool for the 2019 Comprehensive Plan. It contains an added level of specificity that is based on the community's vision as expressed in the goals, policies and actions of the 2019 Comprehensive Plan.

Input from the Board of Supervisors, advisory bodies, various departments and community and professional groups is being factored into the final product.

We welcome your feedback, comments and questions through this form.

Beginning April 18, you will be able to review the draft Zoning Ordinance and make comments directly on the draft.

[Visit the project webpage.](#)

First Name	Grace-Marie
Last Name	Turner
Address1	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Election District	Catoctin

Please provide general comments on the Zoning Ordinance Rewrite.

Western Loudoun County is one of the most beautiful and historic areas in the country. It is vital that the Comprehensive plan protect the historic and scenic integrity of the Heritage Area. The priorities in making decisions about zoning should be:

- Reducing development and density in the Rural Policy Area
- Protecting Loudoun's historic villages and districts
- Reducing ease of approval for special exceptions that compromise the scenic and historic integrity of our landscape

--Defining and protecting historic resources

---

Areas of interest or concern

Zoning Districts, Uses, Procedures

---

What is your question or concern?

*Field not completed.*

---

Thank you for your participation!

To receive an email confirmation of this form, please check the box below.

---

Email not displaying correctly? [View it in your browser.](#)

**From:** pqweeks@aol.com  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Chapter 3 - Uses in the MDOD  
**Date:** Sunday, July 17, 2022 3:27:26 PM

---

*Principal Use Table for Rural Policy Areas*

**CATEGORIES**

**HOUSEHOLD LIVING**

The negative impact of residential uses in the MDOD is directly related to density. FBRM proposes that residential uses, regardless of the specific type of dwelling, should be limited to no more than one structure per 10 acres.

**GROUP LIVING**

**LODGING**

**RURAL RESORT**

A Rural Resort should not be a permitted use in the MDOD. The MDOD environment is too fragile to accommodate the intensity of use associated with a rural resort.

**ANIMAL SERVICES**

FBRM has concerns regarding the density for animal services use. Any facility should be limited to 10,000 square feet per 10 acres.

**RESTAURANT – SIT DOWN**

A sit-down restaurant should not be a permitted use in the MDOD. The MDOD environment cannot accommodate the traffic and parking associated with a sit-down restaurant.

**SNACK OR BEVERAGE BAR**

A snack or beverage bar should not be a permitted use in MDOD. The MDOD environment cannot accommodate the amount of traffic, parking and refuse associated with a snack or beverage bar.

**WINERY – COMMERCIAL**

A commercial winery should not be permitted By Right in the MDOD and should only be permitted if in compliance with rigid performance standards regarding traffic generated, parking, noise, lighting, and waste disposal.

**PERSONAL/BUSINESS SERVICES**

Personal/business services should not be a permitted use in the MDOD because the MDOD environment cannot accommodate the traffic and parking associated with personal/business services.

**RETAIL**

Retail should not be a permitted use in the MDOD because the MDOD environment cannot accommodate the traffic and parking associated with retail.

**ASSEMBLY**

Assembly uses should not be permitted in the MDOD because the MDOD environment cannot accommodate the traffic and parking associated with Assembly.

**AGRICULTURAL**

Agricultural education or research should not be permitted By Right in the MDOD. The use should be permitted only in compliance with rigid performance standards regarding traffic

**EDUCATION OR RESEARCH**

generated, parking, noise, and lighting. The definition of an Agricultural Education or Research facility does not include any reference to scale or intensity and thus its impact upon the MDOD environment cannot be evaluated.

**RURAL RETREAT**

Rural Retreat should not be permitted By Right in the MDOD. Rural Retreat should be permitted only in compliance with rigid performance standards regarding traffic generated, parking, noise, and lighting.

**AGRICULTURAL CULTURAL CENTER**

Agricultural cultural center should not be permitted By Right in the MDOD. Agricultural cultural center should be permitted only in compliance with rigid performance standards regarding traffic generated, parking, noise, and lighting. The definition of an Agricultural Cultural Center does not include any reference to scale or intensity and thus its impact upon the MDOD environment cannot be evaluated.

**AGRITAINMENT**

Agritainment should not be permitted By Right in the MDOD. Agritainment should be permitted only in compliance with rigid performance standards regarding traffic generated, parking, noise, and lighting. The definition of an Agritainment facility does not include any reference to scale or intensity and thus its impact upon the MDOD environment cannot be evaluated.

**AMPHITHEATER**

Amphitheater should not be a permitted use in the MDOD. The MDOD environment cannot accommodate the traffic, parking, noise, and lighting associated with an amphitheater.

**CULTURAL TOURISM**

Cultural Tourism should not be a permitted use in the MDOD. The MDOD environment cannot accommodate the traffic and parking associated with cultural tourism. The definition of a Cultural tourism facility does not include any reference to scale or intensity and thus its impact upon the MDOD environment cannot be evaluated.

**SAWMILL**

A sawmill should not be a permitted use in the MDOD. The MDOD environment cannot accommodate the noise, traffic, parking, and waste product associated with a sawmill.

**TRANSPORTATION PARKING**

Transportation uses should not be permitted in the MDOD. The MDOD environment cannot accommodate the traffic, and parking associated with transportation uses.

**COMMUNICATIONS FACILITIES**

Communication facilities should not be a permitted use on the ridge line. This is current County policy and currently a county zoning restriction. The policy and restriction should be maintained in any amendment to the County zoning ordinance.

Agriculture, farm distribution hub, winery, commercial and winery,



## **AGRICULTURE**

Virginia farm should not be allowed By Right in the MDOD. Each of these uses has the potential to negatively impact the delicate MDOD environment in a significant way because of associated traffic, parking, noise, lighting, and waste product. Each use should be permitted in the MDOD only in compliance with rigid standards protecting the MDOD environment.

**From:** Jerry Krumwiede  
**To:** [DEPT-PZ-ZORW](#)  
**Cc:** [Wegener, Brian](#); [Reed, Ryan](#); [Kershner, Caleb](#); [Carey, Stacy](#)  
**Subject:** RE: [EXTERNAL] Rezoning comments/ Citizen Plan ahead  
**Date:** Friday, May 6, 2022 4:29:44 PM  
**Attachments:** [image003.png](#)  
[image007.png](#)

**ZORW Citizen Communicator POC:**

The purpose of this email is to obtain information to proactively offer to Gleedsville Rd Neighbors information regarding the Loudoun County effort to review and subsequent adjust the zoning in Loudoun County by ZORW/BOS.

**Background:**

During the period prior to the DZA BZA Hearing Apr 28, Gleedsville Neighbors made the effort to ensure that there were no residential changes to the for profit Newport Institute properties purchased for \$6M, 20191 Gleedsville Rd, 20179 Gleedsville Rd, and 20173 Gleedsville Rd In the AR-1 Ag Rural District. (See below)

The for-profit Newport Institute organization requested that the following Code of Virginia 15.2, 15.2-2291, i.e., “Congregate Housing”, be allowed for their use of their recently purchased these Dusault-Crowe properties located in the AR-1, Agricultural Rural District.

Newport Institute proposed use of these properties purchased in AR-1 falls within the definition of a “Congregate Housing Facility, and will continue to do so, as the ZORW folks continue to worked their assigned task of reviewing the current Loudoun County zoning.

These Newport Institute properties are residentially zoned as follows.

“AR-1 Residential Uses” are set forth by Loudoun County Government and described below in Table 2-102

**TABLE 2-102:  
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
--------------	----------	---------------	--

RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	May divide property in accordance with Section 2-103 Development Options.
	Portable Dwelling/Trailer Construction	P	
Group Living	Co-housing	P	
	Convent or monastery	P/S	Section 5-656
	Dormitory, seasonal labor	M	Section 5-632
	Rooming house	P	

**REPEAT: “Congregate Housing” is not permitted as a ‘residential use’ allowed in AR-1.**

The DZP has determined that the BZA meeting did not change this current zoning. Per Mr. Brian Wegener, *“On April 28, the Board of Zoning Appeals (BZA) acted on the Appeal as I described to you on May 2. The BZA did not amend the Zoning Ordinance.”*

We presume that Newport Institute will use ZORW to add congregate housing in AR-1 for BOS approval.

FYI Per Gleedsville Neighbors, below is a link to everything that was submitted to the BZA from the County, our lawyer, and Newport's lawyer. The transcript of the BZA hearing post 28 April, cannot be found on the County web site

<https://drive.google.com/file/d/1qWpHApeli4KEddBBzjWZMPHk1h3azyQW/view?usp=sharing>

**Now**

During the period leading up to the BZA hearing, we used posted fence signs to send the message to Gleedsville neighbors driving by on Gleedsville Rd.

Therefore, request a copy of the following information:

1. Dept PZ ZORW Charter (what is the description of the Dept PZ ZORW task?)
2. DEPT PZ ZORW proposed review schedule, including the expected time frame of allowed taxpayer inputs, and,
3. The time frame that BOS is expected to approve of this Loudoun County zoning proposal.

Be advised we are anxious to post some signs to send/reinforce the message: **No AR-1 Residence Use Zoning Changes.**

Respectfully

Jerry Krumwiede, PMP



---

**From:** Reed, Ryan [mailto:Ryan.Reed@loudoun.gov]  
**Sent:** Thursday, May 05, 2022 10:11 AM  
**To:** Jerry Krumwiede; DEPT-PZ-ZORW  
**Cc:** Kershner, Caleb; Carey, Stacy; Wegener, Brian  
**Subject:** RE: [EXTERNAL] Rezoning comments

Mr. Krumwiede,

Thank you for reaching out. I apologize that we have not been able to respond to your previous emails from yesterday afternoon and this morning that you sent to the [zorw@loudoun.gov](mailto:zorw@loudoun.gov) mailbox. Please rest assured that all of those emails from you and other residents are being received, read, assigned to subject matter experts, and will be responded to. It is my responsibility to confirm with each individual that their email has been received, and I had not confirmed yours yet.

- In addition to the email ([zorw@loudoun.gov](mailto:zorw@loudoun.gov)), comments can be received within the draft text of the ordinance here: [Loudoun.gov/zoningordinancerewrite](http://Loudoun.gov/zoningordinancerewrite)  
Also, residents may use telephone: 703-777-0246, option 5

While you may contact me directly, using the above options allows us to track responses and maintain consistency.

Thank you,

Ryan Reed, LPSS  
Deputy Zoning Administrator  
Loudoun County Department of Planning and Zoning  
1 Harrison Street, S.E., 3rd Floor  
Leesburg, Virginia 20175  
(703) 771-5959

Visit Us on the Web: [www.loudoun.gov/planningandzoning](http://www.loudoun.gov/planningandzoning)



**This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.**

In keeping with the Virginia Freedom of Information Act (FOIA), emails and all attachments may be released to others upon request for inspection and copying without prior notification.

---

**From:** Jerry Krumwiede [REDACTED]  
**Sent:** Thursday, May 5, 2022 9:59 AM  
**To:** DEPT-PZ-ZORW <DEPT-PZ-ZORW@loudoun.gov>  
**Cc:** Kershner, Caleb <Caleb.Kershner@loudoun.gov>; Carey, Stacy <Stacy.Carey@loudoun.gov>; Reed, Ryan <Ryan.Reed@loudoun.gov>; Wegener, Brian <Brian.Wegener@loudoun.gov>  
**Subject:** [EXTERNAL] Rezoning comments

Ms Judy Birkitt:

Folks that live on Gleedsville Road have recommendations on any zoning changes to properties of AR-1

How do the Loudoun residents adjacent to AR-1 get their comments to “ZORW”, whatever that is?

Here are the Properties

**[ATTACHMENTS 1 and 2]**

The subject properties are located on the west side of Gleedsville Road (Route 650), north of Woodside Place (Route 1001) and Browns Creek Place at 20191, 20179, 20173 Gleedsville Road, Leesburg, Virginia (collectively “subject properties”) in the Catoctin Election District. **[ATTACHMENT 3]**

DN:

PIN/ADDRESS	ZONING	ACREAGE
315-39-2788 20191 Gleedsville Rd	AR-1 (Agricultural Rural-1); FOD (Floodplain Overlay District)(minor floodplain)	4.9
315-39-4049 20179 Gleedsville Rd	AR-1; FOD (minor floodplain)	8.01
315-30-2419 20173 Gleedsville Rd	AR-1	2.26



Please provide an email address or real person phone number for any of residents communicate to Loudoun County person.

Please open the direct communications door

Thanks

Jerry Krumwiede, PMP



**From:** [Reed, Ryan](#)  
**To:** [Jerry Krumwiede](#); [DEPT-PZ-ZORW](#)  
**Cc:** [loiskrumwiede@gmail.com](mailto:loiskrumwiede@gmail.com)  
**Subject:** RE: [EXTERNAL] Taxpayer comments on new zoning ordinance  
**Date:** Monday, May 2, 2022 5:33:48 PM

---

Mr. Krumwiede,

That is certainly a valid question to ask. Note that we will not be able to immediately answer the question, but we will take the question / comment on record and staff will formulate a response.

We look forward to your participation this evening,

-Ryan Reed

---

**From:** Jerry Krumwiede <jkrumwiede@verizon.net>  
**Sent:** Monday, May 2, 2022 11:45 AM  
**To:** DEPT-PZ-ZORW <DEPT-PZ-ZORW@loudoun.gov>  
**Cc:** loiskrumwiede@gmail.com  
**Subject:** [EXTERNAL] Taxpayer comments on new zoning ordinance

Zorw:

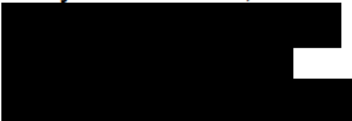
Request I be allowed to ask the following question at this subject hearing:

“Does the new ordinance allow Newport Institute apply for, with expected approval, Congregate Housing as a residential use in AR-1 Agriculture Rural District 1 District in Table 1?” If so the request is not to approve the ordinance as written.

Please answer the question

Thank you

Jerry Krumwiede, PMP



**From:** David, James  
**To:** [efryer@du](mailto:efryer@du) [REDACTED]  
**Cc:** [McConnell, Kate](#); [Reed, Ryan](#); [Torrible, Christina](#)  
**Subject:** RE: Rural Hamlets in Loudoun County  
**Date:** Tuesday, July 20, 2021 8:36:14 PM  
**Attachments:** [Rural\\_Hamlet\\_Subdivisions2.pdf](#)

---

Hi Eric,

Please find a map of the 33 rural hamlets in the County. Most of them are in the Blue Ridge, Catoctin and Leesburg election districts.

There have and continue to be many opportunities for input from residents and community groups as we progress in the Zoning Ordinance Rewrite. A significant amount of people who reside and do business in rural Loudoun have been represented, including members of DAAR, ADUAB, Loudoun Water, NVBIA, Historic Village Alliance, Loudoun Chamber, LCPCC, Heritage Commission, REDC, HDRC, NAIOP, HAB, COLT, Save Rural Loudoun, Equine Alliance, PEC, Coalition of HOAs, Soil and Water District, Dominion, Visit Loudoun, and EDAC. Please feel free to tune into our project page at [www.loudoun.gov/zoningordinancerewrite](http://www.loudoun.gov/zoningordinancerewrite).

Hope this helps,

James

James David  
Deputy Director  
Department of Planning and Zoning  
1 Harrison Street SE, 3<sup>rd</sup> Floor  
Leesburg, Virginia 20175  
703-771-5297  
[loudoun.gov/planningandzoning](http://loudoun.gov/planningandzoning)

---

**From:** Eric Fryer <[efryer@loudoun.gov](mailto:efryer@loudoun.gov)> [REDACTED]  
**Sent:** Friday, June 25, 2021 10:54 AM  
**To:** DEPT-PZ-ZORW <[DEPT-PZ-ZORW@loudoun.gov](mailto:DEPT-PZ-ZORW@loudoun.gov)>  
**Subject:** [EXTERNAL] Rural Hamlets in Loudoun County

Good morning,

I hope this email finds you well! My name is Eric Fryer, and I am the Government Affairs Director at the Dulles Area Association of REALTORS®.

A member came to me with a few questions relating to rural hamlets in Loudoun County, and I was hoping you could provide some clarity on the matter. My first question is how many rural hamlets



does Loudoun County have? How many of them are within Western Loudoun County? Lastly, how many of these rural hamlets are represented during the decision-making process of the Zoning Ordinance Rewrite (that will affect western Loudoun)?

Any recent information you can provide on these topics would be very helpful as we continue to better understand the Zoning Ordinance Rewrite process and its impact on rural Loudoun.

Thank you so much and I look forward to hearing from you soon!

Best regards,

[Redacted signature block]



**From:** [Birkitt, Judi](#)  
**To:** [Matthew Lawrence](#)  
**Cc:** [Reed, Ryan](#); [DEPT-PZ-ZORW](#)  
**Subject:** RE: Zoning Maps  
**Date:** Friday, May 13, 2022 10:32:11 AM  
**Attachments:** [image001.png](#)

---

Mr. Lawrence,

We are actively developing an interactive mapping tool that will show existing and draft new zoning districts at the parcel level. I expect that tool to be available in the next two or three weeks.

Kind regards,

Judi

Judi McIntyre Birkitt, AICP, CZA

Interim Assistant Director | Department of Planning and Zoning | County of Loudoun

1 Harrison Street SE, 3<sup>rd</sup> Floor | PO Box 7000 | Leesburg VA 20177

Desk: 703-771-5784 | Mobile: 571-223-9489 | Main: 703-777-0246 | Fax: 703-777-0441

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**From:** Matthew Lawrence [REDACTED]  
**Sent:** Friday, May 13, 2022 10:29 AM  
**To:** Reed, Ryan <[Ryan.Reed@loudoun.gov](mailto:Ryan.Reed@loudoun.gov)>; Birkitt, Judi <[Judi.Birkitt@loudoun.gov](mailto:Judi.Birkitt@loudoun.gov)>  
**Subject:** [EXTERNAL] Zoning Maps

Judi and Ryan-

We are getting a fair amount of questions from developers (commercial and residential) regarding the limits of the new zoning districts. In some cases it is hard to determine where there property falls within what new district. Has a map been produced with property lines that shows the new proposed zoning districts? If not, is there a timeline for that?

Thanks,  
Matt

[REDACTED]

[REDACTED]



[REDACTED]

**From:** Robin Frank  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL]  
**Date:** Friday, July 8, 2022 4:33:10 PM

---

I read through the document and do have a few thoughts. I agree that there is much unmet housing needs here Loudoun County and it's great that they have decided to re-draft the ZO but each change should be supported by the goal of the proposed change since they did not choose to go the redline route.

1. Demographics / Census - It seems that Loudoun County demographics and/or census could be used to support, or not support, how these things will help UHNSP. (i.e. how will the age demographic change from 2010 – 2022 and how does it show it's trending in 2022 – 2035). These reports **may** also show the number of household vehicles earning below the average AMI living within Loudoun County from the last census. Also the average number of household vehicles for those at or above AMI. With this information they builder could be required to have less parking due to the number of efficiencies, 1 brms and 2 brms than if 95% are 3 bedrooms or more. That kind of sliding scale may encourage more smaller units to be built if costs for parking and ??? are reduced.
2. I disagree that builders or landowners should have no limit on the number of allowable levels. As soon a 7-10 story building blocks other people's views of the mountains it will be an issue. I would think that offering a builder one additional level for 20% or more 1- and 2-bedroom units would be incentive to build these into the building plans approved. Maybe even fast track builders who propose the largest number of ADU / or smaller units within a set price per bedroom?
3. To preserve the Historic District charm, and tireless regulations I would think that some items should not be allowed in that foot print (i.e. a new manufactured home on a permanent foundation for instance).
4. Manufactured homes on permanent foundation – Selling real estate in Florida I probably know more about these structures than many. I think having a manufactured home subdivision is not a bad thing and could offer more affordable dwelling units to the county. I don't think they should be touted as a trailer park as that is not likely the appearance based on the required foundation, square footage requirements, and lot located on (if done right). Silver Oaks for instance.
5. Identifying "opportunity neighborhoods". If I'm reading this right, I think it's a bad idea to predetermine the future locations of any lower income community. The best for all I truly believe is to have all builders include in their permit request ADU and a generous mix of bedrooms. Not just 3 bedrooms to 6 bedrooms. The more financially attractive Loudoun can make it (less parking required / faster permit approval / additional level) the more diversity in income we can accommodate.
6. I don't know anything about ARN and ARS but the answer is in the details. What is this needed for? v/s How many properties will this affect v/s What if we don't, what will change? What I mean is will a mud slide take out houses or is this just for the views? (bad example but best I could think of)

*Robin G. Frank*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** Shelley Tamres  
**To:** [DEPT-PZ-ZORW](#)  
**Subject:** [EXTERNAL] Additional items of concern  
**Date:** Wednesday, July 13, 2022 1:25:14 PM

---

The current version of the draft zoning ordinance contains some improvements. However, there are still a number of needs that should be addressed.

Please add the following to the draft ordinance:

- Ensuring that uses (e.g. event centers of any kind, wineries, breweries) with similar offsite impacts have consistent standards on noise, lighting, traffic, etc.
- More natural and historic resource protection during the development process
- More farmland protection with rural economy uses
- More standards to reduce climate and environmental impacts of development
- Greater affordable housing requirements
- Better sign standards
- Increased lighting standards

Thank you for your time and attention.

Shelley Tamres



**From:** [Birkitt, Judi](#)  
**To:** [DEPT-PZ-ZORW](#); [Reed, Ryan](#)  
**Subject:** Supervisor Kershner Draft zoning ordinance  
**Date:** Thursday, April 21, 2022 2:25:16 PM

---

Please respond today and copy me. Thanks!

---

**From:** Kershner, Caleb <Caleb.Kershner@loudoun.gov>  
**Sent:** Wednesday, April 20, 2022 6:19 PM  
**To:** Birkitt, Judi <Judi.Birkitt@loudoun.gov>  
**Cc:** Harris, Arlee <Arlee.Harris@loudoun.gov>  
**Subject:** Fwd: [EXTERNAL] Draft zoning ordinance

Hi Judi:

I have a question regarding lights for fields would you please take a look and confirm special exceptions will be required for athletic fields in rural areas?

Thank you,

Caleb

Begin forwarded message:

**From:** Linda Bohane [REDACTED]  
**Date:** Apr 20, 2022 at 6:02 PM  
**To:** Caleb Kershner <[caleb.kershner@loudoun.gov](mailto:caleb.kershner@loudoun.gov)>  
**Subject:** Re: [EXTERNAL] Draft zoning ordinance

Please send it on to staff. A lawyer who is usually on top of these things told me that the zoning staff were again trying to make athletic field lights a by right use on rural properties, so I want to make sure. Are we still zoned AR1 or are we now ARN or ARS? I didn't see anything in the draft about AR1 properties except that there is a separate review process for rural properties, so I'm concerned

I'm not sure if you were involved at the time, but at the last hearing we had with the County Board of Supervisors they assured us that the new zoning rules would make sure that athletic field lights would require a special exception on rural properties.

Thank you so much.

Linda Bohane

On Wed, Apr 20, 2022 at 2:40 PM Kershner, Caleb <[Caleb.Kershner@loudoun.gov](mailto:Caleb.Kershner@loudoun.gov)> wrote:

Ms. Bohane:

Thank you for contacting my office. After reading the table I am understanding it the same way. I can send it onto staff if you would like to confirm but I believe you are correct.

Thank you,

Caleb

On Apr 20, 2022 at 11:16 AM, <[Linda.Bohane](mailto:Linda.Bohane)> wrote:

Supervisor Kershner,

Thank you for the e-mail regarding the draft zoning ordinance and the review process.

I live in the Grenata neighborhood--the neighborhood that has endured glaring athletic field lights and associated noise on nearby Evergreen Sportsplex--for almost 10 years now. I want to make sure that the new ordinance requires a special exception and careful review of any application for athletic fields with lights near residential neighborhoods. While it may not make much difference for my neighborhood at this point, I want to make sure that no other residential neighborhood gets the surprise that we got and that the county doesn't have the expense of lawsuits like ours in the future.

My reading of Table 3.02.03-3 is that Recreation Active and Recreation Outdoor or Major uses in rural areas will require a special exception. Athletic field lights are mentioned specifically in the definition of Recreation Outdoor and Major. Am I reading this correctly? Does it, in fact, mean that athletic field lights will not be allowed by right in rural areas in the future?

Thank you for reassuring me on this.

Linda Bohane

[REDACTED]  
[REDACTED]



**From:** [Birkitt, Judi](#)  
**To:** [DEPT-PZ-ZORW](#); [Reed, Ryan](#)  
**Subject:** Supervisor Kershner Inquiries Loudoun's Revised Zoning Ordinance  
**Date:** Thursday, April 21, 2022 2:28:53 PM

---

Please work with Kate to draft a response. I would like to review the response and will send the reply to Supervisor Kershner's Office.

---

**From:** Harris, Arlee [REDACTED]  
[REDACTED] April 20, 2022 9:57 AM  
**To:** David, James <[James.David@loudoun.gov](mailto:James.David@loudoun.gov)>  
**Cc:** Carey, Stacy <[Stacy.Carey@loudoun.gov](mailto:Stacy.Carey@loudoun.gov)>; Kershner, Caleb <[Caleb.Kershner@loudoun.gov](mailto:Caleb.Kershner@loudoun.gov)>  
**Subject:** Fwd: [EXTERNAL] RE: Loudoun's Revised Zoning Ordinance

Good Morning James:

Congratulations on your new position with the Town of Leesburg. Our office received the email below, Could you direct me to someone in your office that could help me answer these questions?

Thank you and have a good day!

Arlée

---

**From:** "Kershner, Caleb" <[Caleb.Kershner@loudoun.gov](mailto:Caleb.Kershner@loudoun.gov)>  
**Subject:** Fwd: [EXTERNAL] RE: Loudoun's Revised Zoning Ordinance  
**Date:** 20 April 2022 09:46  
**To:** "Harris, Arlee" <[Arlee.Harris@loudoun.gov](mailto:Arlee.Harris@loudoun.gov)>

Begin forwarded message:

**From:** Roger <[\[REDACTED\]](#)>  
**Date:** Apr 20, 2022 at 9:13 AM  
**To:** Caleb Kershner <[caleb.kershner@loudoun.gov](mailto:caleb.kershner@loudoun.gov)>  
**Subject:** [EXTERNAL] RE: Loudoun's Revised Zoning Ordinance

Caleb,

This is Roger Knoell, owner of Barnhouse Brewery (east of Lucketts on Spinks Ferry Road). I was reviewing the draft and I'm looking for some clarification about a couple of things...

1. Are the old zoning groups (like AR-1) being replaced with those in section 2 (in my case section 2.04)?
  - o If so, would we fall into what's being termed ARN in section 2.04.01?
  - o When will it be visible in the Loudoun GIS mapping system for review.
2. If I do fall into ARN, the use table in 3.02.03 indicates that a brewery can only be zoned in what's called VC (Village Commercial) and only with a special exception permit. Am I reading that right?
3. If #2 is correct, does that impact me under legacy zoning? I ask because i noticed the last sentence in section 2.07, Legacy Zoning districts, states "All Legacy Zoning Districts must meet the requirements in Chapters 3 through 11. "
4. Based on #2 above, does that mean in general no breweries can be opened on ARN, ARS,VR, or VAR once adopted?

I look forward to your response,

That you for your frequent email updates, they have proven to be a great way to stay current with what's going on in the county.

Roger Knoell

---

**From:** "Supervisor Caleb Kershner" <[caleb.kershner@loudoun.gov](mailto:caleb.kershner@loudoun.gov)>  
**Sent:** 4/19/22 11:13 PM  
**To:** [knoellr@barnhousebrewery.com](mailto:knoellr@barnhousebrewery.com)  
**Subject:** Loudoun's Revised Zoning Ordinance



**Loudoun's Revised Zoning Ordinance  
First Draft Released**

Dear Catoclin residents,

As many of you know, Loudoun County is currently [updating and revising its countywide zoning ordinance](#).

This is a big, multi-year project, with lots of opportunities for you to see the proposals as they're drafted and to weigh in with your thoughts and recommendations.

We just hit a major milestone: The [first draft](#) of the updated zoning ordinance was published on Monday. For the next 90 days, Loudoun will be collecting as much public input as possible.

Here's what you should know about the draft, where to find it, and the best ways to comment on it.



Image Credit: [Screenshot](#) from video guide to commenting on the ordinance / Loudoun County Government

**Read the Draft Ordinance**

The draft zoning ordinance was written in an online tool, which lets us put more information quickly at the reader's fingertips. For example, when you're reading through a section and want to know exactly how "zoning district" or "structural alterations" is defined, you can just move your mouse over that phrase and the exact definition pops up. (As someone who has read my fair share of dense legal documents and PDFs, I think this is a great feature!)

[Read the Ordinance](#)



*Image Credit: [Screenshot](#) from written guide to commenting on the ordinance / Loudoun County Government*

## Comment on the Draft Ordinance

Thanks to this online tool, you can also comment on the ordinance as you read along. Staff has put together a short guide on how to do that, which you can read [here](#). They've also turned those instructions into a two minute how-to video, which you can watch below:

How to Comment on the Draft Zoning Ordinance | April 2022



Loudoun has also set up an [online form](#) to let you comment on the draft ordinance in general. Just fill out your information and tell us what you think about any part of the ordinance.

**Use Online Form**



Image Credit: [Photo](#) of Loudoun County Government Center / Loudoun County Government

## Four Upcoming Meetings on the Ordinance

For the next 90 days, Loudoun County will be collecting public input on the draft zoning ordinance. That 90-day comment period officially [opened on April 18](#). Staff will be holding three in-person meetings on the ordinance in April, and a virtual meeting in early May. There will also be plenty of opportunities to [share your comments](#) before or after those meetings.

### Meeting 1 - In Person

- **Date/Time:** **Thursday, April 21, from 6:30–8:30 PM**
- **Location:** The Dulles Room in the Loudoun County Government Center, 1 Harrison Street SE, Leesburg, VA 20175

### Meeting 2 - In Person

- **Date/Time:** **Monday, April 25, from 6:00–8:00 PM**
- **Location:** The Claude Moore Recreation and Community Center, 46105 Loudoun Park Lane, Sterling, VA 20164

### Meeting 3 - In Person

- **Date/Time:** **Wednesday, April 27, from 6:00–8:00 PM**
- **Location:** The Dulles South Senior Center, 24950 Riding Center Drive,

Chantilly, VA 20152

## Meeting 4 - Virtual

- **Date/Time: Monday, May 2, from 6:00–8:00 PM**
- **Meeting Details:** Webex link & access code found [here](#)

## Additional Public Comment Opportunities

In addition to the 90-day public engagement period (including the 4 meetings I just mentioned above), you will also have the opportunity to provide comments at a **Planning Commission public hearing**, which is expected to take place in fall 2022, and a **Board of Supervisors public hearing**, which is also slated to take place in late 2022.

I will keep you posted on those public hearings as more details become available.

[Go to Project Website](#)

Sincerely,

***Supervisor Caleb A. Kershner***

*Catoctin District Supervisor  
Loudoun County Board of Supervisors  
Loudoun County, Virginia*

Supervisor Caleb Kershner | [caleb.kershner@loudoun.gov](mailto:caleb.kershner@loudoun.gov)

Catoctin District | 1 Harrison St. SE, Leesburg, VA 20175

[Unsubscribe](#) [knoellr@barnhousebrewery.com](mailto:knoellr@barnhousebrewery.com)

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Sent by [caleb.kershner@loudoun.gov](mailto:caleb.kershner@loudoun.gov) powered by



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Dear Zoning Committee,

I moved to Loudoun County in 1998 and moved to Unison Virginia. My family moved to Unison because of the bucolic nature and the historic gem of a village outside of Middleburg. During the time we lived there, we created UPS (Unison Preservation Society) in which every historic building was inventoried and the Board began to fundraise in efforts to raise awareness of our village and the historic value of the village at the Crossroads of the Battle of Upperville and the proximity to the epicenter of fox-hunting in Virginia.

My family is very concerned about the future of Loudoun's beautiful historic landscape, and I strongly urge you to revise the zoning ordinance to appropriately protect our important historic resources. These resources provide cultural and recreational activities for all Loudoun County residents and have a **positive fiscal impact** on the County. I appreciate the hard work being done on these matters and believe it is of critical importance to focus broadly on the following matters:

- *Protect Loudoun's historic villages and districts, including during the period prior to completion of Comprehensive Plan mandated criteria to officially designate rural historic villages and complete small area plans.*
- *Reduce the ease of approval for uses and use exceptions that compromise the scenic and historic integrity of our landscape.*

#### RECOMMENDATION

- The procedures for obtaining a Special Exception or Minor Special Exception have not yet been made public and available for comment. Such procedures should not be enacted without adequate opportunity for public review and comment.
- The procedures for obtaining a Special Exception or Minor Special Exception within 1,000 feet of a VCOD or HOD should include an application for review by the Historic District Review Committee (HDRC) to determine whether the application for the Special Exception or Minor Special Exception would be consistent with policies establishing VCODs and HODs. The HDRC review process should provide for public notice and a hearing and include providing the Heritage Commission with an opportunity to review and comment. During its review the HDRC may consider mitigations offered by the applicant. Following its review, the HDRC shall transmit its recommendation to the BOS for their consideration and the HDRC recommendation shall be entitled to great weight.
- Breweries and wineries within 2,500 feet of a VCOD or HOD should be included in the uses that require a Special Exception.

#### Chapter 4 Overlay Districts

##### Section 4.07 Village Conservation Overlay District

“Purpose”

#### DISCUSSION

The County must take action to prevent the loss of historic and cultural resources in historic crossroads communities pending County review of applications for Rural Historic Village status. Proposed amendments set forth below acknowledge the difficulties created by the COVID-19 pandemic and the multi-year backlog of action items assigned to the Department of Planning and Zoning.

#### RECOMMENDATION

Add the following new bullet point after the fifth bullet point in the Purpose statement:

· *Protect the character, culture and identity of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville pending formal designation of their status as Rural Historic Villages as discussed in the General Plan.*

#### CURRENT LANGUAGE

##### “A. Applicability.

The Village Conservation Overlay District (VCOD) is established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the VCOD may be used as permitted in the underlying district, subject to the VCOD Development Standards of this district.”

#### RECOMMENDATION

Addition of the following language is included to assure that Rural Historic Village Small Area Plans developed with resident input, as promised by County staff and leaders, are created, and given official weight through the County Zoning Ordinance.

“Such VCOD Development Standards shall incorporate by reference development criteria and goals included in the Small Area Plan developed for each such Rural Historic Village in consultation with residents when Rural Historic Village Small Plans are available or become available.”

#### CURRENT LANGUAGE

##### “B. District Boundaries.

The VCOD boundaries are as established on the adopted zoning map and affect the following villages set forth below.”

#### RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

Insert after the period following “set forth below”:

“Notwithstanding the foregoing, the historic crossroads villages of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville referred to in the General Plan and in Section 4.07.C. shall be treated as Rural Historic Villages pending completion of County review of their status.”

#### CURRENT LANGUAGE

##### “C. Expansion of VCOD Boundaries.

Expansion of the VCOD is only permitted in areas designated as the Rural Historic Village Place Type in the General Plan.”

#### RECOMMENDATION

The following language is recommended to assure the preservation of historic and cultural resources in historic crossroads villages until the County completes the review of the status or historic crossroads villages as promised in the General Plan.

“Notwithstanding the foregoing, until County personnel and the Board of Supervisors have determined that designation of the historic crossroads communities of Airmont, Bloomfield, Howardsville, Morrisonville, Unison and Willisville as Rural Historic Villages is not warranted, new development in such villages shall be subject to the VCOD Development Standards and Rural Historic Villages Design Guidelines established in the General Plan.”

#### Section 4.08 Historic Districts

##### H. Right to Raze or Demolish.

#### DISCUSSION

The owner of any historic landmark, building, or structure located within an HOD is, as a matter of right, entitled to raze or demolish such historic landmark, building, or structure provided that certain conditions have been met. The historic roads and stone walls in Unison and other nearby areas are protected by the provisions of the Beaverdam Creek Historic District, but they are often damaged or destroyed, in part because very few people know of the Beaverdam Creek Historic District and the protections provided to these historic assets.

#### RECOMMENDATION

**NEW SECTION: Protection of Stone Walls in Beaverdam Creek Historic District**

In order to better protect the stone walls and historic roads that comprise the Beaverdam Creek Historic District, property owners, non-profits, Loudoun County residents, and County government entities shall be entitled to place Beaverdam Creek Historic District signage in the public right-of-way. Such signage shall note the historic and protected status of the area and covered improvements and shall include telephonic and internet resources for obtaining more information and reporting threats to protected Beaverdam Creek Historic District walls and roads appropriate public officials.

## I. Hazardous Conditions.

### DISCUSSION

Nothing in Section 4.08 prevents razing or demolition without HDRC approval due to unsafe conditions that would endanger life or property as follows...

### RECOMMENDATION

Require a notice/cure provision before razing or demolition is possible. Cure period should be substantial if reasonable demonstration can be made that people are reasonably protected from unsafe conditions.

## Chapter 5 Adaptive Reuse

### B. Eligibility.

#### RECOMMENDATION

Expand eligibility as follows:

To be eligible for adaptive reuse, a structure must be:

1. Identified as historically significant by being:

a. Designated as a National Historic Landmark; or

b. Listed or eligible for listing in the National Register of Historic Places or a contributing resource in a historic district listed or eligible for listing in the National Register of Historic Places; or

c. Listed or eligible for listing in the Virginia Landmarks Register or a contributing resource in a historic district listed or eligible for listing in the Virginia Landmarks Register; or

d. Designated by the Loudoun County Heritage Commission

The bar for information that might be required by the zoning administrator in section c. is quite high and may exceed the resources of some applicants with otherwise worthy reuse plans. Adaptive reuse should

not be expensive and burdensome. Maybe the type of supporting documentation required by the Zoning Administrator could be "as determined" by the HDRC.

**Section B.3** Delete "... and the prior use or uses in the structure are obsolete or economically nonviable."

**Section B.3** Delete a. through c.

**Standards and Requirements / Section C** We recommended allowing more options when making changes to existing structures and sites as some historic buildings and sites don't lend themselves to traditional zoning set-backs or rear, off-street parking spaces. Where there are questions, we recommend the Zoning Administrator consult with the HDRC.

**C** In the first sentence, please include "... Adaptive re-use projects must comply with the standards and requirements of this Zoning Ordinance 'or receive an exemption from the HDRC' "

#### **D. Permitted Uses.**

Uses are permitted in accordance with Table 5.09-1 in any structure eligible for adaptive reuse pursuant to section 5.09.B., except that no new uses that emit noxious odors or excessive noise will be permitted, unless the applicant demonstrates that the use will not negatively impact nearby dwellings.

Expand list to allow confirmed historic uses that were present for at least 10% of the building's existence.

#### **E. Adaptive Reuse Incentives.**

In addition to nonconforming lot or structure allowances pursuant to Chapter 9, projects that are eligible for adaptive reuse under 5.09.A are entitled to the incentives set forth in Table 5.09-2. Incentives with a plus mark (+) in the Existing Floor Area column apply to the existing floor area of the structure. Incentives with a plus mark (+) in New Floor Area column apply to the floor area that is added to a structure.

Expand the various land use requirements to allow confirmed historic patterns. For example, if structures historically had zero front yard setbacks, then, continuing or reestablishing a zero front yard setback would be permissible.

### **Chapter 9 Nonconformities**

#### **B.2 Discontinuation of Nonconforming Use.**

## PROVISION

If a nonconforming use is discontinued or abandoned for a continuous period of more than 2 years, including any period of discontinuation or abandonment before the effective date of this Zoning Ordinance, then that use must not be renewed or reestablished. Any subsequent use of the lot or Structure must be in conformance with this Zoning Ordinance.

## RECOMMENDATION

Strongly recommend that 2-year gap be adjusted as a percentage of the age of buildings > 50 years old. For example, if a 150-year-old building that had retail use for 147 years, but had a 3-year gap, the retail use should be allowed to continue. Maybe the gap can't exceed 25 years of the life of the building.

Thanks you for your consideration in these matters.

Best,

Gordon McKinley