County of Loudoun

Department of Planning

# MEMORANDUM

DATE: July 22, 1999

TO: Zoning, Comprehensive Planning Committee Members

FROM: Charles Yudd, Project Manager

SUBJECT: **July 27, 1999, Committee Meeting – Discussions relating to the conversion of Farmland from Agricultural to Residential Uses**

## I. Background

The Zoning, Comprehensive Planning Committee met on June 29, 1999, to discuss issues related to the conversion of farmland from agricultural to residential uses. The Committee was briefed on the direction provided by the Board of Supervisors in March of 1999, and on a summary of recommendations from the Rural Economic Development Task Force. Discussions at the June 29, 1999, meeting centered on development options that are currently available within existing Zoning Ordinances and LSDO regulations. Since the last Committee meeting, staff has developed a framework for continued discussion as well as the preliminary development of options for the Committee's consideration.

Given the broad scope of the Task Force recommendations and Board direction, the staff approach has been one of recognition of the level and type of subdivision activity and formulation of a response to the objectives of:

- Strengthening opportunities for cluster development to retain the most land for agricultural production and to ensure that Loudoun's countryside retains its rural character.
- Streamlining permanent large lot waivers to retain maximum land in agricultural use.

This memorandum contains the following elements to assist the Committee in their July 29, 1999 review and deliberation:

## II. Analysis

A. Table 1 – Parcel statistics by legal acreage in Western Loudoun
B. Table 2 – Western Loudoun Residential Buildout Update
C. Table 3 – Rural Development Summary
D. Table 4 – Environmental Health – Sewage Disposal Application Summary
E. Table 5 – Hamlet Summary
F. Table 6 – Low Density Waiver Summary
G. Purchase of Development Right (PDR) Summary
H. Rural Village Summary

III. Options

1. Existing Development Options with performance standards
2. One-Agricultural District with Performance Standards
3. Map A-25 and A-10 districts with performance standards

IV. Performance Standards and Related Zoning Ordinance Revisions

*Attachments*

A. Hamlet Ordinance
B. Rural Village Ordinance

II. Analysis

Table 1

A. Parcel Statistics by Legal Acreage in western Loudoun*

| Acre Range | Parcels (not in towns) | | | |
|---|---|---|---|---|
| | Number | % | Acres | % |
| Less Than 10 | 7,066 | 58% | 20,993 | 10% |
| 10 to 24.999 (See breakdown below) | 3,420 | 28% | 45,416 | 21% |
| 25 to 74.999 | 1,095 | 9% | 44,933 | 21% |
| 75 or More | 612 | 5% | 106,744 | 49% |
| Total: | 12,193 | 100% | 218,086 | 100% |

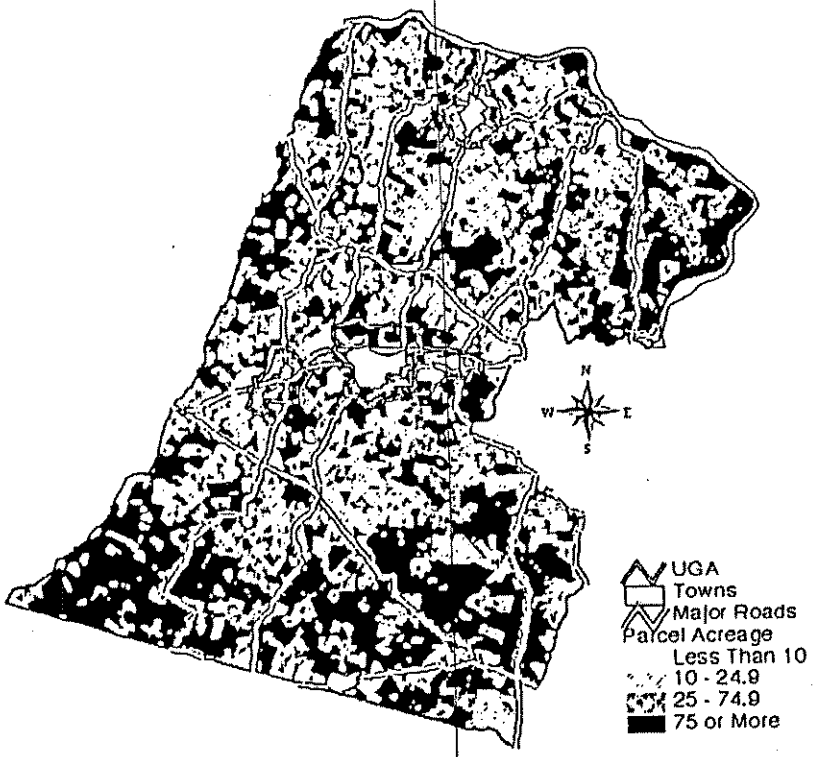
| Acre Range | Parcels (not in towns) | | | |
|---|---|---|---|---|
| | Number | % | Acres | % |
| 10 to 11.999 | 1,860 | 54% | 19,371 | 43% |
| 12 to 24.999 | 1,560 | 46% | 26,045 | 57% |
| Total: | 3,420 | 100% | 45,416 | 100% |

*NOTE: Western Loudoun, in this case, is defined as the aggregate of the following Planning Subareas: 15 North, 15 South, 7 West, Northwest, and Southwest, excluding incorporated towns. The data in these tables are based on the parcels that constitute this area. Some rural areas are not represented in these data because they are in the eastern portion of the County.

Compiled by Loudoun County Department of Planning Staff from the Land Management Information System (LMIS) and Geographic Information System (GIS), July 1999.

Map 1

## Parcels by Land Area In western Loudoun*




*NOTE: Western Loudoun, in this case, is defined as the aggregate of the following Planning Subareas: 15 North, 15 South, 7 West, Northwest, and Southwest, excluding incorporated towns.

## B. Western Loudoun Residential Buildout Update *(Planning Subareas: 7W, 15S, 15N, NW, SW)*

On December 5, 1998, staff presented the Board of Supervisors (BOS) a rough estimate of maximum buildout potential for rural western Loudoun, not including the towns, urban growth areas, or traditional villages. This residential buildout estimate for western Loudoun was based solely upon a simple mathematical calculation and was not on a full GIS analysis as is currently being conducted. The estimate uses the assumption that the planned rural portion of the five (5) western subareas will develop at a density of approximately one (1) dwelling unit per seven (7) gross acres. This is the density which appears to be most characteristic of the development trends for A-3 zoned land in western Loudoun.

Using that density, it appears that the rural portion of the western subareas have a maximum buildout potential of approximately 28,500 dwelling units, not including towns, traditional villages, or town UGA's. A substantial number of units have already been constructed and/or approved which, when subtracted from the maximum buildout, will reduce the future buildout potential. Additionally, there are open space easements, agricultural and forested districts, which must be considered when calculating future potential buildout. Staff is in the process of developing more accurate residential buildout projections using full GIS technology for the Board of Supervisors.

A recent search of the County's Land Management Information System (LMIS) and GIS parcel coverage for western Loudoun indicates that there are currently 9,206 residential addresses outside the town boundaries and 2,094 residential addresses inside the town boundaries. This is a total of 11,300 residential addresses in the five western Loudoun planning subareas.

**Table 2**
**Western Loudoun Residential Buildout Projections**

| | ROUTE 7 WEST | | ROUTE 15 SOUTH | | ROUTE 15 NORTH | | NORTHWEST | | SOUTHWEST | |
|---|---|---|---|---|---|---|---|---|---|---|
| | AC | % | AC | % | AC | % | AC | % | AC | % |
| Gross Acreage | 35,597.95 | 100.00% | 28,972.18 | 100.00% | 26,558.62 | 100.00% | 53,059.60 | 100.00% | 67,319.20 | 100.00% |
| Towns | 258.76 | 0.73% | 0.00 | 0.00% | 0.00 | 0.00% | 582.49 | 1.10% | 392.72 | 0.58% |
| Urban Growth Areas (UGA's) | 5,020.68 | 14.10% | 1.24 | 0.00% | 0.00 | 0.00% | 1,724.65 | 3.25% | 0.00 | 0.00% |
| Traditional Villages | 678.74 | 1.91% | 627.94 | 2.17% | 281.21 | 1.06% | 1,875.91 | 3.54% | 626.32 | 0.93% |
| Rural Area | 29,639.77 | 83.26% | 28,342.99 | 97.83% | 26,277.41 | 98.94% | 48,876.55 | 92.12% | 66,300.16 | 98.49% |
| Maximum Buildout Potential | 4,234 Du | | 4,049 du | | 3,754 du | | 6,982 du | | 9,471 du | |
| *1 du per 7 gross acres* | | | | | | | | | | |
| PROJECTED UNIT MIX | | | | | | | | | | |
| *Single Family Detached* | *3,557 Du* | | *4,049 du* | | *3,604 du* | | *6,843 du* | | *8,335 du* | |
| *Single Family Attached* | *635 Du* | | *0 du* | | *0 du* | | *0 du* | | *1,137 du* | |
| *Multi-Family* | *0 Du* | | *0 du* | | *150 du* | | *140 du* | | *0 du* | |
| Maximum Buildout Potential | | | 28,491 Dwelling Units | | | | | | | |

Notes:
(1) Projections are for the five (5) western planning subareas including, R7 West, R15 North, R15 South, Northwest, and Southwest
(2) Density is based on the assumptions that 1 du per 7 gross acres is characteristics of the general development pattern in the rural areas of western Loudoun County
(3) Projected Unit Mix is based on current unit mix by subarea provided in the 1997 Annual Update (page 13).
(4) The data and related projections in this table are derived from a variety of sources in various stages of completion. As the data are refined, it is anticipated that these projections will change. The level of confidence will continue to improve with time.

Staff examined rural development patterns as part of discussions by the Planning Commission's Agriculture, Open Space, and Historic District Committee in early 1998. Information was obtained starting with a base year of 1993, to identify activity levels for rural villages, hamlets, low density application, A-10 rezonings and A-3 subdivision.

Table 3

| Application Type | # of Apps | Lots Created | Acreage | Ac/Du |
|---|---|---|---|---|
| Rural Village (ZMAP) | 3 | ~~541~~ 852 | 2,544 | ~~4.7~~ 2.99 |
| Hamlets (SBPL) | 15 | 500 | 2,598 | 5.2 |
| Low Density | 40 | 235 | 8,023 | 34.1 |
| A-10 Rezonings[2] | 7 | 162 | 1,973 | 12.2 |
| A-3 Subdivisions (SBPL) | 19 | 272 | 1,939 | 6.9 |

Notes:
1. The Rural Villages (Courtland Farm, Elysian Heights, and Woodland) have not developed,
2. Hamlet and A-3 subdivision information is based on preliminary plats of subdivisions that remain valid, and do not include record plats that that have been recorded.
3. A-3 Preliminary Plats of Subdivisions do not include Beacon Hill, Shenstone, or applications within the subdivision control limits of Towns.

[1]Source: CLAM & LMIS Records
[2]Included ZMAP 1999-0002, Brian Walker scheduled for BOSPH on July 21, 1999.

## C. Environmental Health

Table 4 – Sewage Disposal Activity Summary

Number of applications processed by year and type

| Application Type | YEAR 1996 | 1997 | 1998 | 1999 |
|---|---|---|---|---|
| Fee Sewer | 149 | 163 | 172 | * |
| Field Check | 154 | 206 | 246 | * |
| Certified Letters | 52 | 75 | 82 | * |
| Subdivision Site | 461 | 513 | 776 | * |
| Drainfield Inspection | 549 | 648 | 733 | * |

*Data is not available for 1999. Discussions with the Division of Environmental Health indicate that each of these activities is increased by at least 10% since 1998.

Fee Sewer-intended for the construction of an on-site sewage disposal system for new construction on an existing lot of record that does not have a drainfield site certified as part of a subdivision process.

Field Check-intended for construction of on-site sewage disposal system serving new construction of on-site sewage disposal systems serving new construction on existing lots of record with preapproved drainfield sites that were certified as part of a subdivision process.

Certification Letter-intended for issuance of a letter certifying a sewage disposal site as required by Senate Bill 415.

Subdivision Site-intended to locate sites prior to the submission of a subdivision application.

## E. Hamlet Summary

Table 5

| Hamlet Name | Status | # of Hamlet Lots | Eased Open Space* |
|---|---|---|---|
| Dobbins Creek** | Recorded | 22 | 101.38 acres |
| Hamlet at Big Springs | Recorded | 23 | 113.16 acres |
| Catoctin Ridge | Recorded | 6 | 55.07 |
| Birch Hollow | Recorded | 21 | 102.85 |
| Mount Gilead | Recorded | 15 | 93.4 |
| Telegraph Springs | Recorded | 16 | 46.42 |
| Plains of Raspberry | Recorded | 25 | 104.7 acres |
| Big Springs | Recorded | 15 | 38.96 |
| (7) Plains of Raspberry | Prel. Approved | 165 | 772.06 acres |
| Brambleton | Prel. Approved | 65 | 384.6 acres |
| Waterford Meadows | Prel. Approved | 23 | 95.62 acres |
| Ecovillage | Prel. Approved | 25 | 83.28 acres |
| (6) Lenah Run** | Prel. Approved | 256 | 401.5 acres |
| Taylorstown Meadows | Prel. Approved | 32 | 141.38 acres |
| (2) Beacon Hill Phase 2A | Prel. Approved | 23 | 155.3 acres |
| (4) Beacon Hill Phase 2 | Prel. Under review | 82 | 426.2 acres |
| TOTAL | | 814 | 3115.88 acres |

* Total area subject to Open Space Easement
** Developed under the CR-1 Hamlet Provisions
() Number of hamlets within the development

intent of the existing Rural Hamlet Option as follows:

The primary purpose of the Rural Hamlet Option is to provide an alternative to conventional A-3, A-10 and A-25 district subdivision in rural areas. Such clustered development is intended to better harmonize rural development with surrounding agricultural activities recognizing that it is the County's primary goal to preserve and enhance farming and farmland in rural Loudoun by the most feasible, effective, and equitable methods available. This option is intended to conserve agricultural forestal and open space land, historic and natural features at the time that such land realizes the development potential currently allowed in the agricultural zoning district. Such clustered development is intended to permit the compact grouping of homes located so as to blend with the existing hedgerows and wooded areas, and to preserve to a greater extent the agricultural, forestal and visual character of the landscape.

Rural Hamlets are currently permitted in the A-3, A-10, and A-25 districts.

A rural hamlet is characterized by the configuration of all or a portion of the density permitted on a tract of land under the district regulations, into a grouping of small residential lots on a portion of the tract. More than one rural hamlet may be located on a tract. A rural hamlet may consist of hamlet lots, open space, a hamlet green/square and conservancy lots. A conservancy lot is a lot, excluding the hamlet lots open space and/or hamlet green/square which will remain as a large parcel(s), the bulk of which is in permanent open space easement and a portion of which is designated a building area.

The potential number of hamlet and conservancy dwelling units is based on either of the following, at the option of the landowner:

1. In the A-3 district, one dwelling unit per five net acres. In the A-10 district, one dwelling unit per ten acres. In the A-25 district, one dwelling unit per twenty five acres. The net acreage of the tract shall exclude major floodplain and steep slopes.

2. The number of dwelling units permitted at a minimum lot size of three ten or twenty-five acres in the A-3, A-10 or A-25 zoning districts respectively is based on topography, floodplain an availability of septic drainfields.

3. For each conservancy lot of fifty acres or greater in size one additional dwelling unit shall be included in the determination of density.

The existing rural hamlet regulations are included as Attachment 1.

Table

| Application # | App. Name | #of lots* | ESMT Area |
|---|---|---|---|
| SBLD 1991-0001 | Deer Meadows | 3 lots | 127.08 acres |
| SBLD 1991-0003 | Beechwood | 3 lots | 85.76 acres |
| SBLD 1992-0001 | Hutchison | 10 lots | 348.89 acres |
| SBLD 1993-0001 | Hutchison | 3 lots | 75.63 acres |
| SBLD 1993-0002 | Van Fossen (Goose Crk Rge) | 4 lots | 101.55 acres |
| SBLD 1993-0003 | Tipton's Landing | 5 lots | 125.79 acres |
| SBLD 1993-0004 | Marcum | 3 lots | 103.27 acres |
| SBLD 1994-0001 | Loudoun Orchard | 4 lots | 100.39 acres |
| SBLD 1994-0002 | Franklin | 8 lots | 206.97 acres |
| SBLD 1995-0001 | Catesby Farm | 6 lots | 272.26 acres |
| SBLD 1995-0002 | Maddox | 3 lots | 75 acres |
| SBLD 1995-0003 | Beacon Hill | 9 lots | 243.9 acres |
| SBLD 1995-0004 | Franklin | 3 lots | 100.7 acres |
| SBLD 1995-0005 | Whitehall Farm | 2 lots | 47.52 acres |
| SBLD 1995-0006 | Boxley | 10 lots | 259.57 acres |
| SBLD 1995-0007 | Shull | 3 lots | 75.48 acres |
| SBLD 1995-0008 | Beacon Hill (2) | 29 lots | 725 acres |
| SBLD 1996-0001 | Love | 4 lots | 101.87 acres |
| SBLD 1996-0002 | Big Spring Farm | 13 lots | 314.2 acres |
| SBLD 1996-0003 | Moyes/Schwarman | 4 lots | 102.1 acres |
| SBLD 1996-0004 | Catoctin Creeks | 8 lots | 209 acres |
| SBLD 1996-0005 | Skinner | 4 lots | 108 acres |
| SBLD 1996-0007 | Meadow Grove Farm | 3 lots | 91.03 acres |
| SBLD 1996-0008 | Rockhill Farm | 2 lots | 50.25 acres |
| SBLD 1996-0009 | Benton | 2 lots | 52 acres |
| SBLD 1996-0010 | Paper Chase Farm | 3 lots | 75.88 acres |
| SBLD 1996-0011 | Rockhill Farm | 3 lots | 80.7 acres |
| SBLD 1996-0012 | Virts | 3 lots | 85.58 acres |
| SBLD 1997-0001 | Brookdale Farms | 7 lots | 175 acres |
| SBLD 1997-0002 | Bishop Estates | 6 lots | 157.07 acres |
| SBLD 1997-0003 | Burnt Mill Farm | 8 lots | 225 acres |
| SBLD 1997-0004 | Whitehall Farm | 5 lots | 126.48 acres |
| SBLD 1997-0006 | Aldie Meadows | 3 lots | 75.18 acres |
| SBLD 1997-0007 | Furnace Mountain Estates | 12 lots | 300.23 acres |
| SBLD 1997-0008 | Miley Farms | 4 lots | 121.95 acres |
| SBLD 1997-0009 | Woodburn | 10 lots | 250.94 acres |
| SBLD 1997-0010 | Lee's Crossing | 6 lots | 151.38 acres |
| SBLD 1998-0001 | Keane | 2 lots | 50 acres |
| SBLD 1998-0002 | Red Hill Farm | 6 lots | 151.05 acres |
| SBLD 1999-0001 | Oaks | 9 lots | 226 acres |
| TOTALS 40 | | 235* | 6355.65 acres |

Space Easement

G. Rural Village Summary

The following is a summary of the three Rural Villages which have received zoning district approval and are in varied stages of subdivision approval.

Courtland Farm – ZMAP 1994-0008

818 acres
251 SFD/26 TH/12 SFD (conservancies) = 289 du
654.5 acres open space + 24.6 ac (village green, parks) 80% open space
Approved 5/17/95, amended to above numbers (SPEX 1996-0010) on 9/18/96
Status: Conservancy lots approved and subdivided only.

Elysian Heights – ZMAP 1995-0004

1302.5 acres
279 SFD/33 TH/22 SFD (conservancies) = 334 du
1152 acres open space/88% open space
Approved 2/21/96
Status: Preliminary subdivision for village approved 9/15/98 (SBPL 1997-0038)

Woodland – ZMAP 1997-0001

424 acres
202 SFD/21 TH/6 SFD (conservancies) = 229 du
340 acres open space/80% open space
Approved 1/21/98
Status: Preliminary subdivision approved 12/31/98 (SBPL 1998-0012).

Section 4-1208 of the Zoning Ordinance which addresses Development Potential in the Rural Village District (PD-RV) is included in Attachment 2 (page A14).

suspend further mapping of rural village districts pending review of the policies and regulation for this development option, except as may be appropriate in the Rural Transition Area.

## II. Purchase of Development Rights (PDR's) Discussion

A County managed program for the Purchase of Development Rights is being developed as part of the general effort to secure the natural resource base for the rural economy. On July 7, 1999, the Board of Supervisors directed the Open Space Advisory Committee (OSAC) to design a PDR program, and present the program to the Board at its first meeting in December. This effort will include the review of various PDR programs that exist in Virginia and elsewhere that may have relevant components for use in Loudoun County. Also to be included is the refinement of a definition of a comprehensive PDR program involving detailed analysis of components such as saving farmland, saving open space, preserving natural resources, and preserving and improving the rural economy.

## III. Options – Approaches to Ordinance revisions

Staff has developed three options or approaches for achieving the objectives of strengthening opportunities for cluster development to retain land for agricultural use and production, retaining Loudoun's rural character, and making the large lot waiver subdivision more appealing as a means of retaining maximum land for agricultural use. These options were born out of an evaluation of a) how the existing agricultural zoning districts are currently mapped, b) a comparison of the existing agricultural zoning district regulations, c) the development options currently available for the existing agricultural zoning districts, and d) the lot sizes that currently comprise western Loudoun. It is noted that:

1. Almost of all western Loudoun is currently mapped as one zoning district: A-3.

2. The A-10 (Agricultural Residential –10) district is only mapped where the Board of Supervisors has approved zoning map amendments, and makes up a small percentage of land. The existing A-10 district would be folded into the new agricultural zoning district and be subject to the new district regulations, unless specifically grandfathered.

3. There is no land currently mapped in the A-25 (agricultural) zoning district.

4. The Rural Policies of the County's General Plan calls for rezoning existing rural lots of ten to fifteen acres to the A-10 category to protect those subdivisions from further residential encroachment and land use conflicts.

### Option 1
### Existing Development Options with Performance Standards

One approach to implementing the Rural Economic Development Plan is to consider retaining the existing districts (A-3, A-10, & A-25) and making minor modifications to them. This approach preserves the existing Ordinance structure, but introduces amendments directed at achieving cluster development and the retention of the most land for current and future agricultural production. The approach also includes streamlining the large lot waiver process currently permitted in the A-3 and A-10 Districts. A key component of the approach would be the introduction of performance standards to the regulations to ensure that the most productive agricultural land is left available for farming. The following modifications could be considered:

1. Allow for residential uses in the A-3 district to be developed by special exception only, so that site specific conditions could be placed on the development of a site to reserve farmland, open space, and any other identified site elements.

2. Modify the definition of common open space, differentiating between public and private, and include criteria to evaluate the usability of open space in a cluster for agricultural production. The intent of this amendment is to provide for conservancy areas to be available for agricultural uses.

3. Require that agricultural uses be included in cluster developments instead of open space, so that the conservancy areas are used for agricultural production.

4. Redefine "net density" for rural areas so that floodplain and steep slopes are excluded from density calculations. This would make the term uniform in application throughout the County and potentially reduce the density of rural areas.

5. Revise the 200' setback required for Low Density subdivision, so that it does not apply to existing structures. This is necessary to ensure that an A-3 Low-Density subdivision could occur even when an existing structure is located in the setback.

6. Remove residential use as a principal use in the A-10 and A-25 districts, so that the uses in these districts are primarily agricultural, with residential being permitted only as an accessory use.

7. Eliminate the waiver and 5-lot preliminary record plat process.

8. Simplify the Low Density Development Option process so that it is easier and quicker to do to encourage its use over A-3 subdivisions. Introduce a sliding scale set of requirements.

## Considerations of Option 1

By implementing these minor modifications, the following results could be realized:

1. The existing Zoning Ordinance structure is retained.

2. Performance standards and special exception conditions reserve more land for agricultural uses.

3. Impediments to large lot development are removed.

## Option 2
## One District With Performance Standards

Option 2 involves reclassifying the three existing agricultural districts (A-3, A-10 and A-25) into a single agricultural district, strictly through a Zoning Ordinance text amendment. This option would not require the remapping of any land. The one agricultural district will include the following development options:

1. A non-cluster option with a minimum lot size of 25 acres, in essence utilizing the current A-25 development regulations without the subdivision requirements (need a minimum of 50 acres to use).

2. A cluster option with a maximum density of 1 lot per 3 acres (exclusive of major floodplain) with a minimum agricultural conservation easement of 50 acres (need a minimum of 75 acres to use). In order to preserve the integrity of the traditional cluster with open space, staff suggests an alternative "agricultural cluster," which is defined as having land either privately held or jointly owned and devoted to an agricultural/rural use. An example of jointly held would be a community stable and associated pasture. Privately held could be one cluster lot with "large" acreage for tillage, etc., or for lease to a farmer.

3. A Low Density Development Option with a density of one lot per twenty five acres and a minimum lot size of 2.5 (rather than the current 5) acres (need 50 acres to use). (Also consider minimum lot size of 1 acre if density is at least 1 lot per 50 acres.)

4. Rural Hamlet Option (need a minimum of 40 acres to use, requires 85% open space).

5. Family Subdivision Option, limited to tracts of land 100 acres or more. The intent of this option is to allow the farmer to subdivide his property for his family. This preserves the original intent of the family subdivision.

1. The A-3 grid subdivision, which is the least desired development option, is no longer permitted.

2. The A-3 density of 1 lot per 3 acres can still be maintained for subdivisions of land with a total acreage equal to or greater than 75 acres, but only with the use of a cluster option, which preserves viable tracts of land for agricultural/open space use.

3. Existing A-3 lots between 6 acres and 39.99 acres lose their ability to realize the A-3 density (between 2 and 13 lots worst case). However, it is important to note that lot size is not the only current factor that limits the ability to subdivide. Other factors include: amount of required road frontage, the suitability of soils to support a drainfield, a suitable well, the amount of major floodplain, etc. These other factors result in an average lot size of about 7 acres for an A-3 subdivision. In addition, there is nothing to preclude someone from consolidating lots to create a large enough parcel to utilize the cluster option (This does not mean that the lots would have to be legally consolidated, but rather the total acreage of all lots subject to a cluster subdivision must be greater than or equal to 75 acres.)

4. A break down of the number of lots and land area that comprise the various lot sizes in western Loudoun are as follows:

| | | |
|---|---|---|
| 0.1 – 5.99 acres | 6,181 lots | 14,291.19 acres |
| 6.0 – 39.99 acres | 4,911 lots | 70,714.37 acres |
| 40.0 – 49.99 acres | 185 lots | 8,234.09 acres |
| 50.0 – 74.99 acres | 304 lots | 18,102.83 acres |
| 75.0+ | 612 lots | 106,744.31 acres |

5. A landowner would no longer need to rezone his land to utilize the typical 25 acre subdivision, with no subdivision requirements.

6. The new district will encourage larger lots and lessen density, which will cause less impact on the County's rural roads.

7. The reclassification of the agricultural districts into one district would not require the signature of every affected landowner as would currently be required for a remapping, pursuant to Section 6-1202 of the Zoning Ordinance. This is simply an Ordinance text amendment.

8. The majority of western Loudoun is currently one zoning district: A-3. Land currently zoned A-10 is minimal, and there is no land zoned A-25. With the exception of the minimum lot size and length:width ratio requirements, the regulations of the A-3, A-10 and A-25 districts are similar.

## Option 3

Option 3 involves re-mapping initiatives to create A-25 and additional A-10 districts to most closely align with existing lot patterns

A majority of the acreage in western Loudoun from the A-3 district to the A-25, A-10, and A-3 categories already established by the 1993 Zoning Ordinance which were intended to establish minimum lot sizes of 25, 10 and 3 acres. The following discussion includes the existing process as set forth in the Zoning Ordinance and a recommendation of potential process follows for each of the districts.

A-25 DISTRICT

To date and since the adoption of the A-25 district there have been no applications submitted for such a rezoning request.

A-25 District – Purpose as set forth in Section 2-101:

*This district is established to be voluntarily applied for by a property owner, to protect rural areas of the county in which agriculture, farm operations and low density residential development on parcels in excess of twenty-five acres have become the established land use pattern, and to provide an environment which encourages residents to continue to live and practice agricultural operations without adverse impacts arising from new, higher density development. The district permits uses compatible with and supportive of agriculture, including*

*farm se[illegible]. The district also permits direct marketing of farm products and service[illegible] conjunction with farm operations.*

*Current Zoning Ordinance Criteria:*

| *Minimum Lot Size* | *Lot Width* | *Yards* | *L/W Ratio* |
|---|---|---|---|
| 25 acres at least 3 exclusive of major floodplain | 300 feet on Class I roads<br><br>200 feet on Class II or Class III roads<br>50 feet on private access easements | 25 feet from any property line<br>100 feet from arterial r/o/w<br><br>75 feet from collector r/o/w<br>35 feet from any other r/o/w | 7:1 max |

A-25 Zoning Process

As set forth in Section 6-1215 of the 1993 Zoning Ordinance:

- Pre-application Conference: The pre-application conference is recommended but shall not be required.

- Staff review of application: Referrals. Upon acceptance of the application, the Planning Director shall forward a copy of the application to the Department of Building and Development the Zoning Administrator, and Virginia Department of Transportation, and shall set the application for public hearing to be held at the first Planning Commission public hearing scheduled to occur after the sixtieth (60th) day following acceptance of the application.

- Referral responsibilities: Each reviewing agency shall within thirty 30 day calendar days of the receipt of a referral, prepare a staff report which sets out in writing it comments and recommendations and shall forward such report to the Director of Planning.

- Review of Referrals: Referral comments shall be reviewed by the Director of Planning within 50 days after an application has been accepted. The Planning Director shall forward to the applicant within 5 working days of receipt of all referral comments and a written review of the issues raised by the application.

- Hearing before the Board of Supervisors: No later than forty calendar days after the Planning Commission public hearing, a duly noticed public hearing shall be held by the Board of Supervisors regarding an application for rezoning to the A-25 district.

The A-25 rezoning process could be amended so that All existing parcels greater than 25 acres may be considered for rezoning to the A-25 district subject to a rezoning map amendment process initiated by Board motion. Current zoning ordinance sections which require the consent of individual property owners as part of a zoning map amendment process would need to be amended.

A-25 Subdivision Process

Section 2-105 of the 1993 Zoning Ordinance addresses the creation of lots in the A-25 district. These standards address road frontage requirements and on-site water supply and sewage disposal systems. These include the following:

a. Requests for creation of lots by plat of division in the A-25 district shall be submitted to the Zoning Administrator for review and approval in accordance with A-25 Parcel divisions of the LSDO. (Section 1241.06 of LSDO summarized below)

b. Public road frontage - No lots are to be created fronting on a public road unless the publicly dedicated width of such road along the entire frontage of such newly created lot, measured from the centerline of such road to the property line of such lot satisfies the VDOT criteria and is in compliance with the policies of the Comprehensive Plan.

c. On site water supply and sewage disposal system - No lots or parcel are to be created unless the plat of division contains the following note on the plat:

*" The Loudoun County Health Department has not approved these lots for water supply or sewage disposal. A certification from the Health Department that such lots meet the requirements concerning water supply, sewage disposal and well testing shall be required prior to any new construction in accordance with the provisions of the Loudoun County Zoning Ordinance."*

d. Lot access - Privately owned and maintained travelways that provide access to individual lots shall be approved by the Zoning Administrator for use within the A-25 district subject to the following provisions.

constructed to satisfy at least one of the following minimum standards.

- Private Access Easements. Private access easements shall be designed and constructed in accordance with the standards for private access easements contained with Chapter 4 Transportation of the FSM or;

- Private Lanes. Privately owned and maintained travelways which are not designed and constructed in accordance with the standards referenced above are designated as private lanes and shall satisfy additional design requirements the following requirements[1].

A-25 LSDO Requirements

Section 1241.06 of the LSDO requires the following:

- A proposed plat of division; and

- Unexecuted deeds or deeds granting any required street dedication necessary to satisfy the requirements of the Zoning Ordinance.

- The Zoning Administrator shall, within 30 days after receipt of such plat and accompanying deeds, if applicable, review such plat and either execute the certificate of approval thereon or deny approval stating the specific reasons for such denial.

The subdivision review process could be eliminated so that no subdivision review is required. The deed and plat could be recorded at the Clerk's office.

[1] Section 2-107 requires that each private lane be placed within a 24 foot wide private easement and the minimum travelway be 12 feet. If paved, material shall be 2" over 4" base; if gravel shall be 6". The maximum grade shall be 10% with a minimum 30 foot centerline radius. All residential structures served by any portion of a private lane must have sprinkler systems installed. A private access easement or private lane may serve as frontage in lieu of public road frontage for up to a maximum of 25 lots. The plat creating any lot in the A-25 district must note maintenance provisions as required by the street improvement language in the LSDO.

A-10 DISTRICT

*This district is established to protect rural areas of the county in which agriculture, farm operations and low density residential development on parcels in excess of ten acres have become the established land use pattern, and to provide an environment which encourages residents to continue to live and practice agricultural operations without adverse impacts arising from new, higher density development. The district permits uses compatible with and supportive of agriculture, including agriculturally related and home based businesses appropriate to a rural and farm setting. The district also permits direct marketing of farm products and services in conjunction with farm operations.*

*Current Zoning Ordinance Criteria*

| *Minimum Lot Size* | *Lot Width* | *Yards* | *L/W Ratio* |
|---|---|---|---|
| 10 acres, at least 3 exclusive of major floodplain | 300 feet on Class I roads<br>200 feet on Class II or Class III roads<br>50 feet on private access easements | 25 feet from any property line<br>100 feet from arterial r/o/w<br>75 feet from collector r/o/w<br>35 feet from any other r/o/w | 4:1 max |

*Cluster provisions in A-10.*

| *Minimum Lot Size* | *Lot Width* | *Yards* | *L/W Ratio* | *Common Open Space* |
|---|---|---|---|---|
| 3 acres exclusive of major floodplain | 300 feet on Class I roads<br>200 feet on Class II or Class III roads<br>50 feet on private access easements | 25 feet from any property line<br>100 feet from arterial r/o/w<br>75 feet from collector r/o/w<br>35 feet from any other r/o/w | 4:1 max | Common open space shall be provided and appropriately located with respect to permitted uses, in a sufficient amount such that gross density of one single family dwelling for each ten acres shall be maintained. Common open space shall be permanently reserved as open space acceptable to the Board of Supervisors. |

## A-10 Zoning Process

The current zoning process is in accordance with all current zoning map amendment acceptance, review and approval procedures. No fees charged to applicants. Concurrent review of preliminary subdivision process.

rezon[illegible]o the A-10 district subject to a rezoning map amendment process initiated by Board motion. Current zoning ordinance sections which require the consent of individual property owners as part of a zoning map amendment process would need to be amended.

A-10 Subdivision Review

- Preliminary Subdivision approval is required for the division of any tract of land into 5 or more lots. The purpose of preliminary subdivision review is to establish general lot layouts, the location of approved drainfields and proposed well sites, the alignment of roads, and necessary frontage improvements. The review timeline for preliminary subdivisions is 90 days.
- Construction Plan and Profile approval is required for subdivisions utilizing pubic roads or private roads serving 8 lots or more. This detailed engineering drawing includes the exact location of roads, pavement designs, frontage improvements, sight distance verification, stormwater management, and erosion and sediment control measures. A 45-day timeline is established for first review.
- Record subdivision (record plat) approval is also required. The plat serves as a detailed drawing of lot configurations and sizes, established stormwater management easements, pinpoints actual drainfield and well locations, establishes privates access easements and provides for public street and right of way dedication.

No subdivision review process changes are proposed. Substantial time savings will be realized given that the rezoning process will not be on an individual application basis, but by a broader Board initiated process. Incentives can be developed to allow early submission of preliminary plans.

A-3 DISTRICT

This district is established to provide for the continued practice of agriculture, farm operations, agriculturally related and home based business, low density residential developments, preferably in a hamlet subdivision pattern, and other uses in a predominantly rural environment. The district also permits direct marketing of farm products and services.

| *Minimum Lot Size* | *Lot Width* | *Yards* | *[illegible]W Ratio* |
|---|---|---|---|
| 3 acres, exclusive of major floodplains | 300 feet on Class I roads<br>200 feet on Class II or Class III roads<br>50 feet on private access easements | 75 feet from collector r/o/w<br>35 feet from any other r/o/w | |

A-3 Rezoning Process

The majority of rural area is currently zoned A-3. The subject acreage that is currently less than 10 acres would remain at A-3 and therefore no rezoning would be required.

A-3 Subdivision Process

Current subdivision process is similar to the A-10 subdivision process described above, if more than 5 lots are being created. Subsequent to implementation of this option no preliminary subdivision review would be required. All subdivisions would occur through 1 lot waiver process (SBWV), Preliminary/Record (2 additional lots) or Family Subdivision (SBFM) process.

## IV. Possible Performance Standards/Related Ordinance Revisions:

Staff has identified possible performance standards and related Ordinance amendments that should be considered for utilization with the three options discussed above.

A. Performance Standards

1. Performance standards should be utilized to ensure that the land placed in agricultural conservation is suitable for agricultural use (i.e. soils, slopes, viable size, contiguous, etc.

2. As a means of preserving the best agricultural soils, alternative sources of sewage treatment, other than drainfields (i.e. sand filters, communal systems, etc.), should be permitted. The utilization of such systems is

currently not consistent with the policies of the General Plan.

3. Standards should be implemented to ensure that open space/agricultural land is located adjacent to roads, where it is most visible. Road frontage requirements promote lots along existing frontage, to avoid the construction of new roads.

4. As an alternative, consideration should be given to allowing a sliding scale of density based on acreage of farmable acres under permanent open space and agriculture easements.

B. Ordinance Revisions

1. The use list for such agricultural/open space land should be revised to delete uses that are not conducive to agriculture.

2. The length:width ratio requirements should either be deleted or revised to allow increased flexibility in lot design.

3. Introduce design standards into the Zoning Ordinance to preserve prime agricultural soils and other critical environmental features (steep slopes, floodplain, etc.).

4. Adjust minimum lot sizes, length-to-width ratios, and setbacks to achieve desired cluster development.

5. Consider the creation of overlay districts to address specific rural resources: such as agriculture soils; rural corridor, viewshed, water resources, etc.