

LANSDOWNNE

Residents oppose Route 7 transmission line proposal

BY JESS KIRBY

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In a heated meeting between Dominion Energy representatives and Lansdowne residents about proposed overhead transmission lines along Route 7, residents voiced concerns about how the lines will impact their property values, monthly energy bills and the aesthetics of the area. Many urged Dominion to “bury the lines” or ask data centers to foot the bill.

The meeting, held Sept. 27 in the clubhouse auditorium at Lansdowne Woods of Virginia, was set to begin at 3 p.m., but representatives from Dominion refused to conduct the meeting with a Times-Mirror reporter present. The group of Lansdowne residents invited the Times-Mirror to the meeting and allowed a reporter through the front gate of the community.

Kathleen Leonard, an external affairs representative for Dominion, told the Times-Mirror at the meeting that she was unaware a reporter would be present and that it was “corporate policy” to have their media relations representative there. Rob Richardson, Dominion’s electric transmission communications consultant, gave a presentation and fielded questions at the meeting.

At the request of the Lansdowne residents, the reporter left so that the Dominion representatives would agree to proceed with the meeting.

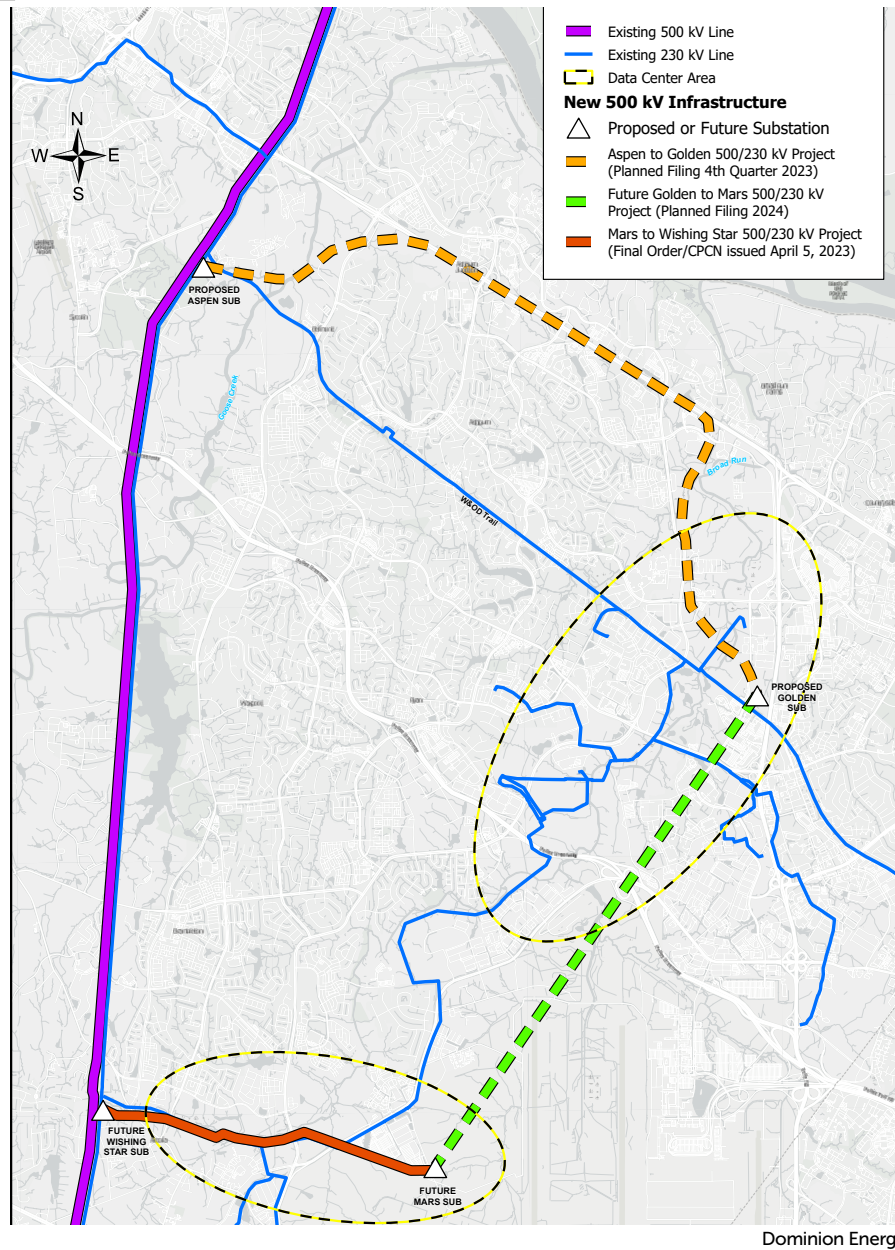
Jason Williams, Dominion’s vice president of corporate communications, reached out to the Times-Mirror Oct. 5 and apologized for how the Dominion representatives handled the incident.

“Although the majority of our meetings are public we sometimes are asked to attend private neighborhood meetings,” he said in an email to the Times-Mirror. “The material we cover is usually the same, but it creates a more private venue for those in the community to voice questions. Many times they may have questions specific to their home, business, or neighborhood. In those meetings we respect the request of our customers for privacy. In this case it seems members of the HOA had invited [Times-Mirror Reporter Jess] Kirby to attend, but our project team at the meeting was not aware.”

Williams continued, “I want to be clear my expectation and the policy we have in place is if a representative of the media attends a private neighborhood meeting we were invited to, it is up to the organizer to determine if they wish to invite the media, not us. If the entity that requested the private meeting wants the media to be present we will move forward with the meeting. Nothing changes on our end, the meeting is only private at the request of the organizer. I realize this is not how this meeting was handled, but it is the outlier to our expectations.”

Lansdowne residents provided a recording of the meeting to the Times-Mirror.

With an estimated cost of \$218 million, the proposed nine- to 10-mile-long



Dominion Energy

A map outlines “reliability projects” to expand electric transmission infrastructure in Loudoun County.

overhead transmission lines would connect Dominion’s Aspen and Golden substations using 500 and 230 kilovolt transmission lines and towers of an average height of 135 feet, according to Dominion’s presentation. Richardson said Dominion plans to submit the application to the State Corporation Commission for approval in November, and they expect the SCC to rule on the application by the end of 2024.

The proposed transmission lines are part of several “reliability projects” intended to build more capacity into the electric grid to meet the demand of data centers in eastern Loudoun County, according to previous statements from Dominion. In April, the SCC approved a new three-mile-long transmission line west of Dulles International Airport between Arcola and Brambleton.

Dominion Energy revealed last year that it had failed to upgrade its electric transmission infrastructure quickly enough to keep up with future demand for power data centers in eastern Loudoun County, the Times-Mirror previously reported.

Richardson said the Route 7 transmission line project is in response to an “energy constraint issue” Dominion currently faces, largely because of the rapid increase in data centers in Loudoun County and a

lack of infrastructure to provide power to them. In 2000, there were six substations in the entire county, today there are 65 just in Ashburn, and by the end of 2027, there will be 70, he said.

Richardson added that, from 2020 to 2027, Northern Virginia’s data center loads will have increased from 2,518 to 7,920 megawatts — an increase of 214%.

To meet its energy needs, Richardson said, Dominion needs to complete the Route 7 project by the end of 2027.

Some residents questioned how Dominion ended up in this situation.

“Why did you not consult or anticipate this method of delivery of so much power when all these [data centers] went up?” Carmen Ross asked. “... I think that because you’ve all been remiss — not just you, everybody was remiss — let everybody pay for it, not us.”

Richardson responded by saying that the planning process for data centers is “a long process that I don’t fully understand.” He later said that “trying to pin [all the data centers] down to get a forecast of what the load is going to be, so you know you need a new transmission line and a new substation, is not exact science.”

“You’re right to point the finger,” Richardson continued. “I wouldn’t necessarily point it at us, but we are here to do everything we can to try and solve it.”

Several residents said that they didn’t want to have to look at the power lines across from their homes and asked about alternative locations where the transmission lines could be placed.

Richardson said Dominion had considered other locations. However, he said, building the lines along the Washington and Old Dominion Trail would require more than 70 homes to be condemned, and building them along the Dulles Greenway would require over 30 homes to be condemned.

“We weren’t willing to tell 30 people that we are going to work to condemn your homes because we need a new power line,” he said.

Richardson said the Route 7 corridor is the best option because, although there is planned commercial development there, no homes would be in the transmission line’s right-of-way. “We value existing homes, existing property, existing development, over proposed,” he said.

Several residents also urged Dominion to consider burying all or part of the transmission lines. Richardson said, however, that underground transmission lines of such size have “never been done before,” would have “significant environmental impacts” and would increase the estimated cost from \$218 million to \$1.03 billion. Underground transmission lines would also take four to six years to build, compared to 18 months for overhead lines.

Another resident urged Dominion to bring the cost of building the transmission lines underground to the Loudoun County Board of Supervisors.

“The Board of Supervisors will work with a committee, will work with Dominion, will work with the State Corporation Commission, and that money will be found, and the lines will be buried,” he said.

Residents also asked how the transmission lines would impact property values.

“The perception that power lines are going to impact your property values is not a reality,” Richardson said. According to “real estate experts” that Dominion consulted, Richardson said, homeowners “may experience [a] 4, 5, 6% impact.”

Maryann Mueller, a Lansdowne Woods resident and Lansdowne Conservancy Task Force representative, disagreed. “Relative to the houses that don’t have those lines, you can’t tell me that there’s not a change in price. There is,” she said.

Lansdowne residents have voiced their opposition to the transmission lines at several recent Board of Supervisors meetings. A petition opposing the transmission lines currently has 2,044 signatures.

As both parties were growing visibly frustrated, Richardson said, “Our job isn’t to make you love what we do. I think our job, I hope, is to help you understand the circumstances surrounding all the things we’re doing. ... Admittedly, we made some tough choices here when we looked at the different constraints, but Route 7 is where we ended up.”

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Rivana developers outline plans for ‘sylvan serenity’

BY JESS KIRBY

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With phrases like “sylvan serenity” and “urban sophistication,” developers of Rivana at Innovation Station unveiled plans for the ambitious 103-acre development that will straddle the Loudoun-Fairfax line near the Innovation Center Metrorail Station.

Speakers at the Nov. 13 “Unveiling Rivana” meeting, hosted by the Dulles Regional Chamber of Commerce and sponsored by Loudoun Economic Development, shared their timeline and vision for the 79 acres on the Loudoun side of the development. The project, located at the northeast corner of the Route 28-Dulles Toll Road interchange, was unanimously approved by the Loudoun County Board of Supervisors in May.

Construction of the Loudoun side will happen in four phases over 10 years, according to Colin Chiarodo, senior development manager at Timberline Real Estate Partners, the developer in charge of the project. They plan on breaking ground as early as the first quarter of 2024, with first occupancies in 2027 and construction finishing in 2033.

In its entirety, Rivana will feature nine million square feet of development — a mix of residential, retail, hotel and office spaces within a walkable city center built from scratch on a now-empty lot. Interspersed will be more than 16 acres of outdoor recreation space, including a stream that Timberline is working with Loudoun County to restore. The developers shared a new marketing video showcasing the planned development.

“It really is intended to be sort of a new urban center that has its roots in Loudoun’s rural and suburban past,” said Andrew Marshall, managing director at Timberline.

Chiarodo said they’re aiming to curate a “purposeful mix of retail, food and beverage and entertainment that will anchor this whole development.” Rather than hosting big box stores, he said, Rivana



Timberline Real Estate Partners

A rendering shows what the Rivana and Innovation Station development could look like when completed.

will be a place for locals to start or expand small businesses and try out new ideas.

“This is not big box retail. It’s not a Target. We’re really hopeful to tap into local entrepreneurs, food and beverage,” Chiarodo said.

Rivana’s retail village would be “akin to western towns in Loudoun County,” Chiarodo said, perhaps “something that you might find maybe in a small European town as opposed to downtown D.C.”

The first phase of construction will include roughly 2.4 million square feet of development, including a “200-key boutique hotel,” 165,000 square feet of retail space, 100,000 square feet of office space and 1,600 multifamily residential units. Phase one is expected to finish in 2029.

Buddy Rizer, executive director of Loudoun Economic Development, called Rivana the “project of a lifetime,” one that “reacts to the market condition, but it also helps lead the market.”

However, Rizer noted that work on Rivana is beginning during a difficult time for the economy.

“The market conditions have not been our friend over the last couple of years,” he said. “... There’s a chance that the commercial real estate market, especially when it comes to office and urban cores and off

transit, is going to get worse before it gets better.”

Marshall and Chiarodo both have experience building developments during an economic downturn, they said. And right now, “the market is basically still in favor of multifamily [housing] development, which is a good chunk of our first phase,” Marshall said.

“It’s definitely one of those markets that you have to step wisely and go with what you know you can execute,” he said, adding that they’ve been talking to “a bunch of institutional investors as well as lenders” about Rivana. “The reception for the project as a whole has been amazing, but it’s just big, and so we have to break it down. Like anything else, you eat the elephant one bite at a time.”

“We’re going to embark on what we can do right now, which is the multifamily, and the hotel and retail are synergistic,” Marshall said. “And then with a hotel and retail, then the office becomes more synergistic.”

Speakers also highlighted the partnership with Loudoun County as a source of Rivana’s success.

Because the land is currently undeveloped, Marshall said that building Rivana would not be possible without the part-

nership with Loudoun County and the tax increment financing bonds issued by the community development authority created by the Board of Supervisors. The authority can issue bonds to fund public infrastructure like roads and utilities on the property and repays those bonds with revenue generated by the development.

“For the first time in Loudoun’s history, we’re doing a tax increment financing,” Rizer said.

In this public-private partnership with the county, Rivana will provide over \$200 million in public improvements and infrastructure, according to Marshall and Chiarodo’s presentation.

“All those improvements will be owned by the county, so ... the benefit of the bargain goes to the county as well,” Marshall said.

Chiarodo noted that the COVID-19 pandemic had a substantial impact on the type of development planned within Rivana, as they’ve since decreased the amount of planned office space. While older versions of the Rivana development — previously called Dulles World Center — were “not forward-looking,” he said, with this plan, “we’re looking 20 years out.”

“Long term, we have a very good prospect given the economic constraints for us are the same everywhere else,” Chiarodo said, “and we’re in a superior position not only, I believe, from a location but also from a planning perspective.”

Rizer noted that Rivana is located in a corridor of many planned developments, including Waterside, a separate mixed-use development north of the Rivana site that was approved by the Board of Supervisors in 2015. “But Rivana is the place where we really put the flag in the ground and we said, ‘We’re going to start right here,’” he said.

“This was a big swing by our board, this was a big swing by you guys. Sometimes big swings pay off,” Rizer said. “Rivana is real. Rivana is coming. Rivana is going to happen. So let’s make it happen together.”

Loudoun considers commuter bus routes from surrounding counties

BY JESS KIRBY

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Loudoun County will conduct a feasibility study on a long-distance commuter bus service into Loudoun from neighboring counties in West Virginia, Maryland and Virginia. The Board of Supervisors approved the study at a business meeting Nov. 9.

The study will examine the feasibility of providing a bus into Loudoun County from Jefferson and Berkeley counties in West Virginia, Frederick and Montgomery counties in Maryland and Frederick, Clarke, Warren, Fauquier, Prince William and Stafford counties in Virginia.

Loudoun County Transit currently

operates 10 commuter bus routes from Loudoun to Washington, D.C., and Arlington.

With an estimated cost of \$106,621, the study is expected to be complete in September 2024. The funds will come from the Department of General Services fiscal 2024 operating budget.

The study will look into existing transportation options in the surrounding counties and survey Loudoun County businesses, according to a staff presentation. The survey will determine where commuters live, where they work in Loudoun County and whether they would be interested in a commuter bus.

According to 2019 data, out of 3,795 Loudoun County government employees,

140 live in Prince William, 61 live in Fauquier and eight live in Stafford, a staff report said. About 14%, or 529, of Loudoun County employees commute from West Virginia.

The staff presentation also said that the Eastern Panhandle Transit Authority in West Virginia is interested in partnering with Loudoun on a commuter bus service connecting to Martinsburg and Ranson.

Supervisor Matt Letourneau, R-Dulles, first proposed the study at a business meeting on May 17, 2022. The board voted 8-0-1 — Supervisor Juli Briskman, D-Algonkian, abstained — to direct staff to develop a plan for the feasibility study.

The report from Letourneau’s office

said that a “significant number” of employees who work in Loudoun County businesses and local government commute from areas west and north of Loudoun due to the county’s high cost of living.

“Loudoun based businesses have expressed difficulties in recruiting and retaining employees as the cost of living within Loudoun and other Northern Virginia jurisdictions continues to increase significantly,” the report said.

At the time, ridership on Loudoun’s commuter bus service had only returned to 9% of pre-pandemic levels, according to the report, and with Metrorail Silver Line Phase 2 opening, the existing commuter bus fleet would likely have excess capacity.

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Developers, activists weigh in on zoning ordinance rewrite

BY JESS KIRBY

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At a public hearing Dec. 13, the Board of Supervisors is scheduled to take its final vote on whether to approve the new Loudoun County Zoning Ordinance. Last overhauled in 2003, the zoning ordinance is one of the county's most consequential pieces of legislation and has been years in the making.

The 671-page draft outlines in great detail what property owners can and can't do with their land. For example, it specifies what uses of land and buildings are permitted where, what design standards are required, and what natural and environmental resources should be considered.

The Times-Mirror spoke with several representatives from the business community and land use activist groups to discuss key aspects of the draft ahead of the public hearing.

Michael Capretti, a housing developer and at-large member of the Zoning Ordinance Committee, Rey Cheatham Banks, head of public policy and government affairs at the data center company Equinix, and Matthew Lawrence, who represents the Northern Virginia Building Industry Association on the Zoning Ordinance Committee, declined to comment.

Modifiability

Throughout the ZOR process, which began in 2019 after county supervisors approved a new comprehensive plan, county staffers and business industry stakeholders have repeatedly clashed on the issue of "modifiability." Business industry representatives have argued that the draft is too prescriptive and doesn't provide the board with enough options to modify specific provisions of the ordinance on an application-by-application basis.

At the heart of the conflict was disagreement about how the ordinance should be structured. While staff structured the draft to specify what is modifiable, business industry stakeholders argued that the ZOR should start with everything being modifiable and then specify what isn't. County staffers said at an Oct. 4 discussion on modifiability that restructuring the ZOR that way would require a massive overhaul of the draft's language, which would be very difficult to complete within the board's timeline for the ZOR.

Up until the ZOR passed the Planning Commission over the summer and reached the Board of Supervisors, industry organizations had submitted "hundreds of comments" on the ZOR, according to Bill Junda, the president of Gordon who represents the National Association for Industrial and Office Parks on the Zoning Ordinance Committee. "Those comments were largely not being considered or responded to or implemented at all," he said.

But he said that changed over the past few months, when Chair Phyllis Randall, D-At Large, and Supervisor Mike Turner, D-Ashburn, brought staff, supervisors and stakeholders together for discussions.



Courtesy photo

Kim Hart, of Good Works

"Honestly, the ordinance is still way too prescriptive," Junda said. "But we worked through several work sessions with staff and the board and kind of found some middle ground on opening up some additional modifiability or flexibility in the ordinance that at least makes it palatable now."

"Staff, to their credit, really worked with us and added in a lot more flexibility to modify those things," he added.

Junda also said that stakeholders and staff were also able to compromise on the issue of legal nonconformities.

"When a zoning ordinance gets adopted, a property that was developed under a prior ordinance may have been designed and constructed on different standards," he said. "Maybe that's different setbacks, maybe it's different landscaping requirements or parking requirements. So, when a new ordinance gets adopted with different parameters, technically you become legally non-conforming if you don't meet all the new ordinance requirements."

What was especially concerning, Junda said, was the draft's casualty reconstruction language, which governs what a property owner can rebuild after a casualty, such as a natural disaster or fire, if the property is nonconforming.

The draft initially "narrowed the scope to the point where even arson wasn't included," Junda said. "And so a property could be burned to the ground and not be able to be rebuilt if it was legally nonconforming." But after working with staff and County Attorney Leo Rogers, Junda said they were able to change the language. It's now "very similar" to the current ordinance and is "acceptable to the development industry," he said.

Related to the modifiability discussion is the Planned Unit Development zoning district, a new, unmapped district that can be used anywhere except the Rural Policy Area.

"The PUD district allows for an innovative, fully customizable proposal provided it implements the place type where the property is located," according to the county's website. It's designed to allow developers to create proposals from scratch and has sometimes been referred to as a "get-out-of-jail-free card."



Times-Mirror/Coy Ferrell

Gem Bingol, a senior land use field representative with the Piedmont Environmental Council.

Kim Hart, an affordable housing developer and general partner of Good Works, said the PUD is an important option. But early on, he said, it was cited as "the solution to everything."

"If we'd gone forward with the ordinance as it existed in September, we would have had all PUDs and very little of anything else," he said. "And it would have been a free-for-all because, how do you apply standards if a PUD is basically designed from scratch, right?"

Now that the draft is "much more workable," Hart said, "I don't think it'll be used as much because we've got a better ordinance."

Junda said that there's uncertainty about how the PUD will work.

"I think that the PUD sounds interesting in theory, that you kind of get to make up your own rules, which that sounds great," he said. "But I think in reality, we all know that both the industry side and the staff side are both going to try and compare that PUD request to the closest possible zoning district anyway. And then, how are you going to get evaluated when you go through your staff reviews and your Planning Commission review and your board review? I just think that it's going to be so open ended that we're going to end up in this never-ending period of trying to prove that a project in the PUD is viable and it's consistent with the Comprehensive Plan."

Grandfathering

The ZOR also includes a "grandfathering" clause that would allow any pending development applications to be evaluated under the current Revised 1993 Zoning Ordinance, which was passed in 2003.

The provision would apply to all applications "that have been officially accepted for review in accordance with applicable county ordinances and policies" before the new ordinance is adopted, the county's website says, as long as the applicant is "diligently pursu[ing] approval" and doesn't make certain modifications to the application.

According to a staff report for the Dec. 13 public hearing, "upon approval, grand-

fathered applications will be treated for purposes of the New Zoning Ordinance as if they had been approved prior to the effective date of the new ordinance."

Gem Bingol, a senior land use field representative with the Piedmont Environmental Council, said that the grandfathering resolution means that grandfathered applications will not have to comply with the natural resource protections in the ZOR.

"It's extending the number of applications that are treated under the old rules, not the new rules," she said.

But Tony Howard, president and CEO of the Loudoun Chamber of Commerce, said that the board made the right decision on grandfathering. He said it wouldn't be fair for the county to require ongoing applications to suddenly comply with "a whole new set of rules. That small business or big business or farmer would see a lot of money and time go down the drain."

The grandfathering resolution, he said, puts a "logical milestone in place" for when applications have to start complying with the new ordinance.

Data centers

The draft ordinance would also change where data centers are permitted by right. Under the current ordinance, data centers are considered a by-right use in the Planned Development-Office Park and Planned Development-Research and Development Park zoning districts.

Now, though the ZOR adds data centers as a by-right use in the Mineral Resources-Heavy Industry zoning district, it also requires a special exception application for data centers in Office Park and PD-RDP zoning districts. Special exception applications require board approval, and this move reflects the goal of some supervisors to get more control over where data centers can be located.

"This act alone should decrease the number of data centers near residential neighborhoods," Chair Phyllis Randall, D-At Large, told the Times-Mirror in an email. "... I will be very, very unlikely to support a data center in an office park because office parks are normally close to residential neighborhoods."

Howard and Josh Levi, president of the Data Center Coalition, co-wrote a letter to the Board of Supervisors Oct. 30 expressing concern about the Office Park special exception requirement.

If adopted with the ZOR, the provision "will render a significant number of existing data centers legally non-conforming uses," the letter said. "As such, these facilities will be unable to expand up to what today stands as their maximum allowable [floor area ratio] without a Special Exception. This extra layer of legislative approval not only adds time but a level of uncertainty to the process, making it more difficult to add square footage to these facilities when the need arises."

The letter adds that there are "very few OP-zoned parcels adjacent to residential uses, and those that are would be more

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than covered by the proposed regulations as amended to date.”

The board has made it clear that they do not want data centers near residential areas, the letter said. “As such, we would hope that would be balanced by encouraging them in locations as identified by the General Plan (which still highlights data centers as a targeted industry in Chapter 5-Economic Development), and this motion appears to have the opposite effect. Given that a sizeable amount of OP-zoned land is already developed with or approved for data center uses, there seems little need for this additional later of review and approval to protect the data centers located in office parks from themselves.”

The letter also said the motion was approved on Oct. 23 “with no public notice (beyond the publication of the supplemental motion packet just days prior to the meeting) and without significant discussion with industry.” It asks supervisors to discuss the motion with the data center industry.

Levi declined an interview but sent a written statement to the Times-Mirror.

“We understand and appreciate the stated desire of the Board to mitigate the impact of data center development on adjacent residential uses and align the Zoning Ordinance with the 2019 General Plan,” the statement said. “Over the course of the Board’s deliberations the past several months, industry provided a number of recommendations and alternatives seeking to advance design standards and setbacks from residential uses that would provide much needed flexibility while adequately mitigating the effects of data center development.”

Affordable housing

The draft ordinance includes an entire chapter on affordable housing, which has been one of the board’s goals, culminating in 2021 with the adoption of the Unmet Housing Needs Strategic Plan.

The draft increases the number of affordable units required for new developments while providing more flexibility and incentives for building affordable housing. Depending on the type of units, the ZOR would require developers to set aside 10 or 15% of units as below-market.

Hart said that the Unmet Housing Needs Strategic Plan “set a very high goal for the number of units to be built. It’s going to be hard to get there.” To reach that goal, he said, the ordinance needs to provide more incentives for creating affordable housing.

“A zoning ordinance, if you want to get there, should have both carrots and sticks,” Hart said. “At the moment, the ordinance has some big sticks, you know, you have to provide a certain percentage of affordable units. Well, that’ll produce some units, but I don’t think it’s going to produce enough to get to the goals of the strategic plan. There needs to be more carrots.”

He suggested that applicants should get expedited review of their applications if they provide more affordable housing than is required. It currently takes 18 to 24



Times-Mirror/Coy Ferrell

Loy Estates, a 12-lot residential subdivision built in the mid-2010s, is seen near Lucketts.

months to get through the rezoning process, he said.

“That’s a lot of time and a lot of money for developers,” Hart said. “If you would give them a faster path through that process, like you get for the data centers, in exchange for affordable housing, I think that would be a big carrot.”

Environmental protections

The ZOR includes a chapter on natural environmental resources that will enact some stronger protections than in the current ordinance, environmental activists say.

“No active recreation — in other words, ball fields — are now permitted in the major floodplain,” which is an important protection, Bingol said. “In addition to that, there’s better protection for steep slopes and ridges and more buffers around water resources, so springs and wetlands, in the Mountain Overlay District, which is important because those are recharging areas for groundwater.”

The draft ordinance also offers better protections for historical resources, Bingol said.

“There is an incentive that gives [developers] extra credit — in other words, a weighted credit — for preserving things that we want to preserve. So historic resources, mature forests — if there’s a sensitive habitat, those things will all get higher weighting,” she said.

Tia Earman, the president of the Loudoun County Farm Bureau who also works as a senior land use field representative for the Piedmont Environmental Council, said that the ZOR includes important protections for the Mountainside Overlay District and for floodplains.

“The economy of western Loudoun is largely dependent on the rural backdrop and on the setting out here, the viewshed, which obviously those ridge tops are so

important for,” she said. “... For the floodplain countywide, a lot of good work was accomplished on that as well, just limiting the amount that we are encroaching upon the floodplain and impacting it.”

But what’s not yet complete is the Prime Agricultural Soil and Cluster Subdivision zoning ordinance amendment. Maura Walsh-Copeland, who represents the Loudoun County Preservation and Conservation Organization on the Zoning Ordinance Committee, said that the amendment has been in the works for four years and was supposed to be passed alongside the ZOR.

Earman estimated that about 11,000 additional houses will be built in western Loudoun in cluster subdivisions over the next decade. The amendment seeks to rework the process so that protecting prime agricultural soils is prioritized when building cluster subdivisions.

“The current cluster subdivision has a different pecking order of who gets to use the land first,” Walsh-Copeland said. “And first is that houses can go wherever they want. That’s in the current. In the revised, the priority is first you designate where the agricultural soils are, and then you figure out where the houses go. So the danger is, not having it in the proper sequences we will still end up with possibly more applications that continue to permit houses first, farming second.”

The amendment is expected to be complete in spring of 2024, according to the Department of Planning and Zoning work plan. The Planning Commission will be reviewing it at a Dec. 14 meeting.

Additionally, Walsh-Copeland and Bingol said that the draft ordinance does not place enough restrictions on some uses of land in western Loudoun or on data centers.

“Those two projects started 10 years ago — data centers and a bunch of rural uses 10 years ago — by zoning ordinance

amendments that made them by right, with no real consideration or protections when they were in proximity to residential,” Walsh-Copeland said. “And I think that that’s what ZOR has now identified is that 10 years later and all the public input, it’s time to put some of those common-sense setbacks, landscaping, road access, all that stuff, in for the protection of citizens.”

Looking ahead

Looking ahead to future zoning ordinance amendments, Walsh-Copeland urged staff and the Planning Commission not to start from scratch. Her consulting firm, Walsh-Copeland Consulting, has compiled a summary of requests and priorities that were not addressed in the ZOR.

“They should not dump. They should not start from scratch, because that would be completely unnecessary staff, time and cost. They have thousands of comments already documented online,” she said.

Overall, Junda said the ZOR is “less business-friendly” than the current zoning ordinance, which is likely to have negative consequences for the development industry.

“There were certain things that were done with the ZOR to reorganize it so you don’t have to look at multiple places to find an answer, but they also layered in just way more regulation and way more criteria to follow,” Junda said. “So it is most certainly going to be harder to implement, more costly for developers to adhere to all the new rules.”

“Development industry wants a reliable and consistent outcome,” he continued. “They want to know, like, ‘What are the expectations and what is it going to take me to get to the finish line?’ And when you start introducing all these new risks, that really dampens economic development.”