



Loudoun County Zoning Ordinance Re-Write

Preliminary Input Provided by Save Rural Loudoun
March 11, 2020

ZOR Topic	Current Policy/Regulation		SRL Input	
	2019 Plan	Zoning Ordinance	Issue	Recommendations
Districts (consolidation), Subdivision Design, Lot & Building Standards	Chapter 2. "...geographic policy areas ... serve to prioritize areas for new growth and development based on the availability of existing and planned infrastructure and public facilities."	§2-101/2-201: "The purpose and intent is to ... support the use of land for rural economy uses, with residential uses allowed at densities consistent with the general open and rural character of the rural economy uses."	Current "by right" residential density in AR-1 over-burdens planned public infrastructure and is incompatible with the County's rural policy vision. Between 2000 and 2018, 5,500 new dwelling units (DUs) were built in the RPA, leading to the loss of 67 square miles of farmland. The County currently projects that 7,500 more dwelling units will be built in the RPA by 2040, leading to the estimated loss of another 70-90 square miles of farmland and the congestion of roads and other public	Adopt uniform rural zoning, including: 1. Apply AR-2 subdivision standards to the entire RPA. 2. Apply A-3/A-10 rural hamlet standards to cluster subdivisions in the entire RPA.
	RPA Policy 2.1. "Where residential development does occur ... it should be designed to preserve the rural character, work with the landform to preserve and protect natural features, and conserve land for agriculture, equine uses, rural economy	§5-702(A) (Rural hamlet option, currently applies only in A-3 and A-10) "Such clustered development is intended to better harmonize rural development with surrounding agricultural activities recognizing that it is the County's primary goal to		

	uses, passive recreation, and open space.”	preserve and enhance farming and farmland in rural Loudoun ... clustered development is intended to permit the compact grouping of homes located so as to blend with the existing landscape, such as the rise and fall of the topography, hedgerows and wooded areas, and to preserve to a greater extent the agricultural, forestal and visual character of the landscape.	infrastructure.	
Overlay Districts, Environmental, Land, Buffer, Screening	Chapter 2. “Protection of the RPA helps to ensure the preservation of farmland, natural, environmental, and heritage resources, open space, and vistas that are vital aspects of Loudoun’s identity.” SGR Policy 3.2. “Preserve and protect prime farmland and agricultural soils ...”	§5-702(C)(1) (Rural Hamlets) “All land not designated as building area, private access easements, and road rights-of-way shall be placed in a permanent open space easement.”	Current rural zoning does not provide enforceable protection of farmland or vistas. Recently approved subdivision applications place new residences on prime farmland and are not designed to work with the landform and preserve vistas critical to the County’s tourism businesses.	Preserve the County’s remaining farmland by: 1. Reserving 70% of each property for “agriculture and other rural economy uses” (conserved areas should not include “open spaces” with residential septic fields). 2. Requiring that

				<p>80% of available prime farmland be preserved in contiguous areas within rural economy lots</p> <p>3. Requiring that rural economy lots be placed in permanent conservation easement.</p> <p>Preserve rural vistas and visual appeal, including by:</p> <p>1. Applying design standards that ensure developments conform with rural landforms.</p> <p>2. Strengthening preservation of forested areas in the mountainside overlay.</p>
Uses & Performance Standards	RPA Policy 3.7.A. "Maintain zoning regulations and design standards that protect the right to farm."	§2-103(C)/2-203(C) "The Cluster Subdivision Option allows for the subdivision of a tract of land with a more compact residential design plus one or more large lots suitable for	Rural economy lots are not designed so as to make them suitable for farming and other rural economy uses. For example, some subdivisions divide contiguous areas of prime soils among	<p>Ensure that Loudoun's farmers can continue to use their land for farming by:</p> <p>1. Clarifying in the Ordinance that farming and other rural economy uses are the</p>

		<p>rural economy uses and/or common open space.”</p> <p>Article 8 (Definitions) “The primary use of such [rural economy] lot is for rural economy uses, with residential uses permitted in association with a rural economy use.”</p>	<p>multiple lots, making each lot unsuitable for commercial farming. Many HOA covenants in rural subdivisions restrict various types of farming.</p>	<p>primary permitted uses on rural economy lots, with residences being a secondary (associate) use.</p> <p>2. Preventing HOA covenants from restricting the right to farm on rural economy lots.</p>
		<p>§2-105 (Recognizing the Right to Farm) “Record plats and deeds authorized pursuant to this section shall include a statement that agricultural operations enjoy the protection of the Right to Farm Act (Va. Code Section 3.2-300 et seq.).”</p>		
<p>Process (applications, permits, enforcement)</p>		<p>§6-500 (Enforcement and Penalties) “The Zoning Administrator shall have the authority and the duty to ensure that all buildings and structures and the use of all land complies</p>	<p>The County has been unable to prevent and remedy violations of currently permitted uses on rural properties. Timely and effective enforcement will be critical to the</p>	<p>To ensure that conservation requirements are effectively enforced:</p> <p>1. Require that adjacent property owners be notified in</p>

		with the provisions of this Ordinance.”	success of expanded protection of conservation values.	<p>writing of all applications for cluster subdivisions, minor special exceptions, and special exceptions in the RPA.</p> <p>1. Require follow-up inspections of approved cluster subdivisions, minor special exceptions and special exceptions to verify compliance with zoning requirements.</p>
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