

**BOARD OF SUPERVISORS  
TRANSPORTATION AND LAND USE COMMITTEE**

**Committee Members:**

Kelly Burk, Chair  
Sally Kurtz  
Andrea McGimsey  
Scott York

**January 26, 2008  
6:30 p.m.  
Lovettsville Room**

**AGENDA SUMMARY**

**Call to Order**

**Items to be considered:**

*\*Proposed for Consent*

- 1. 2009 Committee Schedule Adjustments (Action) Linda Huxta**  
This item proposes alternate Committee meeting dates on May 25, which conflicts with the Memorial Day holiday, and possible conflicts on November 23 and December 28 due to holiday vacation schedules.
- 2. Request for Permanent Pump and Haul/Washington Emmanuel Church (Action) Doug Hubbard**  
Washington Immanuel Presbyterian Church is proposing to use the existing building on its recently purchased property at 23219 Evergreen Mills Rd. to accommodate the church. The existing building was constructed as an agricultural processing facility for American Produce Inc. and must be retrofitted to serve a 200-250 seat assembly area. The applicant has submitted a request for permanent pump and haul services on the property. The applicant has also submitted a special exception application that would allow the Church in A-3 zoning; however, Planning Department staff has not received a response to comments on the first referral submission that were completed by the end of the first quarter 2008. Staff recommends denial of the applicant's request because the proposal does not meet the Health Department's policy for pump and haul, the Comprehensive Plan Policy regarding permanent pump and haul in the Rural Policy Area, or the exceptions to Chapter 1067 of the Codified Ordinances of Loudoun County.
- 3. ZMAP 2006-0018/South Riding Market Square II (Action) Marchant Schneider**  
At the Board of Supervisors public hearing on April 7, 2008, the Board forwarded this application to the Transportation and Land Use Committee for further review. The applicant requested that the application be deferred until the Committee's October 27, 2008 meeting. At the October 27 meeting, Committee members discussed opportunities for office development with the applicant as part of the project's Main Street design. Discussion was continued to the November 24 Committee meeting. At the conclusion of the meeting on November 24, the Committee requested that review of the application continue at the December 15 Committee meeting to discuss specifically the applicant's commitment to office use and regional road contribution toward the Route 50/606 interchange. Prior to the December 15, 2008 meeting, the applicant requested that the item be deferred until the Committee's January 26, 2009 meeting. Staff does not support the zoning modification to allow an interim right-in access from Route 50 as it is inconsistent with the Revised

Countywide Transportation Plan and policies of the Arcola/Route 50 Comprehensive Plan Amendment but recommends approval of the requested PD-CC-SC zoning district. An issues summary is contained in staff's January 20, 2009 memo for discussion at the January 26 Committee meeting. The applicant's responses to these issues are also included in the staff memo.

**4. ZOAM 2007-0004/Intent to Amend Farm Markets in Various Zoning Districts (Action)**

Michelle Lohr

On July 9, 2007, the Planning Commission adopted a resolution giving notice of its intent to amend the Revised 1993 Loudoun County Zoning Ordinance ("the Ordinance") to add Farm Markets without agricultural production non-site as a permitted use in various zoning district pursuant to Section 5-603. The proposal also seeks to amend the Additional Regulations for Specific Uses related to Farm Markets and to amend the definition of Farm Market. At the Board of Supervisors public hearing on January 8, 2008, the Board forwarded the issue to the Planning Commission for further review and specified that the review include input from the Rural Economic Development Council. The REDC's recommendations were transmitted to the Planning Commission in a letter dated April 7, 2008. On May 8, 2008 the Planning Commission voted unanimously to forward the ZOAM to the Board with a recommendation that a new Resolution of Intent to Amend the Zoning Ordinance be adopted. Staff concurs with the Planning Commission's recommendation for the adoption of a new Intent to Amend the Zoning Ordinance. The Transportation and Land Use Committee discussed this item on December 15, 2008 and requested that staff return to a future Committee meeting with additional information concerning the distinction between wayside stands and farm market uses and requirements to operate these types of uses. This item contains a summary of those issues raised at the December 15 Committee meeting.

**5. Removal of Signs in the VDOT Rights-of-Way (Action) Keith Fairfax**

At the Board of Supervisors September 16, 2008 business meeting, staff was directed to negotiate and enter into an agreement with the Commonwealth Transportation Secretary that would give the County the authority to remove illegal advertisements within the limits of state highway right-of-ways. Staff contacted the Office of the State Transportation Secretary to initiate the process and was subsequently referred to the Virginia Department of Transportation Main Office. An approved copy of the agreement (Attachment 1) was forwarded to staff in December 2008. This item also contains information on other issues raised by the Board during discussion of this matter, including a volunteer program that would allow citizens to assist in the sign removal effort and other types of signs that may be removed from the highway right-of-ways. Options have been developed and are included in the item for further discussion at the January 26 Committee meeting. This item will be distributed in a supplemental packet on January 22.

**\*6. Use of Proffer Funds/Belmont Ridge HOA/ Installation of Traffic Signal at Route 659 (Belmont Ridge Road) and Hay Road (Action) Susan Glass**

This is an action item proposes to authorize the use of proffer funds contributed by the developers of the Belmont Ridge communities for the installation of a traffic signal at Belmont Ridge Road (Route 659) and Hay Road (Route 642). Pursuant to proffer V.18.E of Goose Creek Village North, ZMAP 2003-0008, staff recommends that Centex, the developer of Goose Creek Village North, receive the Belmont Ridge proffer funds on a reimbursement basis once the signal has been installed and accepted by VDOT for maintenance.

**7. Board-initiated Item: Amendment to Zoning Ordinance/Management of Locations to Retail**

**Sales Establishments** (Action) Marilee Seigfried

At the November 18, 2008 Board of Supervisors meeting, Supervisor Miller presented information describing how Fairfax County, Prince William County and Montgomery County regulate large retail establishments through their zoning codes, and brought forward a proposal to amend the County's Zoning Ordinance to better manage the location of large retail establishments. The Revised General Plan identifies three major retail corridors where large-scale retail uses are envisioned: Route 28, Route 7, and Route 50. Those retail uses along Route 28 and Route 7 which contain big-box retail are all in the Tax District and will not be affected by this amendment. Proffered rezonings will also not be affected by this amendment. The Board has the ability to negotiate conditions and proffers during the rezoning process to off-set the impacts that big-box retail establishments pose. As requested, this item contains options to establish a possible special exception requirement for large retail establishments.

Information Only – not proposed for discussion

**FY10 Local Gasoline Tax Budget/Update**

At the November 24, 2008 transportation and Land Use Committee meeting, staff was asked to review the proposed FY10 local gasoline tax budget to determine if funding in the amount of \$2.2 million could be identified for the design and construction of a drainage project on Broad Way in the Town of Lovettsville. In addition, staff was asked to provide a list of all gasoline tax accounts that have a current balance. That list is attached to the item. Since the proposed FY10 gasoline tax budget was presented, gasoline prices have dropped and fluctuated significantly. Staff suggests that the budget be reviewed mid-year in FY10 (January 2010) before adding other projects, to determine if revenue projections are accurate and to get a status on funding needed for the Purcellville Area Park and Ride lot project.