

**BOARD OF SUPERVISORS
TRANSPORTATION & LAND USE COMMITTEE
ACTION ITEM**

SUBJECT: ZOAM 2011-0001 Rural Recreational Establishment, Outdoor

ELECTION DISTRICTS: County-wide

CRITICAL ACTION DATE: At the Pleasure of the Board

STAFF CONTACTS : Michelle Lohr, Zoning Administration
Marilee Seigfried, Deputy Zoning Administrator
Terrance Wharton, Director, Building and Development

RECOMMENDATIONS:

Planning Commission: On July 27, 2011, the Planning Commission voted 9-0 to forward ZOAM 2011-0001 to the Board of Supervisors with a recommendation of approval.

Staff: Staff recommends that the Board of Supervisors approve ZOAM 2011-0001, as forwarded by the Planning Commission and amended by the Transportation & Land Use Committee.

Please bring the 9/12/11 Public Hearing Item #15 Staff Report and Attachments to the Transportation & Land Use Committee Meeting for reference.

SUMMARY

On September 12, 2011 the Board of Supervisors held a public hearing regarding proposed amendments to the Revised 1993 Loudoun County Zoning Ordinance to require, if certain criteria are present or proposed, Minor Special Exception approval for the use "Rural Recreational Establishment, Outdoor and to establish new additional regulations for such uses. The Board voted unanimously to forward ZOAM 2011-0001 to the Transportation & Land Use Committee for further discussion.

Summary of Public Hearing Comments. The Board of Supervisors held a public hearing on ZOAM 2011-0001 on September 12, 2011 at which five people spoke. Three people spoke regarding the negative impacts of paintball establishments on wildlife, noise, traffic, need for buffering, and the compatibility of such uses in a rural area. In addition concern was raised regarding the five-acre minimum parcel size required for rural recreation uses. One speaker stated that the proposed amendments will make developing athletic fields more expensive, time consuming and uncertain. A representative of the REDC expressed concern regarding the unintended consequences of the proposed amendments and that the small scale use category proposed creates a platform for highly intensive rural uses and should not be a permitted use. The REDC representative also recommended a separate ordinance for private playing fields.

Board Member Questions:

Acreage Requirement for Fields. Supervisor Kurtz asked for an estimate of the number of acres needed for one, two or three ball fields. According to the Department of Parks,

Recreation and Community Services, a figure of 5-6 acres per field is used to estimate the amount of land needed for the field, a separation buffer between fields, parking and other necessary infrastructure (bathrooms, etc.) The amount of parking is estimated at 65 spaces for one field, with the possibility for less parking spaces for multiple fields if they are in close proximity to one another. The topography of individual properties and other features can play a role in the amount of total acreage needed for a particular project.

Temporary Zoning Permit for Pev's Paintball. Chairman York asked whether a Temporary Zoning Permit had been obtained for a paintball tournament scheduled to be held at Pev's Paintball. Zoning Permit Z10199720001 was issued on August 16, 2011 for a tournament to be held September 15-18, 2011.

FISCAL IMPACT

The proposal to change the "Rural Recreational Establishment, Outdoor" use from a Permitted use to a Minor Special Exception use when certain criteria are present will result in the County charging a fee for a Minor Special Exception, in addition to the fees currently charged for site plan review. The current fee schedule lists an \$8,215 fee for a Minor Special Exception use, with a \$1,870 fee for a Minor Special Exception for a modification to the Additional Standards. The County has four "Rural Recreational Establishment, Outdoor" uses approved or in operation.

ALTERNATIVES:

1. The Transportation & Land Use Committee can forward ZOAM 2011-0001 to the Board of Supervisors with a recommendation for approval.
2. The Transportation & Land Use Committee can take no action regarding ZOAM 2011-0001.

SUGGESTED MOTIONS:

1) I move that the Transportation & Land Use Committee forward ZOAM 2011-0001 to the Board of Supervisors with a recommendation to adopt the proposed amendments as set forth in Attachment 2 of Item #15 of the 9/12/11 Board of Supervisors Public Hearing packet, as amended by the Transportation & Land Use Committee;

or

2) I move an alternate motion.