

**MINUTES
PURCELLVILLE PLANNING COMMISSION
SPECIAL MEETING
THURSDAY, MARCH 30, 2023, 6:30 PM
TOWN HALL COUNCIL CHAMBERS**

Meeting video can be found at the following link: <https://purcellvilleva.new.swagit.com/videos/223122>

COMMISSIONERS PRESENT:

Christopher Bertaut, Town Council Liaison
Ed Neham, Vice Chair/Commissioner (*via remote participation due to medical condition*)
Ron Rise, Commissioner
Brian Green, Commissioner
Nedim Ogleman, Commissioner
Jason Dengler, Commissioner

COMMISSIONERS ABSENT:

Nan Forbes, Chair/Commissioner (*absent due to County meeting conflict*)

STAFF PRESENT: Interim Zoning Administrator, Martha Semmes, Planning Operations Coordinator, Jordan Andrews

CALL TO ORDER:

Vice Chair Neham called the meeting to order at 6:32 PM. The Pledge of Allegiance followed.

DISCUSSION/INFORMATIONAL ITEM:

- a. Review of changes to ZoneCo draft zoning ordinances Articles 3-9
[Commissioners]**

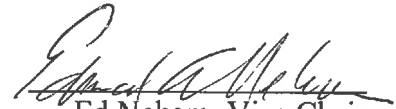
The Planning Commission reviewed and discussed consolidated comments in the attached matrix. The Planning Commission added comments in green capital lettering, indicating agreed upon comments for the line items prioritized as critical, substantial, or editorial(high). The attached pages of the comment matrix, pages 10-23; 29-33, document the Planning Commission's consensus regarding the specified comments. A copy of the comment matrix is also on file in the Town Clerk's office.

ADJOURNMENT:

With no further business, Commissioner Ogelman made the motion and the meeting was adjourned 9:30 PM.

A handwritten signature in blue ink, appearing to read 'Jordan Andrews', written over a horizontal line.

Jordan Andrews, Planning Operations Coordinator

A handwritten signature in blue ink, appearing to read 'Ed Neham', written over a horizontal line.
Ed Neham, Vice Chair

Item	Reviewer Name	Comment Date (mm/dd/yyyy)	Document	Document Version Date (mm/dd/yyyy)	Page No.	Document Section	Reviewer Request	Comp Plan Reference	Change Type	Priority (High, Medium, Low)	Planning Commission Response	Consultant Response	Agreed Upon Action	Action Date
38	Nedim	3/12/2023	Article 4	02/28/2023	128-130-4.1		Provide and evaluate the development plans for all of the PDH areas to sustain in Town. Purpose of the district. Given that PDH in Town is fully built out in areas to sustain with residential and no secondary uses, what is the purpose of continue PDH?	PDH is mentioned in two places in the Comp Plan - In a table the Planning Commission has deemed erroneous and in need of amendment on p.43. In the definition of "Zoning District" on p.128. No aspirational areas of Town	Substantial	High		MARTHA RECOMMENDS PDH STAY AS IS. MARTHA TO RESEARCH PDH AGREEMENTS.		
39	Nedim	3/12/2023	Article 5	02/28/2023	132-136	5.3 Table B	Need a consistent nomenclature that aligns the land use categories we are currently using in an inconsistent manner in the draft zoning ordinance to the categories in the Comp Plan. I suggest: AC (Agricultural Conservancy/Commercial) = ATC (Agricultural Tourism Commercial), C1 (Office Commercial) = PO (Professional Office), C4 (Central Commercial) = MUN (Mixed Use Neighborhood Scale), CM1 (Local Service Industrial) * M1 (Limited Industrial) = IB (Industrial Business), IP (Institutional and Public Use) = IG (Institutional and Governmental), MC (Mixed Commercial) = CN/CM (Commercial Neighborhood/Medium Scale), PD2 (Planned Development Housing 2) * PD5 (Planned Development Housing 5) = SFDY (Single-Family Detached Traditional), PD8 (Planned Development Housing 8) = SFA (Single-Family Attached), R15 (Apartment Building Residential) = MF (Multi-Family), R2 (Single-Family Residential) = SFDY/SFD5 (Single-Family Detached Traditional/Suburban), R3 (Duplex Residential) = SFD5 (Single-Family Detached Suburban), R3A (Historic Office/Residential) = 2 SFDY (Single-Family Detached Traditional)	pp.45-64. See also Zoning_Occupancy_Crossstabs_20221030.xlsx	Critical	High	WE NEED THE TERMINOLOGIES TO ALIGN - ZONING DISTRICTS WITH LAND USES. C-4 ALIGNS BEST TO MIXED USE NEIGHBORHOOD SCALE, CM-1 AND M-1 ALIGN BEST TO INDUSTRIAL BUSINESS, TO INSTITUTIONAL AND GOVERNMENTAL AND ETC. THE ALIGNMENT OF THE ZONING DISTRICT AND LAND USE NAMES SHOULD BE EXPRESSED IN ARTICLE 2. SEE ATTACHMENT: RENAMING ZONES.			

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40	Nedim	3/12/2023	Article 5	02/28/2023	132	5.3 Table A	Given the point about PDH, Does the Town need to continue to maintain PPU (Principal Permitted Uses) and SPU (Secondary Permitted Uses) if we are not going to have any more PDH? Suggest removing PPU and SPU from use tables given that there is no aspiration for PDH in Comp Plan.	PDH is mentioned in two places in the Comp Plan - In a table the Planning Commission has deemed erroneous and in need of amendment on p.43. In the definition of "Zoning District" on p.128. No aspirational areas of Town	Substantial	High	SEE ITEM 38			
41	Nedim	3/12/2023	Article 5	02/28/2023	133	5.3 Table B	Remove Dwelling, apartment as permitted land use from MC. Dwelling, apartment (or any residential use) does not fit with the Town's commercial land use categories (neighborhood/medium scale), according to the Town's Comp Plan.	p.124 - "Commercial - the use of land or buildings for non-residential purposes or business activities. Examples include, Industrial, retail, entertainment, restaurants, hotels/lodging, manufacturing, warehousing/distribution, data processing, professional services, banking, and research and development, automotive services." "Commercial Area - That portion of the Town with	Critical	High	SEE PRIOR DISCUSSION - REMOVE IT OR MAKE IT AN SUP. COMP PLAN DOESN'T ENVISION RESIDENTIAL IN COMMERCIAL DISTRICTS.			

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42	Ed Neham	03/02/2023	Articles 4-9	02/21/2023	134	4.2.2 Use limitations	Should we limit the new zoning Ordinance to PDH-8? The Comprehensive Plan does not cover PDH greater than 8 but the current Zoning Ordinance does. The Comprehensive Plan states: "Small-scale two- or three-story buildings with three to eight units are the ideal size for multi-family development in Purcellville ...". The draft new Zoning Ordinance states: "The maximum total land area, including all at grade off-street parking and loading areas in connection therewith, devoted to commercial and office uses shall be as follows: For each district PDH-1 through PDH-3, PDH-5, PDH-8 and PDH-13: 50 square feet of commercial space per dwelling unit but not to exceed a total area of 10,000 square feet."	MULTI-FAMILY LAND USE CATEGORY (pg.52); GLOSSARY: Zoning District (pg.128)	Substantial	Medium	LIMIT TO PDH-8, BUT DOESN'T CONFORM TO COMP PLAN. DECIDE AFTER NEDIM REVIEWS SOME PDH DOCUMENTS.			
43	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	134	4.2.2 Use limitations	Make this change: "a) Commercial and office uses shall be conducted within a completely enclosed building with no outside display except those uses which by their nature must be conducted outside a building. "	N/A	Editorial	Medium				

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44	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	135	4.5 MAXIMUM DENSITY	2) The town council, may at its discretion, increase the maximum number of units in a PDH district in accordance with and when the conceptual and final development plan includes one or more of the following, but in no event shall such an increase be permitted when such features were used to meet the development criteria in the adopted comprehensive plan and the minimum requirements for the applicable district and in no event shall the total number of dwellings exceed 125 percent of the district maximum density. <u>Why the extra 25%?</u> a) Design features, amenities, open space and/or recreational facilities in the planned development which in the opinion of the town council are features which achieve an exceptional and high quality development—As determined by the town council but not to exceed five percent. <u>How is the 5% calculated?</u>	N/A	Editorial	High	PDH - ADDRESSED ELSEWHERE.			
45	Ed Neham	03/02/2023	Articles 4-9	02/21/2023	135	4.5.1 MAXIMUM DENSITY	Depending on the resolution of the question on including PDH-15, should the PDH-15 row be removed from TABLE A – PDH DISTRICT DENSITY?	MULTI-FAMILY LAND USE CATEGORY (pg.52); Zoning District 4-3.3.18	Substantial	Low	REMOVE IT.			
46	Ed Neham	03/02/2023	Articles 4-9	02/21/2023	135	4.5.2 MAXIMUM DENSITY	Depending on the resolution of the question on including PDH-15, should this clause be revised? *The town council, may at its discretion, increase the maximum number of units in a PDH district ... in no event shall the total number of dwellings exceed 125 percent of the district maximum density"	MULTI-FAMILY LAND USE CATEGORY (pg.52); GLOSSARY: Zoning District (pg.128)	Substantial	Medium	DOESNT CONFORM TO COMP PLAN. REMOVE THIS LANGUAGE. DELETE THIS.			
47	Ed Neham	03/02/2023	Articles 4-9	02/21/2023	135	4.6.1 OPEN SPACE	Depending on the resolution of the question on including PDH-15, should the PDH-15 row be removed from TABLE B – PDH DISTRICT DENSITY?	MULTI-FAMILY LAND USE CATEGORY (pg.52); GLOSSARY: Zoning District 4-3.3.18	Substantial	Low	WAITING ON THIS. STRIKE PDH-15 ROW.			

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48	Ed Neham	02/16/2023	Articles 4-9	02/21/2023	135	4.5 2 OPEN SPACE	Is it wise to put dollar values in a 5-10 year document without accounting for inflation? Perhaps use a percentage (of dwelling unit price, in this case)? As part of the open space to be provided in accordance with the provisions of subsection 1. above, there shall be a requirement to provide developed recreational facilities in all PDH districts. Such requirements shall be based on a minimum expenditure of \$300.00 per dwelling unit for such facilities, and either the facilities shall be provided by the developer in conformance with the approved final development plan, or the cash shall be provided for such facilities in conformance with a duly executed public improvements agreement.	LAND USE CATEGORY COMPARISON TABLE (pg.43)	Editorial	High	PDH is only mentioned in the Glossary and here under Mixed-Use Neighborhood Scale. "Applicable Zoning Districts: R-3, R-3A, R-8, MC, C-1, C-4, PDH, IP-Potential new district specifically designed for the proper mix and design of buildings in this land use category." MARTHA: IN AN AMOUNT AS SPECIFIED ON THE SCHEDULE OF FEES AS ADOPTED BY TOWN COUNCIL			
49	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	135	4.5 OPEN SPACE	TABLE B – PDH DISTRICT DENSITY - What is the rationale for these percentages?	N/A	Editorial	High	AWAITING A DETERMINATION ON PDH BY PLANNING COMMISSION.			
50	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	135	4.5 OPEN SPACE	2) As part of the open space to be provided in accordance with the provisions of subsection 1. above, there shall be a requirement to provide developed recreational facilities in all PDH districts. What is the definition of recreational facilities? Include what? To exclude what?	N/A	Editorial	Medium				
51	Nedim	3/13/2023	Article 5	02/28/2023	136-151	5.4) generally	Explain why some use categories are missing from the use standards, ex. Single-family detached?		Substantial	High	MARTHA: IT DEPENDS ON THE PARTICULAR USE AND DISTRICT IT'S IN. THIS IS IN OUR CURRENT ORDINANCE. AT THE BEGINNING OF THE USE STANDARDS SECTION, EXPLAIN THE PURPOSE. KEEP APARTMENTS IN C-4 (NUMS) BUT THE COMMISSION SHOULD MAINLY LOOKING FOR OUTLIERS. RON.			
52	Ed Neham	02/26/2023	Articles 4-9	02/21/2023	137-140	5.3 PERMITTED AND CONDITIONAL USES BY DISTRICT	Who is going to review TABLE B – TABLE OF USES to ensure it matches the Comprehensive Plan's aspirations, and also verify that the extracts of this table that appear in Article 2 are without error?	N/A	Substantial	High				

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53	Ed Neham	03/02/2023	Articles 4-9	02/11/2023	137	5.2 SIMILAR USE DETERMINATIONS	This section does not appear in the current Zoning Ordinance: "The zoning administrator may permit other commercial, governmental, industrial and service uses which, in the opinion of the zoning administrator, are of the same general character as those uses permitted in the district where they are proposed, shall be permitted, provided that these uses shall be permitted only in accordance with the development standards of this ordinance."	N/A	Substantial	Medium	MARTHA: KEEP THIS. MEDIA WOULD LIKE A TOUCHPOINT BACK TO THE CITIZENS. THE DETERMINATION SHOULD BE MADE IN WRITING AND BE PROVIDED TO TOWN MANAGER AND TOWN COUNCIL WITHIN 3 BUSINESS DAYS.			
54	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	137	5.3 PERMITTED AND CONDITIONAL USES BY DISTRICT	TABLE A – TABLE OF USES. Do all of these uses track the uses on prior pages? Need Staff to review uses and provide guidance as to whether the uses are appropriate for their districts/zones.	N/A	Substantial	High	STAFF SAYS THEY WILL DO.			
55	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	137	5.3 PERMITTED AND CONDITIONAL USES BY DISTRICT	Replace this: "PLACEHOLDER INTRO TEXT HERE"	N/A	Administrative	High				
56	Ed Neham	02/26/2023	Articles 4-9	02/21/2023	140-156	5.4 USE STANDARDS	Just as in 5.3 TABLE OF USES, who is going to review these 45 standards and their sub-perts to ensure they match the Comprehensive Plan's aspirations?	N/A	Substantial	High	STAFF ASSISTANCE IN HELPING COMMISSION TO UNDERSTAND THESE. COMMISSION WOULD BE RESPONSIBLE FOR REVIEWING THIS.			
57	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	140	Section 5.4 USE STANDARDS	1) Accessory buildings and uses: a) General standards. iii. Accessory swimming pools, open and unenclosed, may occupy a required rear or side yard, provided they are not located closer than six feet to a rear lot line or ten feet to an interior side lot line. A walk space at least three feet wide shall be provided between pool walls and protective fence or barrier walls. Do we need rules about protective fences around pools - to include characteristics and height?	N/A	Editorial	High	MARTHA: NO. BUILDING CODE REQUIRES A FENCE - COUNTY CODE.			

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58	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	141	Section 5.4 USE STANDARDS	iv. Except as provided in development standards for particular uses, an ornamental fence, wall, hedge or shrubs not more than 3½ feet in height may project into or enclose any required front or side yard to a depth from the street line equal to the required depth of the front yard. Ornamental fences, walls, hedges or shrubs may project into or enclose other required yards, provided such fences and walls do not exceed a height of seven feet. <u>Why 7 feet?</u>	N/A	Editorial	Low				
59	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	141	Section 5.4 USE STANDARDS	2) Agriculture/horticulture: a) General standards. i. No such use shall be permitted which, because of the nature, location, or manner of operation, is noxious, offensive or dangerous because of noise, odor, fumes, gas, glare, vibration, smoke, emission or particulate matter or effluent, or for other reasons. <u>Should this include a list of prohibited uses? I.e., can you keep roosters, peacocks, honeybees, etc.?</u>	N/A	Editorial	Medium				
60	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	142	Section 5.4 USE STANDARDS	5) Child care, commercial: a) General standards. iv. For each child enrolled, indoor recreation space shall be provided at the rate of 25 square feet for active children and 35 square feet for infants. <u>Should these be defined by age?</u>	N/A	Editorial	Low				

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61	Nedim	3/12/2023	Article 5	02/28/2023	143	5.4(17)(a))	Remove Dwelling, apartment as permitted land use from MC. Dwelling, apartment (or any residential use) does not fit with the Town's commercial land use categories (neighborhood/ medium scale), according to the Town's Comp Plan.	p.124 - "Commercial - the use of land or buildings for non-residential purposes or business activities. Examples include, Industrial, retail, entertainment, restaurants, hotels/lodging, warehousing/distribution, data processing, professional services, banking, and research and development, automotive services." "Commercial Area - That portion of the Town with	Critical	High	AS ABOVE.			
62	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	143	Section 5.4 USE STANDARDS	6) Child care, residential a) General standards. I. Applicability. "Pursuant to the Code of Virginia, a residential child care serving one through five children, exclusive of the provider's own children and any children who reside in the home, is exempt from the following regulations and..." Why? Is such home day care subject to safety/health inspections from Town, County or State?	N/A	Editorial	Low				

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63	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	148	Section 5.4 USE STANDARDS	18) Dwelling, multiple-family: a) General standards iv. The principal means of access to an apartment development or project containing <u>more than 24 dwelling units</u> shall be from an arterial or collector thoroughfare of adequate physical and functional design to handle anticipated traffic needs. Secondary access to a local street will be permitted only in cases where there are overriding factors of health or safety for future residents of the project or where the arrangement and conditions of the minor streets are such that the projected increase in traffic will not substantially affect the use and enjoyment of the street by present or future residents. v. No apartment building shall contain more than <u>12 dwelling units. These seem to be contradictory.</u>	N/A	Editorial	Medium					
64	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	155	Section 5.4 USE STANDARDS	43) Transitional housing. a) General standards. i. The facility shall have a maximum occupancy of three adults and six children, excluding any resident staff persons. <u>Is this to permit a family, i.e., persons who are related? Is it different if unrelated?</u>	N/A	Editorial	Low					

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65	Eel Neham	03/02/2023	Articles 4-9	02/21/2023	156	5.6.1 HOME OCCUPATIONS	The Comprehensive Plan states: "Evaluate the Town's Zoning Ordinance and permitting processes to determine if there are any obstacles that could be removed to make renovation and redevelopment of existing housing, as well as home-based businesses, more affordable without violating the small town character of Purcellville." The draft Zoning Ordinance states: "The home occupation shall be conducted by a person or persons who are residents of the property. Members of the family occupying the dwelling may be employed on the premises in connection with the home occupation. One employee, other than members of the family occupying such dwelling shall be permitted to work on-site given one additional off-street parking space is provided." Devise a way to allow more employees, such as having more parking spaces.	HOUSING AND NEIGHBORHOODS: RECOMMENDATIONS (pg.92)	Substantial	Low	STAFF TO PROVIDE COMMISSION WITH EXAMPLES BASED ON OTHER TOWNS. COMMISSION TO DEVISE A PROPOSAL.			
66	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	156	Section 5.4 USE STANDARDS	45) Veterinary clinic: a) General standards. i. The clinic and any treatment rooms, cages, or pens, shall be maintained within a completely enclosed, soundproof building, and such clinic shall be operated in such a way as to produce no objectionable noise or odors outside its walls. Any verbiage about State/local inspections or standards?	N/A	Editorial	Low				
67	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	157	5.7 TEMPORARY FAMILY HEALTH CARE STRUCTURES	2) For purposes of this section: a) Caregiver means an adult who provides care for a mentally or physically impaired person within the Commonwealth. A caregiver shall be either related by blood, marriage, or adoption to or the legally appointed guardian of the mentally or physically impaired person for whom he is caring. Does this or should this exclude a person (not related) who is paid to come and provide care? We should permit this.	N/A	Editorial	Medium				

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67a	Ron Rise Sr.	03/30/2023	Articles 1-9	02/28/2023		Article 6	A NUMBER OF SECTIONS OF THE ORDINANCE SHOULD BE BASED UP TO THE ARTICLE LEVEL, PRESENTED ALPHABETICALLY, PRINCIPALLY Article 6: Generally Applicable Regulations: • Section 6.8 PARKING, LOADING & DRIVE-THROUGHS • Section 6.12 SIGNS • Section 6.13 LANDSCAPING, BUFFERING, AND OPEN SPACE REQUIREMENTS • Section 6.16 BUFFERING	N/A	Editorial	High	PRESENT THE SECTIONS IN ALPHABETICAL ORDER AFTER THE FIRST (I) SECTION AND THEN RENUMBER THEM AND PAGINATE THEM SO THEY EACH START ON A NEW PAGE: • Miscellaneous Regulations(?) - Sections 6.1 – 6.7 • Landscaping, Buffers, Screening, Fences & Open Space - Sections 6.13 – 6.21 • Outdoor Lighting - Section 6.23 • Parking & Loading - Sections 6.8 – 6.11 • Performance Standards - Section 6.26 • Signs -Section 6.12 • Steep Slopes - Section 6.24 NOTE: Sections 6.16.5.2 and 6.22 relating to screening of outdoor storage are somewhat redundant			
68	Nan Forbes	08/12/2023	Articles 4-9	02/21/2023	160	6.3 STRUCTURES BUILT ON MORE THAN ONE LOT	A single structure/building or group of structures/buildings constructed on a site consisting of more than one lot must conform with the required setbacks of each individual lot. In that instance where a proposed structure/building would be located on more than one lot, either a plat of vacation or boundary line adjustment plat shall be submitted for signature and recordation which locates the structure/building on a single lot in compliance with these zoning regulations prior to issuance of a zoning permit. Can this be expanded to resolve out "small lot" concerns?	N/A	Editorial	High	MARTHA TO RESEARCH.			

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69	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	162	6.8.1 Off-street Parking Requirements	3) Number of spaces. The determination of the number of off-street parking spaces provided for a specific use shall be provided by the owner, developer or operator of the specific use to the zoning administrator for approval. The burden shall be on the applicant to justify the number of spaces being requested and to show that the parking area and spaces meet the above standards set forth in section 6.8.1. See 6.8.5 - standards should include the size of parking spaces and distances between rows to avoid the parking problems seen in the Harris Teeter parking lot.	N/A	Substantial	Low	NAN TO CLARIFY. MARTHA TO RESEARCH.			
70	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	164	6.8.5 Off-street Parking and Drive Aisle Standards	2) Parking aisle and driveway widths MINIMUM AISLE WIDTHS ADJACENT TO PARKING ARE THESE GREATER IN SIZE THAN THE HARRIS TEETER SHOPPING CENTER? We cannot recreate those problems.	N/A	Substantial	Low	NAN TO CLARIFY. MARTHA TO RESEARCH.			
71	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	165	6.8.5 Off-street Parking and Drive Aisle Standards	4) Paving or all weather surface a) Paving. The ground surface of all parking areas shall consist of a durable, dust-free and hard material, such as asphalt, concrete, brick or some comparable material. Alternative surface materials such as porous pavement, grasscrete and other pervious materials and surfaces, excluding gravel surfaces may be approved by the zoning administrator for all or a portion of the parking lot. This subsection shall not apply to single-family residences, duplexes, or accessory dwelling units. What are the requirements for residential areas?	N/A	Editorial	Low				

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72	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	168	6.9 ON-SITE LOADING STANDARDS	3) Waiver When the use does not require that goods, merchandise, or equipment be routinely delivered or shipped to or from the subject use by an American Association of State Highway Transportation Officials (AASHTO) WB50 or SJ type vehicle, then a waiver of the loading space requirement may be granted by the zoning administrator. This may be applicable to tenants of space at time of application. Future tenants may have deliveries and loading space. How is that handled?	N/A	Editorial	Low				
73	Ed Neham	02/26/2023	Articles 4-9	02/21/2023	169	6.10 BICYCLE PARKING	This is a new section - not found in current Zoning Ordinance.	N/A	Editorial	Medium				
74	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	170	6.12 SIGNS	(1) Loudoun County has led the State in sign ordinances to protect the beauty of the State. Tourist dollars are invaluable to the local economy. We need the strongest possible ordinances to preserve our local heritage. (2) What can be done to deal with political signs - size, location length of time they are out? (3) What about real estate signs on State rights of way?	N/A	Editorial	High	THERE IS FEDERAL LAW - SAME RULE FOR POLITICAL AS FOR TEMPORARY SIGNS. MARTHA TO RESEARCH. SIGN ORDINANCE NEEDS TO BE CONSIDERED - LATER?			
75	Ed Neham	02/26/2023	Articles 4-9	02/21/2023	170	6.12 SIGNS	Pending: SECTION UNDER CONSIDERATION							
76	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	173	6.13.6 Crime Prevention Through Environmental Design (CPTED)	The landscape plan must demonstrate how CPTED principles will be used in the design and layout of buildings, streets, accessways, parking lots, landscaped areas, and open spaces. Design shall promote natural surveillance, natural access control, territorial reinforcement, and maintenance. When it promotes CPTED principles, shrubs must be selected for a mature height of no greater than three feet, or maintained at a height of three feet, except as required in section 4.5. Buffering of outdoor storage lots, loading areas, and the like, of this article, where they shall be selected for a mature height of no greater than six feet or maintained at a height of six feet. Why only six feet?	N/A	Editorial	Low				

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77	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	175	6.14.5 Tree Preservation and Protection Measures	2) Disturbance within the dripline. No excavation, embankment, or other subsurface disturbance shall be taken within a distance equal to a vertical (drip) line extending from the outermost edge of the tree's canopy to the ground. No impervious surface may be located within 12.5 feet of any tree to be retained, unless specific techniques are used to ensure survivability of the tree. Is this enough distance?	N/A	Editorial	Low				
78	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	177	6.15.3 Streetscaping Standards	Who is responsible for maintaining landscaping and trees? Town trees are being choked by invasive ivy. Do we need provisions for Town, HOA or homeowner maintenance of trees? If they are not maintained, they can be a safety hazard.	N/A	Editorial	High	THE TOWN IS RESPONSIBLE FOR TREES ON TOWN PROPERTY. IN DEVELOPMENTS, LARGE SCALE MAINTENANCE FALLS TO THE TOWN, TRIMMING TO HOMEOWNER. IT IS NOT A GENERAL ANSWER. NEEDS TO BE UPDATED - BY THE COMMISSION/STAFF.			
79	Ed Neham	03/10/2023	Articles 4-9	02/21/2023	178	6.16.2 Applicability	A number of references in this section point to 4.x which are actually in the current ordinances; they should be changed to 6.x.	N/A	Editorial	Medium				
80	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	178	6.16.3 Bufferyards and Screening	1) Definitions BUFFER AND SCREENING DEFINITIONS Should be a requirement to use native plants - no invasives; i.e., Bradford pear or tree of heaven, no invasive grasses.	N/A	Editorial	High	LINK TO VIRGINIA INVASIVE SPECIES LIST. BUT NO TO REQUIRING NATIVES.			
81	Ed Neham	03/10/2023	Articles 4-9	02/21/2023	178	6.16.3 Bufferyards and Screening	Alphabetize the row labels in the BUFFER AND SCREENING DEFINITIONS table.	N/A	Editorial	Low	Alphabetize the rows in all tables, according to their left-most labels, unless there is a reason not to.			
82	Ed Neham	02/26/2023	Articles 4-9	02/21/2023	179	6.16.4 Buffering Matrix	Depending on the resolution of the question on including PDH-15, should PDH-15 be removed from the "R-15 & PDH-15" row and column labels in the BUFFERING MATRIX table? Also, should the references to R-3 and R-3A be removed?	MULTI-FAMILY LAND USE CATEGORY (pg.52); GLOSSARY: Zoning District (pg.128)	Substantial	Low	REMOVE PDH-15 ROW AND COLUMN.			
83	Ed Neham	03/02/2023	Articles 4-9	02/21/2023	179	6.16.4 Buffering Matrix	The values in the BUFFERING MATRIX need to be validated.	N/A	Editorial	Medium				

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108	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	197	6.22.7 Lighting Standards	e) Control of nuisance and disabling glare: vii. Externally illuminated signs or ornamental structures shall be lighted by fixtures that are screened from view of all public rights-of-way and adjoining properties. Such lighting shall be automatically extinguished between the hours of 11:00 p.m. and dawn except as specifically approved by the zoning administrator for sign lighting on the premises of all night commercial operations. <i>Why not dusk?</i>	N/A	Editorial	Low				
109	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	198	6.22.8 Nonconforming Lighting	Any lighting fixture or lighting installation existing on the effective date of this ordinance that does not conform with the requirements of this ordinance, shall be considered as a lawful nonconformance... <i>The fixture may be grandfathered but the light bulb is not - it can be changed.</i>	N/A	Editorial	Medium				
110	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	201	6.24 CLUSTER SUBDIVISIONS	Do we want cluster subdivisions? They are intended to preserve open space. They are used by developers to increase the density on a site - to put "bad land" aside as "open" and pile more structures on "good land". Perhaps have the density of developable land determined and then do clustering from that - not include the nondevelopable land.	N/A	Substantial	High	REMOVE THIS - WE DO NOT WISH TO HAVE CLUSTER SUBDIVISIONS.			
111	Ed Neham	03/10/2023	Articles 4-9	02/21/2023	204, 205	6.25.8 Earthborne Vibration Standard	<i>What is "R":</i> 1) Methods of measurement: a) Measurements shall be made at or beyond the adjacent lot line, nearest R district boundary line, or nearest district boundary line as indicated below; and Group II vibration standards: c) Between the hours of 8:00 p.m. and 7:00 a.m., all of the permissible vibration levels indicated above in Table II for R districts shall be reduced to one-half the indicated values."	N/A	Editorial	Low	I believe it stands for Residential, if so, use that word rather than the letter "R".			

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112	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	204	6.25.7 Noise Standard	2) Maximum sound levels (dBA). I can hear ball games and loud speakers at Loudoun Valley H.S. In my home on West Main Street with my windows closed. Do these standards address this sort of problem?	N/A	Substantial	Low	MAINTAIN TO RESEARCH. THERE MAY BE ANOTHER PART IN THE TOWN CODE. IT SHOULD BE REFERENCED FROM HERE OR INCORPORATED. TOWN CODE SECTIONS 34.1 AND 34.2			
113	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	204	6.25.7 Noise Standard	3) Exemptions. a) Sound created by the operation of equipment related to public utility operations, street maintenance and emergency generators for public facilities, including, but not limited to, fire stations, rescue squad facilities, and local, state and federal government facilities, shall not be regulated by these noise standards. Where located adjacent to residential uses, reasonable attempts shall be made to attenuate the noise from such equipment and operations. Does this include schools or activities on Town property such as Fireman's Field? It can be obnoxious.	N/A	Substantial	Low	MORE LIKELY TO ADDRESS CONTINUOUS NOISE SOURCES. SEE ABOVE.			
114	Ed Neham	03/10/2023	Articles 4-9	02/21/2023	204	6.25.7 Noise Standard	Please change: "1) Methods of measurement. a) Noise levels shall be measured with a sound level meter and shall meet or exceed performance standards for a 5-type 3 <u>2</u> meter, as specified by the American National Standards Institute."	N/A	Editorial	Low	N/A. If we wanted to go further with noise standards, we could consider this from San Bernardino County: https://www.sbcounty.gov/uploads/LUS/Environmental/Dalquest%20for%20website/3.11%20Noise.pdf			
115	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	205	6.25.8 Earborne Vibration Standard	3) Group II vibration standards. Does this include large trucks on Main Street? Constant vibration from trucks has damaged homes in Hillsboro.	N/A	Substantial	Low	N/A.			
116	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	205	6.25.9 Glare Standard	4) Group I and Group II standards. What is the source of these standards? Are they mandatory? Can we make them stricter? Let's make Parcelville a model dark sky friendly place.	N/A	Editorial	Medium	MAINTAIN. DON'T NEED THESE ANYMORE. SEE 6.23 LIGHTING REQUIREMENTS. RECONCILE AND COMBINE. WE SHOULD INCLUDE INTERNATIONAL DARK SKY ASSOCIATION STANDARDS.			
117	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	209	7.3 NONCONFORMING STRUCTURES	A building nonconforming only as to height, yard areas, or bulk requirements may be altered or extended, provided such alteration or extension does not increase the degree of nonconformity in any respect. Does such alteration require approval of the zoning administrator or other entity? Does "extended" mean enlarged to increase the nonconformity?	N/A	Editorial	High				

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118	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	209	7.4 NONCONFORMING LOTS	1) Nonconforming lots a) If a residential lot... b) If a non-residential lot... Do these require BZA variance approval?	N/A	Substantial	Low	Do these require BZA variance approval? NO, THEY DO NOT. MARTHA WILL CHECK THIS AND MAKE SURE WE ARE IN CONFORMANCE WITH STATE CODE. WOULD HAVE TO GO TO ZONING ADMINISTRATION			
119	Ed Neham	02/26/2023	Articles 4-9	02/21/2023	210	7.6 MAINTENANCE AND REPAIR	This is a new section - not found in current Zoning Ordinance.	N/A	Editorial	Medium				
120	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	213-247	Article 8: Administration and Procedures	Wherever the term "board" appears in this Article, it should be made explicit whether the BZA or the BAR is being referred to.	N/A	Editorial	High				
121	Ed Neham	03/10/2023	Articles 4-9	02/21/2023	214	8.1 BOARD OF ZONING APPEALS 8.1.4 Powers 8.1.5 Conditions Attached to Approvals 8.2 SPECIAL EXCEPTIONS	During its review of Article 2, the Planning Commission stated that it wanted to look more closely at the SE and SUP processes and determine what roles, if any, the Board of Zoning Appeals and the Board of Architectural Review would play. 8.1.4 Powers. The board of zoning appeals shall have the following powers and duties: 2) To hear and decide on applications for special exceptions upon which the board is specifically authorized... 8.1.5 Conditions Attached to Approvals. The board may impose such conditions relating to the use for which a special exception... 8.2 SPECIAL EXCEPTIONS. "...in considering an application for a special exception, the board shall..." "The board shall also..." "the board shall grant the..." "In those instances where the board finds..."	N/A	Substantial	High	REMOVE REFERENCE TO SPECIAL EXCEPTION BY BZA BUT MAKE IT SUP. SEE P.231 - BZA SPECIAL EXCEPTION AUTHORITY NEEDS TO BE EDITED AS WELL. WE NEED TO CONSIDER ELIMINATING THE COLUMN FOR SPECIAL EXCEPTION BY BZA. DELETE THIS BZA AUTHORITY.			
122	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	216	8.3 VARIANCES	"Notwithstanding the above, the zoning administrator may grant an administrative variance to any yard requirement (minimum setback requirements) of up to one foot or ten percent of the minimum requirement whichever is greater upon a finding that the above criteria for a variance are met." A finding by the zoning administrator? Why is this paragraph a good thing?	N/A	Substantial	Low	MARTHA WILL CHECK THIS ONE. REMOVE UNLESS REQUIRED BY STATE CODE.			
123	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	216	8.3 VARIANCES	Verify that this language tracks the criteria set forth in Virginia Code.	N/A	Editorial	High				

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124	Ed Neham	03/10/2023	Articles 4-9	02/21/2023	216	8.5 SPECIAL USE PERMITS	During its review of Article 2, the Planning Commission stated that it wanted to look more closely at the SE and SUP processes and determine what roles, if any, the Board of Zoning Appeals and the Board of Architectural Review would play. Section 8.5.5 Planning Commission Review and Recommendation. "Before making a recommendation on a special use permit application, the planning commission may recommend reasonable additional conditions, including, but not limited to, those which may be imposed by the board of zoning appeals under Article 9..."	N/A	Substantial	High	SEE ITEM 121.			
125	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	217	8.5.4 Procedures for Approval of Special Use Permits Which Require Approval by the Town Council	The body of the ordinance should state the SUP need Town Council approval, not just in the header.	N/A	Editorial	High				
126	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	220	8.5.5 Planning Commission Review and Recommendation	"Before making a recommendation on a special use permit application, the planning commission may recommend reasonable additional conditions, including, but not limited to, those which may be imposed by the board of zoning appeals under Article 9: Board of Zoning Appeals, and ..." Insert these here - do not require referral to another part of the ordinance.	N/A	Editorial	High				
127	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	221	8.5.8 Modifications to Approved Special Use Permits	5) The addition of accessory uses, accessory structures or minor building additions as permitted below. Are these minor changes?	N/A	Editorial	Medium				
128	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	223	8.6.2 Procedures	Insert "planning" in front of "commission" wherever it occurs in this section.	N/A	Editorial	Low				
129	Ed Neham	03/10/2023	Articles 4-9	02/21/2023	223	8.8 LAPSE OF SPECIAL EXCEPTION OR VARIANCE	If the BZA is retained in this role, make this change. "After the board of zoning appeals has approved a special exception..."	N/A	Editorial	Low				
130	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	225	8.10.1 Initiation of Change	The town council may, from time to time, amend, supplement, or change, by ordinance, the boundaries of the districts or the regulations herein established. Zoning districts.	N/A	Editorial	Low				

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131	Ed Neham	03/05/2023	Articles 4-9	02/21/2023	232, 235, 238	8.12 PLANS	Sections 8.12.5, 8.12.7 and 8.12.8 need the word "section" prepended to their labels for consistency.	N/A	Editorial	Low				
132	Ed Neham	03/10/2023	Articles 4-9	02/21/2023	235	8.12.7 Submission Requirements for PDH District	Are we going to retain PDH land use/districts?	Glossary (pg.128)	Substantial	Low	PENDING DECISION OF KEEPING PDH.			
133	Ed Neham	02/26/2023	Articles 4-9	02/21/2023	241	8.14 ENFORCEMENT AND PENALTIES	This is a new section - not found in current Zoning Ordinance.	N/A	Editorial	Medium				
134	Ed Neham	02/26/2023	Articles 4-9	02/21/2023	249	9.1 DEFINITIONS	Staff and ZoneCo should review these.	N/A	Editorial	Low				
135	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	251	Article 9: Glossary of Terms	Child care, residential. A program conducted within a residential dwelling which offers care, protection, supervision, and/or education to less than 13 children under the age of 13, during any 24-hour period, and then only for part of any 24-hour day, for compensation or otherwise. Seems like a lot.	N/A	Editorial	Low				
136	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	253	Article 9: Glossary of Terms	Dwelling accessory. A subordinate dwelling unit in a main building or accessory building as approved by the board of zoning appeals under Article 9: Board of Zoning Appeals. This includes servants or caretakers quarters and guest houses. Does it contemplate full-time residential use by any third party?	N/A	Editorial	High				
137	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	254	Article 9: Glossary of Terms	Family. We need to discuss therapeutic treatment centers vs. residential	N/A	Editorial	High				
138	Nan Forbes	03/12/2023	Articles 4-9	02/21/2023	257	Article 9: Glossary of Terms	Modular home. A movable or portable dwelling over 32 feet in length and over 20 feet wide, designed and constructed without a carriage or hitch, as a stationary house constructed for placement upon a permanent foundation, to be connected to utilities, for year-round occupancy. It can consist of one or more components that can be retracted when transported and subsequently expanded for additional capacity, or of two or more units separately transportable but designed to be joined and joined into one integral unit. Does this include a metal storage box/container converted into a residence?	N/A	Editorial	Low				