

Questions? Contact Gem Bingol, PEC's Loudoun Land Use Representative at gbingol@pecva.org.

Topic	Proposed Regulations	PEC recommendation or question
7.01.06.B.	In addition to location, spatial design and ensuring adequate parking for multi-unit buildings to avoid spillage into adjacent neighborhoods are important considerations.	Where would adequate parking as a transition issue be addressed? Or is this being addressed through parking permits being handled separately?
Tree Planting, Replacement & Preservation (7.03) Landscaping, Buffers, and Screening (7.04/07)	7.03.B.2	Trees provide for greater ecological function and value than grass. Under 20%, the requirement to match the pre-development amount of tree canopy is inadequate if a site was unwooded or lightly treed. Adding extra tree canopy to sites should be incentivized through an environmental checklist that should be added to the FSM.
Tree Planting, Replacement & Preservation (7.03) Landscaping, Buffers, and Screening (7.04/07)	7.03.D.	Tree cover credit should incentivize the preservation of mature trees with greater ecological value, and high quality successional habitat. In the next part of the ordinance/FSM update, consider an environmental resource checklist which would include this. Require replacement of mature trees at a three to one ratio of young trees for every 1 mature tree lost in FSM. Add requirement for 80% of replacement trees to be native species.
Tree Planting, Replacement & Preservation (7.03) Landscaping, Buffers, and Screening (7.04/07)	7.03.C.2.	Where there are unwooded wetlands onsite, tree canopy coverage credits should be added to promote habitat beneficial to amphibians that require woodlands in their adult phase.
Tree Planting, Replacement & Preservation (7.03) Landscaping, Buffers, and Screening (7.04/07)	7.04.07.B Plant Unit Requirements. The plant types used to meet the Plant Unit requirements for each Buffer Yard or Road Corridor Buffer must meet the following: 2. Provided Plant Units must meet the following percentages: f. To support a pollinator habitat, plant units must be provided as follows: 1. A minimum of 50% must consist of native species as specified in the FSM, and 2. A minimum of 75% of the small deciduous trees and shrubs provided must produce conspicuous flowers at some point during their growing season.	This is good, but needs to be broadened to include not just buffer yards or road corridor buffers, but also parking lot and general landscaping plans. Percentage of native plants should be increased to 80%; add a prohibition against the use of invasive non-natives in landscaping plans, as well as removal and permanent maintenance to keep invasive non-natives out of areas where existing vegetation is used.
Parking lot plantings (7.04.06)	7.04.06.A. Interior and B. Peripheral Parking Area Plantings	Include bioretention in parking lot landscaping requirements and ensure that islands are sized, or developed to support mature tree roots and work as stormwater green infrastructure .
Tree Planting, Replacement & Preservation (7.03) Landscaping, Buffers, and Screening (7.04/07)	7.04.07 General Landscaping Provisions	7.04.07.A. Native grasses and perennials should be encouraged/used on slopes and other hard-to-maintain areas and medians, while ensuring needed sight distances.
Tree Planting, Replacement & Preservation (7.03) Landscaping, Buffers, and Screening (7.04/07)	7.04.07 General Landscaping Provisions	Landscaping requirements should refer to sustainability and support for wildlife corridors that are further described in the FSM. For instance, 100' buffers should be required for exemplary or high quality wildlife and habitat communities, excluding roads and buildings, and prohibit vegetation clearing except to remove invasives. As noted in the Open Space section, the location of exemplary and high quality habitats should be mapped in order to protect them and provide connections to similar communities on adjacent parcels as part of wildlife corridors, to ensure barrier-free movement between identified wildlife corridors. These should be maintained to provide ongoing habitat function for all species (including those of greatest conservation need as identified by the VA Wildlife Action Plan).
Cemeteries 7.04.04	E. Off-site Cemetery, Burial Ground, or Grave Buffer.	E.4. It looks like E. only covers off-site cemeteries from putting protection or preservation buffers on individual residential or non-residential lots. Does D. also cover cemeteries on the developing parcel so that abutting residential lots so residential lots within the development do not have protection or preservation buffers onsite? I'm confused by the wording, and want to be sure that it covers this potential as well.
Light and Glare (7.05.02) C. Alternate Standards	C. Alternate Standards	All standards should comply with guidance on full shielding and color temperature standards. Public and private lighting standards should be the same.
Bicycle Parking 7.06.03	Table 7.06.03-1	Need higher standards and at Gov't bldgs The amount of bicycle space for MF in the UPA and SPA is still too low/unit for long-term; missing s/t for government (General), parking facilities, transit facilities
Electric Vehicle Parking (7.06.04)	Establishes new requirements for electric vehicle charging stations in parking lots associated with new or expanded development in the UPA and SPA Zoning Districts. Developments of at least 10,000 square feet consisting of a new building or a new off-street parking facility or where the parking capacity of an existing site increases by more than 50% are subject to the requirements. The minimum number of electric vehicle charging stations are calculated as a percentage of the required parking space	Ensure that regular handicapped parking facilities are not replaced with EV charging stations, and ensure that accessible EV charging facilities are also available.
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Electric Vehicle Parking (7.06.04)		Consider encouraging the installation of street light charging stations in appropriately dense locations with multifamily and mixed use developments.

Parking adjustments (7.06.08)	I. Attainable dwelling reductions	If a developer can prove that the affordable housing developments in Loudoun have fewer cars compared with market rate units, incentivize reduced parking rates in exchange for providing a higher percentage of 0-30% AMI affordable units rather than just giving away parking reductions similar to the model of Columbia Pike Neighborhood example: Section 903. Additional Incentives for Affordable Housing A. The following incentives are provided in order to encourage property owners to create or preserve AFFORDABLE HOUSING units beyond the minimum number of AFFORDABLE HOUSING units required in Section 902. 1. Reduced parking ratio: If an applicant provides at least 1 percent more AFFORDABLE HOUSING UNITS in excess of the minimum required quantity, the applicant may reduce the minimum parking ratio for all AFFORDABLE HOUSING UNITS within the DEVELOPMENT PROJECT from 1.125 spaces per unit to 0.825 spaces per unit, which includes 0.7 space per unit and 0.125 SHARED space per unit.
Village Parking (7.06.12)	Establishes new minimum and maximum parking ratios specified by land use within the Village Conservation Overlay District (VCOD)	Delete this section to avoid setting village parking until small area plans are completed.
Road Network (7.07.02)	7.07.02.A.2.	Add new text to require compliance with VDOT wildlife collision avoidance guidelines.
Road Network (7.07.02)	7.07.02.B. Block Standards	Add: To the extent feasible, road networks should be designed to create intersections and blocks that maximize north/south building orientation and increase energy efficient design.
Pedestrian and Bicycle Network (7.07.03)	7.07.03.A.	7.07.03.A. The only reference to adequate lighting for a bicycle and pedestrian network references underpasses or tunnels. There should be a requirement for ample and appropriate lighting for network paths that provide interconnections between uses in and between suburban and urban uses and in JLMA areas connecting to towns and developments in order to ensure safe passage at night.
Signs--ground & pole-mounted permanent (8.04)	Table 8.04-1 Grounds Signs, Table 8.04-2 Pole Signs	Individual sign sizes in rural area whether freestanding or pole, should be limited to the 20 Ft. size. Signs for the traveling public are at entrances which generally are relatively the same despite differences in parcel size. Smaller is better whether for ground or pole signs if they are appropriately located at an entrance. The cumulative total for signs on parcels under 5 acres is missing. It should be the same as over 5 acres. If a property owner needs to provide signage internal to the property to direct people to different activities that are not visible offsite, that can be up to the property owner as long as they stay within the max cumulative area.
Signs--temporary & incidental (8.06)	Table 8.06-3 Temporary Signs	3 Number Allowed -- should be limited to the same number as any incidental sign per Table 8.06-4 Incidental Signs, Generally; 5 Height -- should be limited to the same height as any incidental sign per Table 8.06-4 Incidental Signs, Generally
Signs--Murals (8.05-3)	Table 8.05.3	In keeping with the rural environs, murals should not be lit at night.
Signs-all tables & definition of Channel Letters (in Chapter 13)	Missing element in either the definitions (Chapter 13) or the illumination section (8.08 Illuminated and Digital Signs)	Channel Letter: A fabricated or formed three-dimensional letter, number, logo or symbol. NOTE: There is no reference to how this is illuminated.
Adaptive Reuse - Non-Historic Buildings 10	Staff did not include the ability to adaptively reuse non-historic buildings in this section. The intent of these regulations is to protect historic buildings due to their unique importance by expanding options to prolong the building's viability. Applying adaptive reuse regulations to non-historic buildings would allow any building to be used for a use not permitted in a district without considering the impacts of the use. Other options to reutilize non-historic buildings exist, namely rezoning to a different zoning district that would allow the use(s) desired, are available. For instance, if an applicant wants to reuse a non-historic building for residential uses in a zoning district that does not allow this use, the appropriate way to change this use is through a rezoning to a residential district. Nonetheless, staff anticipates the inclusion of redevelopment standards in the ZO Rewrite that would address the reuse of certain non-historic buildings for affordable housing upon meeting certain criteria.	Staff's comment does recognize the point that I've made repeatedly regarding repurposing or recycling non-historic buildings for adaptive reuse. The potential for residential (particularly affordable housing) or other allowable use in a district as opposed to tearing down buildings to rebuild is much better environmentally due to the great climate and environmental benefit of reusing the existing embodied energy. Consider incentives to promote this opportunity.
General Process Administration (11.01)	B.3. Fees, Exempt Applications	Consider exempting the installation of vehicle charging stations from fees.
Board of Supervisors Pre-Review of legislative applications (11.01.D)	New process	Which types of applications are proposed to require this review? I only found that mention of it for ZCPA and Minor Special Exceptions. This section should clearly state the types of applications that this process is required. This could be beneficial but more details and discussion would be helpful, i.e. Can staff manage the short turnaround time for review--in-depth reviews would presumably take longer than 10 days? Assume it will require a notice onsite and to neighbors? Will existing conditions and checklist items be required? Will the public hearing end with a BOS vote to proceed or not; would conformance with policy be the basis for a vote to proceed? If there were a favorable vote what would the implication be for the final approval or denial?
11.01.F.3.c.2 & d.3. LOD and MOD submission requirements and d.5 Legislative applications	Existing conditions information	Applications should note the location of exemplary and high quality wildlife and habitat communities on the parcel and adjoining parcels to protect areas critical for maintaining connectivity between high value native plant communities. Add items outlined for LOD and MOD in those sections (wetlands, vernal pools)
Zoning Permit (11.04)	B.4.a Initiation required elements on site plan	Include exemplary and high quality wildlife and habitat communities onsite and any known gravesites or cemeteries.

Site Plan (11.06)		Note that in FSM the guidelines for what a site plan must have should add: exemplary and high quality wildlife and habitat communities onsite and any known gravesites or cemeteries. FSM changes should be made concurrently with the Zoning Ordinance in order to fulfill the intent of the changes to the ZO.
Zoning Ordinance Amendments (11.10.02)	C.1. Review and decision-Staff	Is there a need to mention that staff may hold a variety of types of public input sessions to help guide the initial process as is currently done?
Concept Development Plans (11.10.04)	6. Open Space Uses	Existing conditions as noted in 6.a should clearly indicate any exemplary and high quality wildlife and habitat community on the parcel and adjoining parcel to protect areas critical for maintaining connectivity between high value native plant communities.
Enforcement (11.14)		B. General Provisions should include enforcement action (fines) for wilfully false statements on permits.
Enforcement (11.14)		B. General Provisions should include remedial enforcement action that require restoration where destruction of trees, vegetation or historic assets have been destroyed.
Enforcement (11.14)	E. Enforcement of Light, Noise and Vibration violations	Consider recommendations to the BOS that include proactive or immediate response to citizen complaints that address violations that include offsite noise and lighting impacts from adjacent uses. These could address enforcement in the Rural Policy Area where proactive policy and staff enforcement do not rely solely on citizen complaints.
Definitions	Channel letter	Lighting question--this does not mention if such lettering is illuminated or how it is illuminated.
Definitions	Manufactured housing	permanent chassis--Does the HUD code require all manufactured housing to be on a permanent chassis (i.e. all tiny houses)? Does the category of modular housing cover all other houses that are manufactured in a factory and then assembled onsite?
Definitions	Add more specificity to Group Living definition to distinguish from congregate care.	Group Living: Uses characterized by the residential occupancy of a structure by a group of persons that does not meet the definition of Household Living. Tenancy is arranged on a weekly or longer basis, and the size of the group may be larger than a single family. Generally, Group Living structures have a common eating area for residents. The residents may receive care, training, or treatment at the place of residence, and caregivers may or may not also reside at the site. Accessory uses commonly associated with Group Living are recreational facilities and vehicle parking for occupants and staff. Group living may occur in a single family house, but must not occur in multiple single family houses in the same neighborhood.
Definitions	Tenant dwelling	definition missing
Definitions	Historic	definition missing
Definitions	Native plants/native grass	definition missing
Definitions	Vernal pools	definition missing
Definitions	Natural open space	definition missing
Definitions	Environmentally sensitive area/open space	definition missing
Definitions	Turf grass	definition missing
Definitions	Solar facility, Community	definition missing
Definitions	Utility transmission, underground	add "thermal conveyance" to the list of conveyance types