



Date of Council Meeting: May 23, 2016

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Zoning Ordinance Advisory Group Discussion

Staff Contact: Susan Berry Hill, Director, DPZ

Council Action Requested: Work Session discussion.

Staff Recommendation: None at this time.

Commission Recommendation: None at this time.

Fiscal Impact: None at this time.

Executive Summary: Town Council has requested a work session discussion regarding the concept of a stakeholder advisory group to make recommendations for changes to the Zoning Ordinance. The Loudoun County Board of Supervisors has established a similar advisory group which is called the Zoning Ordinance Action Group (ZOAG). Information is provided in this memo about the County's ZOAG. For reference, the memo provides information about current practices in Leesburg for maintaining the Zoning Ordinance, and it also notes how one other jurisdiction in the Northern Virginia region maintains their ordinance.

Background: On March 7, 2016, Town Council requested a work session discussion to consider the establishment of an advisory group to make recommendations on the Leesburg Zoning Ordinance. The following is background information for Town Council discussion of this topic.

Loudoun County: The Loudoun County Board of Supervisors (BOS) established the Zoning Ordinance Action Group (ZOAG) in 2012 as a part of a larger initiative to review County practices and ordinances to foster a business-friendly environment. The Bylaws and current membership for the ZOAG are included with this memo as an attachment. The following information summarizes key points about this group:

Purpose: To identify, review, and recommend amendments to: 1) correct errors; 2) clarify regulation; 3) make the Zoning Ordinance user friendly; 4) update the ordinance to keep it current with market conditions; 5) advise the BOS when an amendment is inconsistent with the Comprehensive Plan.

Membership: The group may consist of 7-15 members appointed to 4-year staggered terms by the Board of Supervisors (BOS). Individuals should have knowledge of and experience in zoning, planning, land development, land use law, and economic development. Organizations can put forward candidates. These organizations can include but are not limited to NAIOP (Commercial Real Estate Development Association); Chamber of Commerce, Loudoun Economic Development Commission, Rural Economic Development Council, Northern Virginia Building Industry Association, Piedmont Environmental Council, Dulles Area Association of Realtors, and Coalition of Loudoun Towns.

Duties: To identify, review, recommend, and/or prepare amendments. The ZOAG may be directed by the BOS to explore ideas and propose zoning approaches and/or amendments for public review.

Town's Current Process: Aside from individual zoning ordinance amendments that are initiated by Town Council, the Leesburg Zoning Ordinance is updated on a yearly basis through the annual Batch process. The Zoning Administrator compiles a list of potential amendments every July by soliciting input from other Town departments regarding suggestions for clarifications or new ordinance provisions. The Zoning Administrator also considers necessary changes prompted by bills approved by the General Assembly; clarifications prompted by citizen/industry requests for Ordinance interpretations or determinations; and updates that are prompted by discussions with industry representatives during the course of the year to address ways to keep the ordinance current with community and market trends. This list is brought to the Town Council for initiation in the August timeframe. Once initiated, staff will proceed with work on the items within the Batch. The Batch is brought forward for a Planning Commission public hearing in late fall and to Town Council at the end of the calendar year and/or beginning of the following year.

Fairfax County: A similar process is used in Fairfax County called the Zoning Ordinance Amendment Work Program (Work Program) whereby, on an annual basis, amendment requests originating from the Board, Planning Commission, Board of Zoning Appeals, citizens, industry representatives, and staff are considered and prioritized by the Board of Supervisors (BOS). The BOS selects and prioritizes amendments which are included on a list of amendments which are then individually scheduled for work. Progress on this list will depend on the overall workload of staff, and the need to re-prioritize work as directed.

Attachment: *Loudoun County Zoning Ordinance Action Group Bylaws and Membership*

Zoning Ordinance Action Group (ZOAG) Bylaws

Purpose: The ZOAG is created for the purpose of supporting the Board of Supervisors, the Planning Commission, and County Staff in identifying, reviewing, recommending, and preparing amendments to the *Revised 1993 Loudoun County Zoning Ordinance* ("Zoning Ordinance") in order to: 1) correct errors and inconsistencies; 2) clarify regulations; 3) make the Zoning Ordinance more user friendly; 4) keep the Zoning Ordinance current to reflect changes in market conditions and the emergence of new uses; and 5) notify the Board of Supervisors when proposed Zoning Ordinance amendments are inconsistent with the Comprehensive Plan and may require a Comprehensive Plan amendment. The Board of Supervisors may direct that certain proposed amendments to the Zoning Ordinance be referred to the ZOAG for review prior to requesting County Staff to initiate the referral process and the scheduling of a public hearing for consideration of such amendments to the Zoning Ordinance.

Authority and Establishment: The ZOAG is established pursuant to Section 15.2-1411 of the Code of Virginia.

Membership: The ZOAG shall be composed of at least seven (7), but no more than fifteen (15), members appointed by the Board of Supervisors. The candidates for appointment may be any persons whom the Board of Supervisors deems qualified, including, but not limited to, individuals with knowledge and experience in zoning, planning, land development, land use law, and economic development; and may be requested from business and civic organizations.¹ Business and Civic organizations referenced in footnote 1 are requested to submit their designated representative recommendations within 45 days² of the Board action to the staff contact³ in the Board of Supervisors Office. If less than 15 organizations designate a representative within 45 days, then the Board of Supervisors can individually bring forward nominations of individuals interested based on relevant experience up to the maximum panel size of 15 members.

At least half of the members shall be appointed for a term of four (4) consecutive calendar years and half of the members appointed for a term of two (2) consecutive calendar years in the beginning year of the ZOAG in order to initiate staggered terms. Thereafter, each member shall be appointed for four (4) consecutive calendar years. Members of the ZOAG may be replaced during the calendar year should they be unable to serve or as deemed necessary by the Board of Supervisors. Members may be reappointed. If a member resigns, the Board of Supervisors may appoint a replacement.

The Zoning Administrator or the Zoning Administrator's designee may serve as a liaison to assist with understanding the interpretation of the three (3) Loudoun County Zoning Ordinances, to provide

¹ ZOAG membership may include representatives from organizations such as, but not limited to, NAIOP, Chamber of Commerce, Loudoun Economic Development Commission, Rural Economic Development Council, Northern Virginia Building Industry Association, Piedmont Environmental Council, Dulles Area Association of Realtors, the Coalition of Loudoun Towns, and others:

² 45 days of the most recent Board Action calling for nominations (9/5/12)

³ The current staff contact for the Board of Supervisors is Sarah Adler who can be reached at 703-777-0204 or via email at sarah.adler@loudoun.gov.

background in regard to the administration of these Zoning Ordinances, and to provide other support as necessary.

Officers and Committees: A chairman, vice chairman, and any other officers established by the ZOAG shall be elected by majority vote of the entire membership. The ZOAG may form any sub-committees that it considers necessary.

Meetings: The ZOAG shall hold public meetings at least twice a year, or as otherwise set by the ZOAG as its work so requires, at a time and place to be designated by the ZOAG. The agendas for the ZOAG meetings will be published in advance on the County website. Official minutes of the meeting will be taken and published on the County website.

(A) A majority of the membership of the ZOAG shall constitute a quorum. The presence of a quorum of the members of the ZOAG shall be required for the consideration of any matter. Any action taken shall require the affirmative vote of a majority of the ZOAG members present and voting.

(B) Members shall at all times be in compliance with FOIA regulations.

Records: The ZOAG shall keep records of all of its proceedings, and all such records shall be made available upon request for public inspection.

Duties: The ZOAG may identify, review, recommend, and prepare amendments to the Zoning Ordinance for Planning Commission and County Staff review, or could be requested to review amendments proposed by the Board of Supervisors. The Board of Supervisors may direct that certain proposed amendments to the Zoning Ordinance be referred to the ZOAG for review prior to requesting County Staff to initiate the referral process and the scheduling of a public hearing for consideration of such Zoning Ordinance amendments. The ZOAG shall advise the Board of Supervisors, Planning Commission, and Zoning Administrator of their findings and recommendations. To allow for more timely consideration of proposed amendments, the ZOAG may recommend to the Board that amendments to the Zoning Ordinance be brought forward on a section by section basis and processed individually rather than grouping all amendments together in one potentially large package.

Zoning Ordinance Action Group



Contact Information

Brian Wegener
PLANNING AND ZONING
(703) 771-5146

Meeting Information

Round Hill Room

First Wednesday from 8:30-10:30AM

at-large

Cemile (Gem) Bingol By: Kristen Umstattd
at-large
1508 Shields Terrace
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Term Ends: 9/30/2018

at-large

Louis Canonico By: Scott York
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Term Ends: 9/30/2016

at-large

Packie Crown By: Suzanne Volpe
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Term Ends: 9/30/2018

at-large

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Term Ends: 9/30/2016

at-large

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Loudoun County Chamber of Commerce

at-large

Mark Hassinger By: Scott York
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Term Ends: 9/30/2016

Term Ends: 9/30/2016

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Term Ends: 9/30/2018

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Term Ends: 9/30/2016

Zoning Ordinance Action Group



Contact Information

Brian Wegener
PLANNING AND ZONING
(703) 771-5146

Meeting Information

Round Hill Room

First Wednesday from 8:30-10:30AM

at-large

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Term Ends: 9/30/2018

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Term Ends: 9/30/2018

Non District Specific

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Term Ends: 9/30/2018

Number of Appointees

15