



MACHINE TRANSCRIPT • CORAGGIO CONSULTING

Loudoun County Board of Supervisors, Transportation and Land Use Committee, Wednesday, September 18, 2024

Date Wednesday, September 18, 2024
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 2h 42m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7747>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7747

Machine transcript (speech-to-text) produced by Coraggio Consulting. Not an official county record. Names and numbers may be misspelled; check the video at the timestamp before quoting.

Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-21. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:13:42] I would like to finally call to order the September 18th, 2024, Transportation and Land Use Committee meeting. This room has a hearing loop. If you need hearing assistance, switch your hearing aids to the telecoil mode. If you need a headset, we have those available as well. Please see the clerk to request one.

[00:13:58] The proposed consent agenda is as follow. Number, item number three are colo quarters for the enslaved stewardship management plan. That is in the Dulles district. Is there a motion to approve the consent agenda, adoption of the consent agenda?

[00:14:15] - So moved. - So moved by Chair Randall, seconded by? - Second. - Vice Chair Tocroni. Consent agenda approved as moved and seconded. Is there any discussion on the consent agenda? Hearing none, all those in favor, please say aye.

[00:14:30] - Aye. - Any opposed? That motion will pass four zero one. And we'll now move on to the information items. First, just a little administrative note, going to go in order on the administer on the items with the exception of the purchase of development rights program which is an information item it's going to be fairly involved discussion supervisor kirchner is at trial and has asked that we put that on last on the agenda so that he can be here for that discussion and so that will be last everything everything else will go in order so the first item is the unmet housing needs strategic plan if i could have staff come

[00:15:03] forward thank you very much good evening good evening chair turner and board members many members so to my left we have mr brian reagan to my right we have miss brandy collins and miss christine hillock who will present to the uh to the committee thank you very much welcome

[00:15:41] you are free to begin great thank you mr govan good evening chair turner and members of the committee as mr govan said my name is christine hillock and i am the housing initiatives project manager with dhcd tonight i will provide the fourth quarter and annual fiscal year 24 report on implementation of the county's unmet housing needs strategic plan the unmet housing strategic plan was approved by the board in september of 2021. tonight's report includes a summary

[00:16:20] of significant plan related actions achieved in fourth quarter fiscal year 24 fourth quarter and fiscal year 2024 attainable housing results, information about attainable housing in the pipeline, and a preview of next steps on the horizon. Attachment 1 to tonight's item includes progress updates for each of the plan's 133 key actions, and attachment 2 is an at-a-glance overview of fiscal year 2024 accomplishments related to the plan's five major objectives.

[00:16:52] The next five slides highlight eight significant plan-related actions that were taken during fourth quarter of fiscal year 24. First, on April 2nd, the board adopted the fiscal year 25 budget, which includes the board's dedication of one-half penny of the real property tax rate, or approximately \$7.4 million towards attainable housing.

[00:17:14] Board discussion during the budget process also included a commitment to pursue use of year-end fund balance to bring the allocation for attainable housing to a full penny of real property tax rate. Next on April 2nd, the board directed Department of Planning and Zoning staff to draft a policy creating an expedited review process for legislative affordable housing applications. Item 5 on tonight's TLUC agenda will present a draft policy framework for that process.

[00:17:49] Also on April 2nd, the board approved an interim policy that the tax rate will absorb the impacts of new attainable housing units on capital facilities, regional roads and transit services. Next on April 10th, the board approved the FY24 annual action plan for federal community development block grant and home funds. The annual action plan includes funding recommendations for \$211,000 to support public service activities by non-profit organizations as well as annual program goals, objectives, and expected outcomes related to the five-year

[00:18:24] consolidated plan for those programs. Also on April 10th, the board adopted revisions to the housing choice voucher administrative plan and streamlined annual public housing agency annual plan to comply with housing opportunities through modernization act or hotma regulations and national standards for the physical inspection of real estate or inspire standards as required by the u.s department of housing and urban development next on april 16th the board adopted the 2023 capital intensity factors, including a by-size differential and a phased implementation over

[00:19:01] three years. CIFs will now be differentiated based upon Crawford Square footage with the goal of incentivizing smaller and more affordable units. On June 4th, the board approved a project plan for the five-year review comprehensive plan amendment of the 2019 general plan as presented by Department of Planning and Zoning staff. The CPAM will integrate unmet housing needs strategic plan strategies and will consider issues such as criteria for alternative use of suburban compact neighborhood place type, expectations for attainable housing units and

[00:19:36] proffers, infill, land in lieu of ADUs, and repurposing of commercial, retail, and office buildings to residential use. And finally, on June 18th, the board approved two loans through the county's affordable multifamily housing loan program to support attainable rental housing developments. Atlantic Boulevard apartments was approved for a loan not to exceed \$6.34 million and Cedar Terrace apartments was approved for a loan not to exceed \$3.9 million. Together these two developments will offer 132 new attainable rental units. Within the Unmet Housing Needs

[00:20:15] Strategic Plan annual attainable goals are defined as any housing for sale or rent entering the marketplace each year affordable to households with incomes that are below 100% of area median income. 100% of AMI for a family of four in Loudoun County as of April 1st, 2024 is \$154,700.

[00:20:34] The plan sets a goal that 20% or approximately 8,200 of forecasted new homes by 2040 as projected based on land use policies in the 2019 comprehensive plan will be attainable housing. In addition, the plan sets a goal to preserve or create access to approximately 7,800 units for a total of 16,000 attainable units by 2040. This slide shows the number of new construction units added and units added through access or preservation for fourth quarter of fiscal year 24, as well as totals for

[00:21:09] the fiscal year. During fourth quarter, 136 new attainable units were added to the supply and 137 access and preservation opportunities were provided. In total for fiscal year 24, 256 new attainable units were added and 320 access and preservation opportunities were provided.

[00:21:29] In fiscal year 2024, the county surpassed its goal for access to and preservation of attainable housing units and achieved 73% of its goal for new construction attainable units. This slide provides a summary of housing goals and achievements for the first four years of the Unmet Housing Needs Strategic Plan. You see here that significantly more new attainable housing units were achieved in FY24 than in any prior years of the plan. During our last presentation, to TLUC in June, we reported that we were hopeful that we would achieve or surpass our goal of 350

[00:22:05] new construction units this fiscal year. This was due in large part to the opening of four new attainable rental housing communities this year. The four properties listed on this slide are open and are currently leasing. For purposes of the Unmet Housing Needs Strategic Plan, however, new attainable units are counted when they are leased, not when certificates of occupancy are issued or any earlier in the development process. As of June 30th, there were still 131 units to be leased at these properties. As these units do become leased, they will be counted as new

[00:22:37] attainable units in the next fiscal year, in fiscal year 25. This slide provides information about additional new attainable units at developments which have been approved for loans through the affordable multifamily housing loan program. For new units coming online, there will be a lull in fiscal years 25 and 26 when the large majority of these properties expect to open and begin to, excuse me, with the large majority of these properties expected to open and begin to lease in fiscal year 27 and beyond. Attainable housing development, as we all know, including financing

[00:23:13] and construction takes time, typically takes four to five years. We do expect momentum to continue and increase as the unmet housing needs strategic plan continues to be implemented and the board continues its investment in housing. And for our final slide tonight, I'm going to turn it over to Brandy Collins, our Housing Policy Administration, who will wrap up our presentation. Thank you, Christine. As we reach the end of our presentation, we'd like to share a broader view of the plan's implementation status. As you'll see on slide 13, many key actions have been accomplished over the

[00:23:48] last three years. This includes securing home funding, modifying the home accessibility and repair program, and considering housing when capital facility impact fees are amended. We also have 50 key actions in progress.

[00:24:05] These include expansion of the down payment and closing cost assistance program, establishing an interdepartmental staff coordination team, and working to identify opportunities and processes for using public land for attainable housing.

[00:24:21] More progress is to come, including pursuing additional key actions such as partnering with the Community Land Trust, developing a policy that would affirm the location of attainable housing units and transit oriented developments and expanding opportunities for permanent supportive housing. You will hear about these activities during future quarterly updates.

[00:24:43] And with that we'll conclude the formal part of our presentation and open the discussion for your questions and comments. Thank you. Thank you very much. That is all good news I think. We'll talk about that. Any questions for the staff? Chair Renner.

[00:25:03] Thank you, Mr. Chairman. Well, first of all, thank you all so much. And I can say that my favorite slide in here is the very last slide. I think it gave so much information and I appreciate it a lot. And I know how far we've come in just a short amount of time. And I remember asking Mr.

[00:25:20] Hall why we hadn't did some things. And he reminded me that it's a very new department that just has that's been set up and so we've done so much in a very short amount of time. Having said that, I do have a favor to ask and then just some thoughts. The favor is this, I realized, I think again Mr. Hall taught me this, that we have money for housing in different buckets, right, in different places. If we can, when we do these updates, put down, you know, let us know what amount of money is kind of in which different bucket, that would be really,

[00:25:59] really helpful because not every source of income can be used for everything. For instance, I know we collect money on a cigarette tax. I don't remember which bucket that cigarette tax money goes in and what it can be used for and what it can't be used for. So just to have that available so I can know that would be really, really helpful. I will also say you know if I knew then what I when we when we created this strategic housing plan what I know

[00:26:31] now I could I could have I could have done so much more with it but I didn't and so we you know and we didn't have we didn't have you all to help us out and so I was just kind of we get it and doing the best I could one example is you know when we talk I think it's on page seven of what the definition of affordable housing or attainable housing is. Is it on page seven? It might not have been on page eight. What was the definition? It might have been on page eight, but whatever page that was in. Defined as a sale or rental unit serving households with income at or below 100%

[00:27:10] of the area median income. Well, the challenge with that is an income at 85% of AMI and an income at 30% of AMI, it's very, very different.

[00:27:26] And the housing needs, requirements, what we can do is also very different. So if we go up to the next page, page nine, in the presentation, what you find is, we do have quite a few at 60%, but we have almost nothing, but we have zero for purchase at below 30%, and not much for purchase at the 30 to 70%.

[00:27:52] And so I don't know how we do this now because we're already well on our way, but what I would like to see us focus on a little bit more is, and I said this many times, one, attainable housing for purchase and not just rental because purchasing a home and having a home is what builds generational wealth.

[00:28:16] But two, also, even in the rentals, rentals that target a lower AMI when possible, because we are targeting, you know, that 60%, 70%, but we're really missing that 30%, 40%, 50% AMI level, even in the rentals.

[00:28:34] So the target, that would be really helpful. And then finally, can I say kudos for even having a discussion about permanent supportive housing? Because that is not a discussion most people, most counties are having or even understand. And so I'd like to see that more.

[00:28:51] But the fact that you all are even including permanent supportive housing is so encouraging. So thank you so much for that. Thank you, Mr. Chairman. Madam Vice Chair. Thank you, Chair Turner. So thank you so much for the presentation.

[00:29:07] One question I had is Arcola Farms that got approved recently by the Board of Supervisors. They're doing LIHTC funding for single-family detached cottages. And I'm wondering if we could really focus on a diverse product because I see a lot of multifamily units.

[00:29:29] That's what's coming to the board in most applications. And it would be really neat to have more cottages, you know, maybe tiny homes or duplexes, triplexes, quads, you know, kind of a different product type, because I think people would really appreciate that.

[00:29:53] So I don't know if you could answer that question, if we're going to be looking at that. And it sounds like LIHTC, you can get LIHTC funding for that product. I think that's all more a question for Virginia housing since the request for funding go through Virginia housing, but you are correct Supervisors Crony in that the single family detached product is extremely rare as a unit type funded through the LIHTC program. I'm not aware of any projects in the Commonwealth of Virginia that offer a single family detached LIHTC unit type, so I'm glad that builders are kind of being a little bit more creative than they usually are,

[00:30:28] But from a department standpoint, we definitely welcome and support any units across the spectrum from multifamily to single family detached. Yeah, I wonder if we if there could be like kind of an incentive or something that we could put because it's just I'm just seeing one multifamily unit after another for the rental.

[00:30:46] So anyway, it's just something to think about. And then what what community land trust are you thinking of partnering with? That's new to me. So thank you. Thank you for the question. So there are several CLTs in the state, but there happens to be a statewide CLT, and the state is called Virginia Statewide CLT, and they have the authority to work in any jurisdiction.

[00:31:12] And they've currently completed a couple of projects in Loudoun County, partnering with Loudoun Habitat for Humanity. So if we were to partner with the CLT, we haven't discussed this with leadership on this, but we've done some research internally, and that seemed to be a good fit, given that they have a statewide focus and statewide authority. Yeah, I love Habitat. So good. All right. Thank you. Thank you very much. I have a question based on something that Chair Randall mentioned. Do we have any data, I guess it would scientific research data suggest that it's wise

[00:31:49] for a family in the zero to 30% AMI bracket to actually buy a house? I mean, I would have to believe, certainly in Loudoun County, that would push them over the 30% threshold for housing distress. I'm guessing. You would think that just based on the income alone. If there was to be a purchase program, there would have to be heavy subsidy involved, whether it be through the use of a down payment, closing cost assistance, or lowered interest rates, whatever the case may be.

[00:32:21] But with the average sales price being about \$700,000, \$750,000 for a household that about 40,000, you're right, that's difficult. That's what I thought. In the item, Chair Randall asked two questions at the last TLUC meeting. Chair Randall, did you see the answers to those in the item? Okay, you okay with that? Should we go over those? Are you okay with it? Okay, great.

[00:32:42] I really want to sing your praises. I mean, we're looking at the total units, 292 the first year, then dropped to 181, and then up to 346, and now up to 576. That's a real success story. I will say that I am cautiously optimistic only because I don't have enough data points to do a straight line extrapolation and go, yippee, we're on the path here.

[00:33:06] And you mentioned it looks like we're going to slow down in 25 and 26. Did I hear that correctly? That's correct, just because of the construction timelines. I put the slide back up to show you. Okay. And then any prognosis for 27 and 28?

[00:33:24] I guess that depends on what we do here on the board over the next couple of years. Correct. Okay. So that's all I have for right now. I think that's good. Supervisor Blass. Thank you, Chair Turner, and thank you for the presentation. And I would like a little more clarification when Supervisor Tacroni was talking about LIHTC.

[00:33:45] My understanding about LIHTC is that it's usually multifamily housing because they all have to be in the same area.

[00:34:01] So could a LIHTC, just clarification, so could a LIHTC building be also like two over twos or could they be townhomes? Yes, they can. Okay. Oh, okay. So I guess we just have to start asking for those things because my thought was that it was usually multifamily and that was it.

[00:34:23] So you're saying that we could also ask for it? Okay. Thank you. Yeah, thank you. In the LIHTC discussion, we know that it doesn't have to all be in one building. We know it's easier to finance when it's in one building versus in different buildings.

[00:34:43] So, you know, this past, I don't know, a couple of months ago, we all went to VACO and we had kind of a finger-wagging session at us from some of our people at the state level.

[00:34:58] And they were saying things like, we want to see affordable housing dotted throughout the community and not all in one building. And I caught the delegate outside, actually a senator, who's actually a good friend of mine, and I said, well, a lot of that's because of how the LIHTC funding works.

[00:35:18] It's a lot easier to fund units when they're all in one place. If you want to change that, you've got to make it a little easier for the LIHTC funding to work.

[00:35:28] So, since I went out and said that to her, now I need you guys to help me with this because, quite frankly, what do you think, and we can opine on this further later because we'll have to do it right now, but I would imagine that there's probably some legislation that we can put in our package for the

General Assembly that speaks to the LIHTC requirements that push us to putting all, or not all, but the majority of homes, rentals in one building, just because it's so much easier to do that.

[00:36:07] Is there, what might it look like, would regulations would come off, would stipulations would change to allow for easier funding or easier financing of homes that are attainable if we did them kind of throughout the development and not all in one place?

[00:36:29] We do that not because we want to, but because developers do not want to go through, understandably, the headache and cost of doing five different LIHTC applications. So they do all in one and one building. So how do we help the General Assembly help us get to a place where we can disperse our attainable housing throughout the development and not all put in one place?

[00:36:54] and how do we put that in legislation that will go on our package and go before the General Assembly? And then the bigger question is then how do you all help get me ready to go down to the General Assembly and fight for that? Because what you're going to, you're going to attempt to say and I'm going to go say that. So to get us ready to go actually advocate for doing that. And we have a little time because, you know, we're only in September.

[00:37:19] So we have a little time. But I have talked to some General Assembly members about that. and really now that i've said it we have now that i said we got to do it and you all and you all got to help me so so so let's look to do that for the ledge package okay thanks so much other questions i had one and it jumped right out of my brain um oh um we're going to talk about expedited review if that program takes off the way i would love to see it take off we could

[00:37:53] fairly dramatically and fairly quickly change the 25 and 26 numbers correct i mean if we're We're looking at a six-month turnaround, six to eight-month turnaround on 100% affordable buildings. That could really pretty radically change that formula.

[00:38:09] Theoretically, but depends on the number of 100% affordable projects that are coming through. But my understanding is that the exemplar that we established with the first project is a pretty big incentive to developers that got their attention, I think.

[00:38:25] Correct. Yeah. Okay, great. Once again, congratulations. That's all good news, and I'm very excited about the project. It's nice to see the numbers really. It's the first year that we've had over our goal, correct? That's great. That's really good. Thank you all. Appreciate it.

[00:38:41] Next up will be the countywide bicycle and pedestrian wayfinding program. If you could come forward, we'd appreciate it.

[00:39:03] You won't expect me of that.

[00:39:20] Good evening, everybody. Just out of curiosity, how many of you have already had this presentation? Okay, this is a great presentation. Thank you all very much for coming, and you have the floor. - Thank you, Chair Turner, good evening. I'm Lou Moserak, Assistant Director at DTCL, and we are here tonight to present the Countywide Bicycle and Pedestrian Wayfinding Program to the committee.

[00:39:44] Again, thank you for the opportunity to present. Over the next few months, we're anticipating after we move on from TLAC, we would present this to the Finance Committee in October and then to a full board meeting sometime shortly thereafter.

[00:40:03] Just to introduce the folks here at the table, with me here today is our Director, Nancy Boyd, and to my right, Aloysa Thring, our Traffic Engineering Program Manager, Laura Ghosh, Senior Traffic Engineer and the Project Manager for this effort, and our Consultant Team, Kevin Keeley, and Michelle Cavucci from VHB.

[00:40:21] And on behalf of the team, we'd like again to thank you for your interest in this item, and we'll be happy to address any questions you have at the end of the presentation. at this point I'll turn it over to Aloysia to walk us through some more of our our topics for today. Thank you Lou. Can you hear me? There you go. Good evening Chair Turner and members of the committee.

[00:40:44] The slide deck shown today will be the same one that will be presented at the finance committee meeting in October. Next slide please, Ms. Cabucci. Thank you. The PowerPoint presentation of tonight contained 13 slides, starting with the context related to the Wayfinding Program Development Study, which will be presented by Ms. Ghosh and me. I will briefly highlight some key events that led us to where we are today. Ms. Ghosh will further define wayfinding,

[00:41:23] general purpose and its context as it relates to the county shared use paths and sidewalks following mr keeley will briefly review the proposed signage family and the anticipated approach that would be applied to the proposed program he'll also highlight the two proposed wayfinding pilot routes and the rationale behind their selection and at the end laura miss goish will wrap it up with staff's recommendations and closing remarks.

[00:41:53] Next slide, please. On this slide, it highlights the major milestones that played key roles in the evolution of the Wayfinding Program Development Study. At the November 2017 Transportation Land Use Committee meeting, the Department of Transportation and Capital Infrastructure, DTCI, as most of you know, received direction to work with Bike Loudon on identifying a bike loop on the western side of of the county. Bike Loudon is an advocacy group that promotes a comfortable and safe bicycling

[00:42:29] and walking experience on the county's shared use paths and sidewalks, including on county roadways for the avid and experienced cyclists. In May 2019, a conversation took place between DTCI, the Virginia Department of Transportation, and Bike Loudon. During that conversation, Bike Loudon expressed their desire to use wayfinding to inform bicyclists of an alternate route over the Dulles Greenway at Belmont Ridge Road, which is located in the Ashburn District.

[00:43:09] When the bridge over Dulles Greenway was built approximately 25 to 30 years ago, the bridge cross-section consisted of two lanes, one in each direction with very wide shoulders on both sides and no sidewalks and shared-use paths.

[00:43:25] To increase vehicular capacity on the bridge, in 2020, the shoulders were repurposed to provide a four-lane cross-section, making it two lanes in each direction. The four-lane cross-section is consistent with the Belmont Ridge Road cross-sections to the north and south of the bridge.

[00:43:46] However, given the limited space on the bridge, installation of sidewalk or shared-use path could not be accommodated. So today, traversing the bridge by foot and bicycle is not encouraged, as it is considered unsafe.

[00:44:05] At the February 2, 2021 Board of Supervisors' Business Meeting, the Board approved a budget adjustment into the sidewalk and trail wayfinding study, giving DTCI formal direction to complete the program development initiative.

[00:44:21] At this point, I'm going to pass it on to Ms. Ghosh. Okay, so to set the stage for what we're talking about today, wayfinding itself is a term used to describe the tools people use to identify where they are in their environments and how to get to where they want to go.

[00:44:38] In the past, wayfinding consisted mostly of visual landmarks, a big rock, a tree, at an intersection, and root markings. Currently, modern forms of wayfinding consist mainly of signs and digital platforms.

[00:44:55] Some initial research and benchmarking discussions that we held with six municipal agencies throughout the United States indicated that modern forms of wayfinding signs are destination-based, as opposed to being based on numbered routes. During today's discussion, we'll interchangeably refer to bicycle and pedestrian wayfinding and active transportation wayfinding, and that's true also in the item.

[00:45:21] This wayfinding is geared towards users of sidewalks, shared-use paths, and bicycle lanes. These signs are not intended to guide vehicular traffic to destinations, nor is it intended to replace the wayfinding effort that the county undertook a couple of years ago that resulted in the welcome to signs and other signs for vehicular traffic.

[00:45:42] Okay, bicycle and pedestrian wayfinding has numerous benefits for both residents and visitors. It improves safety by reducing confusion and encouraging people to follow safe and comfortable routes. So, for example, wayfinding can be used to direct people to cross at a signalized intersection as opposed to crossing mid-block further down along a corridor.

[00:46:07] And wayfinding, bicycle and pedestrian wayfinding in particular, promotes active transportation and then it brings awareness of destinations that can be safely and comfortably accessed by foot or by wheel. So your awareness of being able to walk to the local library might be heightened by having wayfinding in your neighborhood.

[00:46:28] Okay, we started with developing the proposed prioritization process and proposed wayfinding sign family that Mr. Keeley will review in a moment with input from a robust outreach effort. Between summer of 2021 and winter of 2022, the project held four focus group meetings, one of which was in person.

[00:46:50] To prepare for these focus group meetings, DTCI staff hosted and or attended several virtual meetings with members of organizations who may have been interested in attending and participating in the focus groups. This effort ensured that participants were well prepared for the focus group discussions, and ultimately representatives of over 20 organizations and advocacy groups attended the focus group meetings, and we had reached out to an additional 21 organizations to participate as well. These participants spanned a variety of ages, languages, ethnic backgrounds, and abilities. From these focus group meetings, we garnered several insights. The main insights we found were that there was broad support for

[00:47:29] using the standard green bicycle signs, which are presented on the next slide. And specifically because these signs ensure consistency and simplicity in sign design with the hope of stretching county dollars for the program. And there was also interest in the signs, including distances to destinations.

[00:47:48] We also learned that focus group members favored safety and comfort in prioritizing wayfinding routes. And we learned that there's a desire to connect both public and private destinations to the WNRD Trail and Loudoun Metro Rail stations.

[00:48:06] Okay, at this point, I'd like to turn the presentation over to Mr. Keeley, our consultant on this project to walk us through the study findings and what is being proposed. Thank you. - Thank you, Laura. So in developing the proposed wayfinding program and the components therein, we really focused on two key questions, which were what should the proposed signs look like and where should they go.

[00:48:35] So the next few slides will review the wayfinding sign family and the issue of what the sign should look like. So on this slide, we see three signs, we'll have three on the next slide.

[00:48:51] Altogether, they comprise a wayfinding sign family that with each sign intended to serve a specific purpose at a particular point in a user's journey. For instance, here we see a standard decision sign, which is intended to provide the user with information that they need to make a decision in an upcoming junction about whether they need to continue straight or turn in order to reach a particular destination.

[00:49:21] A confirmation sign, meanwhile, would be placed after a junction, and it really provides reassurance to a user that they are on the appropriate path or route to reach a particular destination. So that's typically placed after a junction or at regular intervals along a route to provide that reassurance.

[00:49:43] As Laura mentioned, we heard pretty clearly from the focus group members that they were interested in the standard green signs in the interest of simplicity and cost effectiveness. So the bulk of the system would be comprised of the standard green signs that you see here.

[00:50:01] That said, the system might also feature some custom elements that would be deployed on a more limited basis in select locations. So for instance, we have a wayfinding totem on the left on the screen. And this would be placed at the junction of multiple wayfinding routes.

[00:50:22] And the advantage here is you can fit multiple placards, or you can fit placards on multiple sides of the wayfinding totem and thereby limit sign clutter in the vicinity of the junction. A wayfinding kiosk that you see in the next image is a larger element.

[00:50:41] It contains more information than fits on a typical standard wayfinding sign. So these would be placed in select locations where we'd expect to see considerably higher levels of both pedestrian and bicycle activity could provide supplemental information on activities in the area, wayfinding information to help direct folks to those destinations and activities.

[00:51:07] And finally, the sixth and final component of the wayfinding sign family are pedestrian-specific signs. These would be placed in locations where we would expect really only to see pedestrian traffic, and as such, they're designed more in line with pedestrian needs So they typically feature smaller fonts and supplemental information like walk times.

[00:51:33] And those pedestrian-specific signs are not intended to be read by bicyclists traveling at speed. I will note that an additional design process would be required to revise and refine the concepts that you see here should the board approve additional effort.

[00:51:52] So working with DTCI staff and really considering that input we received from the focus group members, we developed a set of methodologies for selecting and prioritizing wayfinding locations.

[00:52:09] And these methodologies were built around two foundational themes. We wanted to direct people where they want to go, and we want to do so using relatively low-stress routes. And this idea of low-stress routes is really closely tied to safety.

[00:52:25] It's also essential to persuading a wide cross-section of potential users that they'll be safe and comfortable on the route. So we really want to reinforce trust in the low-stress nature of these wayfinding routes.

[00:52:44] Some examples of low-stress routes include, or low-stress facilities, sorry, include shared-use paths, dedicated bike facilities like separated bike lanes and shared road conditions along low-speed, low-volume streets. So this deliberate approach to selecting wayfinding locations yielded a series of organizing elements that you see in the schematic on the screen here. That begins with priority destinations. These are locations that a relatively high number of pedestrians and

[00:53:18] bicyclists want to reach by walking, biking, rolling. We then layer in the low-stress facilities on top of that, and that allows us to identify the viable routes to reach those priority destinations. Here you see in the schematic, you see the core wayfinding routes in dark blue really form the spine of the system and would be expected to carry the largest number of users over the longest distances. The supporting wayfinding routes in light blue provide the connection from those core

[00:53:53] routes to the priority destinations themselves. And then there may also be pedestrian zones where we would see particularly high volumes of pedestrian activity and we might have pedestrian specific wayfinding routes to supplement the rest of the network. So rather than rolling out bicycle and pedestrian wayfinding on a county-wide basis, DTCL is proposing to implement wayfinding on a more limited basis using two pilot routes. These pilot routes will provide an opportunity to demonstrate the utility and the benefits

[00:54:30] of wayfinding with targeted investments in relatively high priority locations in the county. These locations, just want to emphasize that these locations would feature continuous low stress facilities with no gaps in the routes and therefore could be implemented in the short term. This first route connects two of the highest priority destinations in the county that would be the Ashburn Metro Station and the WNOD Trail and this pilot route really builds on the momentum around the opening of the Silver Line stations

[00:55:08] in Loudoun County. It also leverages substantial investments that are being made in enhancing the active transportation network in this part of the county through VDOT's Loudoun County Metrorail Bicycle and Pedestrian Improvements Project. That project is filling gaps in the active transportation network and will, as a result, really enhance connectivity in this part of the county. Wayfinding would not be implemented until those gaps are filled and these projects are complete. We could expect a variety of users to benefit from this wayfinding route,

[00:55:48] in particular commuters, recreational users, families, and young children looking to reach schools or other activity centers in the area. This pilot route is four miles in length with an estimated 54 signs at a cost of \$270,000. The second pilot route is in the western part of the county with a decidedly different character than the first pilot route. This is actually broken across multiple slides given its length and this route follows the western Loudon bike route

[00:56:28] that connects a series of towns and villages in the western part of the county including Percival, Round Hill, Hillsboro, Lovettsville, and Waterford. And this route is actually associated with the genesis of this project, as Ms. Thring mentioned, in that it aligns with the direction to DTCL from the TLUC to verify the viability of wayfinding on the western Loudoun bike route.

[00:56:56] This route likely would serve a large proportion. Oh, sure. The viability of wayfinding on the western Loudoun bike route. Sorry, I'm leaning back a little too much. This route likely would serve a large proportion of recreational users, as well as bike tourism users, as it would connect not only to the villages and towns in this part of the county, but also to the many wineries, breweries, and distilleries in the area.

[00:57:28] This pilot route would encompass a variety of low-stress facilities, including portions of the WNOD Trail and the Franklin Park Trail, as well as on-road segments on low-volume rural roads. The route is approximately 43.5 miles in length, with an estimated 205 signs and a cost of \$990,000.

[00:57:53] And then I just wanted to bring things back to revisit the wayfinding benefits that Ms. Gauche had mentioned previously. And this is really the benefits of wayfinding broadly and also of a formal countywide program.

[00:58:15] First and foremost, it helps or would help orient people or help people orient themselves within the broader active transportation network. And this really is a robust network and it's growing in Loudoun County.

[00:58:30] And as the network continues to grow and gaps are filled in in the network, it will help direct people to those comfortable direct routes to key destinations in the county. Wayfinding also aligns with the county's vision to provide safe and efficient travel to and from home, work, school, shopping, and other civic destinations like parks, libraries, and community centers.

[00:58:56] It also supports economic vitality and viability in the county by promoting retail centers, farms, vineyards, breweries, distilleries, and other commercial locations. And then finally, it complements the county's substantial investments in the sidewalk and trail program.

[00:59:13] And in doing so, it really signals and celebrates the county's clear commitment to providing a first-class active transportation network. transportation network. With that, I'll turn it back to Ms. Ghosh. So given the numerous benefits of bicycle and pedestrian wayfinding, staff recommends that TLEC endorse the prioritization methodologies presented in the item and discussed here today and recommend and the recommended wayfinding signed topologies that sign family and then also endorse the two pilot routes.

[00:59:50] Staff would also like to acknowledge that upon finalization of the scope of the project by TLEC, The scope of work will proceed to the Finance Committee for consideration for funding. Current recommendations of the scope of the project include applying the proposed methodologies and developing the customized sign design, which is estimated to cost \$470,000, and implementing the two pilot routes, which combined is estimated to cost \$1.2 million, and those costs are outlined in Table 1 on page 14 of the item.

[01:00:24] and the total cost for advancing the program is 1.73 million and that is the end of our presentation thank you thank you very much i was going to caution against putting north south east or west on any of these signs because it means nothing to chair randall but then i thought she's never going to be on a bike and see these signs anyway so it's not a big deal um uh i have a question on On the WNOD to Ashburn Station route, you Smith Switch Road rather than Ashburn Village Boulevard.

[01:01:01] I'd be curious as to what the factors were that determined that. So we're aware of the VDOT Metro Rail bike head project, which will complete segments on Smith Switch Road that will bring people up to the WNOD, and so that was anticipated to be completed faster and then implemented.

[01:01:26] Is there any consideration, and I was pretty sure I knew the answer because I've ridden Ashburn Village Boulevard down to the metro station, and they alternate between sidewalks and shared these paths on alternate sides of the road, and it's really tough riding a bike on that. But that leads me to my next question because I used to live in Waterford and I drove Loyalty Road.

[01:01:46] There's no implication, and I know we talk about safe and efficient travel, but there's no implication here from the wayfinding program that there are dedicated bike lanes on these routes correct because you get out west and it's two lane road no shoulder and you're in the lane so we took the facilities that were identified in the 2019 countywide transportation plan and used those as the basis for the network that was um that we tested the prioritization methodologies against and also for developing the pilot routes and so in the west it's primarily

[01:02:22] shared lanes with the exception of the new shared use paths that are going to go into franklin park and along for the ashburn metro to wnoe its shared use path with the exception of a short segment along ashburn metro drive uh mr rojack do you have something you want to say no i'm just going to just reinforce what what ms goes just said about the ctp it's essentially shared um share the road essentially along several of the collectors in the rural area there are some of the primary roads that have higher traffic have regional trails on them but that's not where this

[01:03:00] route is. Is there any anticipated project that would add sharrows to these routes if we're going to share lanes to have sharrows? You know what I mean by sharrows, right? Yes. Is there any implication that, I mean, should we be thinking along the lines when the wayfinder routes are established that we maybe fund sharrows on those routes? So implementation of sharrows along routes have to follow VDOT guidelines, and I would have to review those guidelines in order to determine anywhere that could be placed but it's not ubiquitous okay i just dove right in there with

[01:03:36] questions i apologize any other questions uh vice chair sure so the um the one in the west are we talking about some gravel roads too um because those would be safer i would think they're primarily paved roads there is one small segment of gravel road uh going down to stumptown okay and i love this program by the way i did get a question from a resident and i think chair randall might appreciate this e-bikes e-bikes you could do that you could do an

[01:04:11] e-bike um so the question is the question is there's a trend out there um and you know there's a growing concern related to the hazard of speed weight and use of these e-bikes and um sometimes they're not conducive to trail ride to trail users and so that was kind of the question does this take into account the popularity of e-bikes i like e-bikes anything else no i'm just asking yeah

[01:04:45] well wait they have to answer my question i'm sorry so not specifically okay okay the shared use paths the definition in the ctp indicates that the design speed for those paths is 18 miles an hour, okay? That's the speed that we expect bicyclists to go. E-bikes tend to go a little bit faster than that and would need to accommodate speed reductions for turns in the path for approaching intersections, etc. The wayfinding program itself doesn't provide guidance about how

[01:05:23] fast people should be traveling along the paths that they have identified. We do make an effort to ensure that those are low-stress routes. The stakeholders that were part of the conversation specifically called out the challenge that they sometimes have with people traveling at speed past elderly residents, past families with small children, dog walkers, et cetera, and sometimes there's maybe not enough space on a path or there's conflicts.

[01:05:55] And so the identification of low-stress facilities attempts to accommodate that to some extent. And I would just add to that that I think e-bikes are an emerging technology and something that it's been five years since we've looked at the CTP.

[01:06:18] So I think it's something that is certainly appropriate for further review and just looking at that in the context of our policy documents going forward. Yeah, and maybe when we review the county-wide transportation plan, maybe we include e-bikes. That's a great idea, Lou. Yes.

[01:06:33] Thank you. Yeah. Sue Rose Glass. Thank you, Chair Turner, and thank you for the presentation. I have a question. So I'm thinking about the eastern part of Loudoun where you're talking about.

[01:06:49] Will all of the shared-use paths be paved, or would there be gravel, or some other surface? When I was thinking about it, you were saying it was low stress pathways, I think. So low stress doesn't just include paved paths, right? It also includes bike lanes. It could include shared roads on low speed, low volume roadways. Those may or may not

[01:07:21] be paved. Generally in the eastern part of Loudoun County, they are paved. The CTP indicates that shared use paths should be 10 feet wide paved paths and so that's the definition that we were using as part of this program development. Okay and I also want to say that I didn't realize that my dad was using wayfinding when we would go to North Carolina and he would say look for the the big oak tree on the top of the hill and make a right and that's where the church is so

[01:07:57] that's very interesting thank you i'm sure i feel i need to defend my honor up here i work out all the time i'm just not going outside to do it that's the only that's the only difference the every day i'm in the lobby it's actually happening a lady comes in a woman comes in and she was asking for um she was asking for for where inmate sats was located in the what's the name of that building, Mr. Hemstreet, the Shenandoah building. And it just happened to be, it happened to be like three men out in the lobby and they're saying, go here and

[01:08:36] then you go north and you go here and you go south. And she just looked completely confused by it. And so I'm listening to them telling her to go north, south, east or west to get to the Shenandoah building. And finally I just stepped in and I said, do you know where the Sheetz gas station is? And she goes, yeah. I said, by the McDonald's? And she goes, yeah.

[01:08:55] I said, it's the brick building right across the street. And she goes, oh, okay. And then she left and she went. So I personally like the old way-finding methods really well, but I think this is a fantastic item that you guys have done clearly a lot of work on that will benefit quite a few people, even, but just not me.

[01:09:19] But no kidding, thank you for this. I did look at the item, and so much work went to the item. thank you all for doing it any other questions i move the transportation land use committee recommend that the board of supervisors endorse the proposed county-wide bicycle and pedestrian wayfinding program prioritization methodologies recommended wayfinding sign typologies and proposed pilot bicycle wayfinding routes as described in the september 18th 2024 transportation and land use committee action item seconded by supervisor glass all those in favor say aye aye

[01:09:54] any opposed that motion will pass 401 thank you all very much great work we really appreciate it and i'm really excited about this program and that concludes that item and can we have the expedited

process for legislative affordable housing up next thank you and i would like to just make a couple of comments as we the team sets up here in the

[01:10:32] Any item and in the discussion, we will refer by name to the Atlantic Boulevard application. And there are a number of items and aspects of that application that we're going to talk about which will sound critical. They're not intended as any kind of a personal slight, nor are they intended to be, to single out Atlantic Boulevard, but specifically in any way to shine the light specifically on that.

[01:10:55] We have a sample size of exactly one Atlantic Boulevard. And so if we're going to talk candidly about pros and the cons of what our experience has been thus far, we kind of have to do that by name, and it's not intended at all to be any kind of a slight against Atlantic Boulevard.

[01:11:12] The application went from initial submission to approval in six months through hard work and dedication of the applicant and the county staff, and we really appreciate that. So please take that in mind as we go through these discussions. Good evening. Welcome.

[01:11:28] Good evening. The Department of Planning and Zoning with me, I have our director, Dan Galindo, and I also have support from the Department of Housing, so I would like to thank them. Brian Regan and his team are always very helpful with us when we have these items, so I want to give them a special shout-out for tonight with their help with this.

[01:11:47] The board directed staff to prepare this policy framework, if you will, in April, so we are here tonight to discuss some of staff's ideas for how to expedite affordable housing applications. And what I, I don't have a presentation, but I can get right into it. The item talks about criteria to qualify for expediting an affordable housing application. And what I want to start with is why the department is requested to expedite these applications is because applicants are

[01:12:23] seeking to meet deadlines for funding to fund their developments. Those deadlines can be county deadlines for the gap financing that the county has with our affordable housing loan program and also state deadlines.

[01:12:39] So we have county deadlines that applicants must meet and then state deadlines. And those state deadlines are dependent upon the types of financing that the applicants are seeking, whether they are for the 4% or the 9% or the hybrid. So that is why we are here tonight to talk about why we are expediting these applications.

[01:13:01] And again, it's because an applicant would like to meet a certain deadline. We would also propose that the criteria to qualify is that the applicant must propose 100% affordable units. And what that means is the units should be made available to household incomes that are below the Washington area median income.

[01:13:23] The county's housing loan program is for households that earn below 60%. And so we think that these types of applications can propose a mix of what types of households would be available to qualify for these units.

[01:13:41] So it wouldn't have to be strictly 100% of these units would be dedicated to between zero and 30, for example. We've had applications where applicants are proposing, like, a certain percentage of units will go between zero and 30. Another certain percentage will go up to 60 or up to 80 or 30 and 70.

[01:14:01] It can be a combination of any of those. So we would encourage that this type of process be available for, again, 100% affordable housing applications only. We would not encourage this process for larger applications that contemplate a component of the larger application would be a land bay that had an affordable housing building. So we're really just hoping that this process could be geared towards it's a standalone building proposing 100%

[01:14:36] affordable units. And so something that I was thinking about is when an applicant approaches staff to target a deadline that they are hoping to meet, I feel like we should back the timeline out from there. So for example, an applicant wants to apply for funding and the deadline is in July.

[01:14:58] We would expect the board to approve that application in June. So maybe even backing it out from June so the applicant has enough time to complete their application that they have to turn into the state and so what we would back it out from that date so if we were expecting final action from the board in June we would want to schedule the planning commission meeting maybe three months before that um so that that was that was what we were thinking as far as as timelines

[01:15:33] how do we ensure that the applicants are providing affordable housing that is that's a result of what they have in their proffer statement So what we would be looking for in their proffer statement is the applicant will provide all of these units as affordable. And again, they can be a mix of ranges that the units would qualify for as far as AMI. We do have applicants in their proffer statements that say things like the applicant may apply for funding. The applicant may develop these as affordable housing. And I know

[01:16:11] that it's it's not intuitive but that word may implies that they might do this they may do this we're looking for assurances in the proffer statement that say things like this the property will will be developed as affordable housing if that applicant wouldn't receive approval for their their tax credit application then unfortunately they would have to come back and propose something new or they could apply for the funding the next year. So that was what we are thinking as far as

[01:16:47] our criteria to qualify. As a part of this process, we would be looking at shortened, reduced review timelines and maybe even foregoing a review if we don't have any outstanding issues. Other incentives that we can provide are double advertising an application. If an application doesn't have any outstanding issues, staff could support taking it to the very next board meeting after the planning commission recommendation. There are some things that we do want to caution. While we can impose

[01:17:25] our own shortened timelines for review, we don't actually have control over outside agencies such as VDOT, Loud and Water. Loud and Water typically doesn't hold up rezoning applications, but we can control what we can do in-house. We can't control if the planning commission would send an item to a work session. We have seen that happen with affordable housing applications. Something that I do think is very critical to this process is open communication with the applicants. We are

[01:17:59] looking for clean applications, consistency amongst the application materials. We can meet with applicants once a week. We can meet with them as many times as we have to. Mr. Turner brought up the Atlantic Boulevard application. That was processed in six months. That was very challenging for staff. We had staff working on the weekends. We had staff reacting to a number of last-minute changes from the applicants. That was an effort. That was a very strong effort, and it wasn't just

[01:18:37] put forward by DPZ. It was for every person in the county that reviewed the application, the county attorney's office, DTCL, all of our referral agencies. Something we need to keep in mind is when an

applicant makes a change to their proffers or their concept development plan, it does have to be sent out for another review based on the types of changes that they're making.

[01:18:58] Some of the more common last minute changes we see from applicants, a lot of them have to do transportation proffers. So we have to send the proffer statement to DTCL, get their feedback and consultation with the county attorney's office. So there are a number of factors that go into expediting an affordable housing application, but we do have guidance in our 2019 general plan, the unmet housing needs strategic plan, and county staff is, we are proud to be a part of an effort like this. We are proud to be a part of the endeavor to bring more affordable housing

[01:19:35] to Loudoun County. We're proud and happy and can expedite these applications, but it requires cooperation. We would be looking for the development community to approach us a lot earlier than they do. Sometimes I read about these applications in the newspaper, and I think, I'm glad that you're looking for an expedited process why don't you talk to us about that first and we're always happy to sit down with applicants and

[01:20:08] talk to them about their goals and what we're all looking for so I believe that are all those are all the points I needed to make happy to answer any questions thank you very much Ms. Marsh I appreciate it questions that was excellent excellently said excellent delivered and I completely agree and And thank you all so much.

[01:20:32] I have a couple of questions. Some of the applicants, you know, you see the same players sometime over and over. And some of them do a really good job. And some of them not as much. For the players that are doing a really good job-- and I don't know how to ask us any other way-- is it any way to, I don't know, help others be educated on what they need to do?

[01:20:56] Because, I mean, everyone has the opportunity to do the same things, and not everyone does. I mean, we can point to the ones that do it well, and it would seem that the others that watch it would look at that and go, okay, that's how it's done.

[01:21:13] So do you think that the ones that maybe are not doing it as well just don't know or don't have the education, they're not -- I mean, what's going on? Because the effort, the goal is to get as many of them there as possible. So do you have any ideas on maybe why the ones that are not there are just not hitting that mark yet?

[01:21:33] You don't have to. Okay. What I will offer is that we are happy to sit down and talk to applicants as much, as often as they want. And I do think educating applicant representatives is an important part of the process.

[01:21:56] Maybe this is a discussion that the people who sit up on this dais needs to have with NBIA to literally have a session in one of their meetings and say anyone who wants to come and get this education, because there are members of NBIA who do it very well, and then there are others who don't as much, so maybe it's kind of up to some degree of the development community to educate one another, and that would do this.

[01:22:22] An idea is popping into my head. Is it really? while I was reviewing the county's program is I believe we issue something once a year to notify developers. Am I saying this right? I think that we have the Department of Housing has we either hold a session to talk to developers about how to apply for our

program. Perhaps we could partner up In that way, to talk about if you are seeking to apply for this program, the first step is receiving legislative approval.

[01:23:01] That's something we could. Yeah, I'm just thinking there's got to be a way to do that. And Brian, before you answer it, my only and second question is, what is the rationale for our, because I think it feels to me like our dates are far apart. The county states versus the state states are pretty far apart.

[01:23:21] What is our rationale for those dates being so far apart? I will defer to Brian to answer that. Hi, Brian. Good evening. So as to your question, we do have a how to apply session for the multifamily home loan program every August to lay out what the specific requirements are, what the deadlines are, what we're looking for in an application.

[01:23:48] The rationale for the spread out deadlines is we try to more or less align them with Virginia Housing's LIHTC program. So LIHTC is part of. But isn't LIHTC due in March for the state? For the 9%, yes.

[01:24:04] It is March one time of every year. For the 4%, there are three. Well, now there are three. There had been two deadlines, January 1 and I believe it's July 1. But our deadline is November, right? October. October. And then there's also January and June, two off-cycles.

[01:24:22] Ah. Okay. Typically with that 9% March, most developers try to make that October deadline. So they try to make it in October, and then the state's deadline is March. Correct.

[01:24:38] And you don't believe that's a pretty big span of time between those two dates? By the time all of the review and the application prep more for the LIHTC side, we haven't heard any arguments from the developer side.

[01:24:53] Okay. All right. All right. But we do think that perhaps some kind of, I don't know, combined training program could be helpful? I don't see why not. Okay. All right. Thank you. If I could add one thing to that. That's part of the reason that we require the pre-review meeting for legislative applications.

[01:25:11] I know a lot of our frequent flyers don't like to attend those and to your point some of them may not need it but that's a meeting that allows us to bring in Staff from many departments to have these kind of conversations and potentially to help show show them some of the good things that they could do to Try to speed their things along. Thank you, Mr. Chairman Supervisor, you'll ask. Thank you, Chair Turner. Do we first thank you for the presentation?

[01:25:38] Do we have an estimate on how many additional DPZ staff may be needed? a minimum of one okay preferably two okay and do we know if we need additional staff any other referral department I'm sure that all all referral agents like of course we want more staffing but I I do think that could have the potential because something we're all yeah we're asking all of these other referral agencies to prioritize these items as well so it's saying to them whatever you were

[01:26:18] working on you need to put that aside so we you can help us meet these deadlines thank you i'd add the part of part of the issue with this is going to be unique compared to most other conversations we have about our development process is that in order to facilitate having the capacity to do these things quicker that means we need to maintain a vacant capacity that we're not otherwise using because if we have staff that in dpz or other departments that is already at 100 percent of their working hours and one of these comes in. The only way to make sure that that happens on these kinds of deadlines is to work over time. So we basically need to be able to

[01:26:56] build in having staff that maybe isn't always fully maximized so that there's the capacity there when one or more of these comes in to be able to accommodate that. Thank you. Madam Vice Chair. Thank you, Chair Turner. So it sounds like it could be really stressful to process these applications i'm just hearing from you guys will you have um a way where you know you can just say there it's no longer expedited the application you've missed a bunch of deadlines um you've

[01:27:32] made last minute changes we can't do it so i mean i'm wondering if that could be something that we could put in place absolutely just to help because i think you guys aren't superman and if they're coming up with so many changes, it really isn't fair. I think what we would like to do is come up with a very defined yet flexible, I know that that's kind of an oxymoron, but schedule at the outset of the conversation. We can certainly be flexible. We have deadlines now that things should

[01:28:07] be turned in by the close of business on Friday. I've often said to the applicants, if you need the weekend to work on it. As long as I have something in my inbox on Monday, you're good. So it's like we are usually flexible. But yeah, maybe there is some sort of threshold we can look at as if they're a week late or they are adding in unsolicited changes that we didn't ask for. Yeah, I think that there should be a mechanism for which staff could say, okay, I agree, because it sounds

[01:28:44] stressful, in my opinion, just hearing from you guys. So what are the fees associated? Did they have the fees waived for this 100%? That isn't something we were proposing. This has more to do with how fast we would track the application but something to keep in mind is when an applicant is proposing this type of development they're not paying capital facilities fees they're not paying regional road or transit contributions that's that's quite the incentive um but if tuck or

[01:29:22] the board would like us to i was just do some fee i was just curious and then lastly um it sounds like um there might be a standalone separate land bay that's part of a larger application um so i'm wondering would both these applications still be processed and voted on like i think it it might be a challenge they would have to be their own separate standalone application and i actually had a discussion with our proffer management team manager today she expressed

[01:29:56] concerns about that. She said, we don't think these should be one application, but processed separately. Yes. She's exactly right. These should just be their own standalone application that is not dependent on what is happening in other land base. Like for instance, if the other one's denied and that was like the clubhouse, that's too bad. You get your standalone, but that The other one maybe didn't get approved, but they're not together.

[01:30:27] Right. So that needs to be, I think, explained up front, because I think it could be part of a larger application, and we're separating it out. And I think one of the things that would need to be probably codified in the policy we put in place here is that we've had discussions with developers in the past that have wanted to delay their affordable units until later.

[01:30:49] So it is two separate applications. The first one is give me everything else other than the affordable housing and trust us that we'll come in after the fact, and we've always said no to that. So presumably, I would think that the board would not really want us to pursue that either. So if we are keeping these separate, we need to make sure that the affordable housing is coming in at the same time, if not earlier than the other larger applications so that we have some guarantee of what's actually been approved from the affordable housing side so that we can give credit to another different or larger application that's related to it.

[01:31:21] But they need to do all their road improvements and everything separately, so not be dependent on the other. So that's going to be a challenge, but I'm just throwing that out there. Yes. Okay, thank you. Well, I've got a couple things. Ms. Marsh, you mentioned that it's, and we've talked about it a little bit, we want 100% of the building to be affordable.

[01:31:44] Correct. But it's not just a building as one of the permutations. It could also be the land bay is 100% affordable. I mean, is the criteria geographic or is the criteria? Suppose you had 25 LITIC single-family dwellings mixed in with other single-family dwellings, but it was a single LITIC application.

[01:32:06] Could that process as a separate expedited review? Or the more simple cases where you've got land-based C, which has a multifamily-attached building and then five single-family-attached ADUs, but it's all within land-based C.

[01:32:28] If it's all in the same development. What about land-based A and B? Yeah, as long as it's all together. Physically or by financing?

[01:32:45] It could be one building or it could be a geography. As long as the application contains the entirety of whatever the affordable housing proposal is, there's no reason that 60 buildings versus one should make a difference from our standpoint. Okay, so if the application, and I don't know if they can apply this way, but if the application is for all the LIHTC buildings, 20 separate dwellings, interspersed with a larger development, but they are all subject to the LIHTC process.

[01:33:08] Could you consider that a separate expedited review? I believe so, yes. That's what I'm thinking. It's probably the funding that defines the application. Now, to Supervisor DeCrony's point, what happens if the LIHTC application goes through and the rest of the development does not pass?

[01:33:30] The applicant would have to submit a new application? Yeah, it's a valid question. Quite often, the affordable housing is along the exterior of a larger application. Right, I understand. So we'd have to look at the specifics when they come in. Yeah, I'm thinking that just might want, we want to fine-tune that criteria so that we take the subjectivity out of that, the guesswork out of that piece.

[01:33:52] Chair Turner? Yeah. Can I offer a comment? Sure. I think I had heard Ms. Marsh mention in the beginning of her presentation, midway through a presentation that you would want affordable units to be completely disconnected from market rate units. Is that not what you said earlier? And so I think your question, how I interpret your question, if you had a row of 10 townhouses and three of those were

[01:34:24] affordable and seven were market rate, I don't think that you want to mix and match those types a project if that's what if that's if I'm interpreting that's one example the one I was thinking of was the one we just approved on Ryan Road which I want to say it was our Cola Village I can't remember they had recall farms they had light tech single family dwellings interspersed throughout the development but they were all applying under a single light tech application I think that Miss Marsh and Mr. Glindo can respond to that but I think that creates challenges

[01:35:00] particularly if you have infrastructure that is that is proffered that is reliant on the market rate units to to fine case that again I think that comes down to definition and criteria so yeah we if we want to we may want to say it's got to be in the same building okay that's part of the criteria that it sounds to me too like the one of the criteria or one of the lessons for applicants is as little ambiguity as possible in your language will instead of may yes to take any

[01:35:35] doubt out of exactly what the it's the horse trading over well i need to see something in writing that's more definite than well we might do that if we'd like it yes okay um um i would like also to consider some way and and you can tell me did everybody in the system know that Atlantic Boulevard was in this new expedited review process. All the planning commission, all the staff, everybody knew this one's coming through and it's expedited review.

[01:36:04] Yes. We have to talk to our referral writers to let them know, hey, we're going to ask you to review this in 10 days as opposed to 15. The planning commission was aware and we will have applicants in front of the planning commission say like, we need to meet this deadline. So yes, Everyone is usually often aware of whether or not an application is affordable if they're seeking to meet a deadline.

[01:36:32] Okay. I really want to talk about working overtime, working on weekends. That's not a solution. That is not an answer. Expedited review cannot mean staff working overtime. And so, and I take your point that if you're going to work on an expedited review package, some other package is going to get pushed back.

[01:36:52] Okay, that's more incentive to figure out if you can qualify for the expeditive review process. That's one of the downsides. If somebody's going to get moved up to the front of the line, somebody else is going to get pushed back in the line. That's just physical reality. But I'm thinking through, can we attach predefined penalties for types of circumstances?

[01:37:14] So if you have to go in for a third referral, that's a two-week penalty. If you have to go, and you could think of these circumstances. But tell the people applying for expedited review in advance, if you do this thing, this is the time penalty that you will pay within the expedited review process.

[01:37:33] And so that you establish those penalties, it will give you two things. First of all, it gives you predictability in the application process, so it reduces the amount of time that you're telling people, you've got to work this weekend. No, you don't, because they did this, and we told them that's going to cost you another week.

[01:37:50] so our staff doesn't have to work on weekends because you didn't meet the eligibility criteria that we wanted. You shifted midstream, so we're going to work on weekends to help you out. No, that's a one-week penalty, and we will work for the extra week. So that there's defined penalties when you do that, and then you also establish the second benefit is you establish a threshold.

[01:38:11] I'm sorry, if you hit more than three delays or three penalty boxes, you're out of the program. So if I may, so just Chair Turner, first of all, anytime we have an expedited process, given the volume of work that we have in the county, I'm not prepared to say that saying no overtime is required is a realistic expectation, right?

[01:38:39] So particularly with land use applications, we do have statutory frameworks that we have to work within. And so that piece of it is just a part of being in a very active place that has a high volume of land use work that's ongoing.

[01:38:58] So I would be hesitant on the staff side to say that we can commit to that. I will say something a little bit different that I'm not sure Mr. Galindo or Ms. Marsh would say. So I'm going to say it, which is I think what's more important is having an established criteria and established framework, as you just suggested.

[01:39:24] I don't know that we would do it exactly the way that has been described. However, what I will say is that by far, the pressure that comes is coming from applicants that don't necessarily follow everything that they should be doing as part of the application process to the T, and then they call their favorite elected official, and then the pressure comes.

[01:39:55] And so I think in order to manage a process such as this, and the reason why we come to the board and see criteria, is that once that criteria is adopted, that there is a sense of the criteria has been adopted, and the staff will implement the criteria the way it's been adopted.

[01:40:19] That is not what typically occurs, and so I think that's more where pressure and stress comes from as opposed to work volume. You know, because there are plenty of times where, you know, we see this on every public hearing agenda today, and this doesn't even get into the expedited process, but we see this on every public hearing agenda where we have something or somebody that hasn't met a deadline that is established, and this is board criteria deadlines, and we're being asked to bend the rules.

[01:40:56] Now, in some cases it's fine, but not in every case. And so I just wanted to put that out there. But I think if we're doing it, I agree with Ms. Marsh. We are happy to do it. We are happy to offer an expedite process for affordable housing. We believe in the mission.

[01:41:13] However, some overtime is always going to be required, and the rules are what matter. And just very believably, I'm sorry, Ms. Marsh, go ahead. And if I could, sometimes the problem or the issue that we face isn't applicants not meeting deadlines, it's applicants making changes after those deadlines.

[01:41:37] So we have applicants that will commit to things in emails that they send to the planning commission, but staff isn't a part of those conversations. They are submitting materials a couple of hours before a planning commission meeting saying that they will commit to X, Y, and Z.

[01:41:52] They will submit updated proffers after the board packets are distributed, which requires staff to send out supplements. And that's a perfect example, because what I think the first round through has said is, okay, and I may be biased here, but staff is going to really look at its processes and streamline those and consolidate on our meetings and our referral process, and we're going to do all that.

[01:42:22] And the applicant is real excited but is approaching the problem in sort of the same way it always approaches the problem with all the give and take and horse trading all along the way. And I think it's an education process to say to the applicant, you can't horse trade like that.

[01:42:40] And, oh, by the way, one of the rules is if this is an expedited review, don't be calling your supervisor. If we find out it's an – I mean, you can't say don't do that. But now as a supervisor, if I'm educated, I can say, is this an expedited review? It is. I'm sorry. You know what the rules are. You're going to have to work with staff, and thank you very much.

[01:42:58] That's probably pie in the sky. I understand that. But Chair Randall, you've been waiting patiently. So, you know, I think there are some things that are not being said that maybe we should say, which is if the issue is that things are being changed after they're agreed to, that is an issue of the planning commissioners and the supervisor.

[01:43:24] It really is, because they're not really calling staff to do that. calling us to do that. They're calling planning commissions and supervisors. That's an issue of us turning them back around to staff or saying what's going on and not trying to have those last minute kind of, can we get five more feet of

sidewalk or whatever. I mean, at some point, we have to take our hands off and let it fall or rise as it is. I, going back to the previous conversation, don't want to see LIHTC all in one building. That was That's the whole point I just made.

[01:43:59] I want to see that dispersed and how it could be. Maybe those applications can't be expedited. Maybe everything can't be expedited. But for that that can be expedited, it really is a discussion between three entities, between the elected officials and planning commission, the development community, and staff.

[01:44:22] But at some place in that process, staff, we have to go, okay, we're done now. not allow the the day before that it comes to the day as conversations to happen otherwise they're never going to get through the system and I'll go back to something Ms. Glass asked which was what kind of staff is needed because although you know it is not unusual for anyone to have to work overtime here or there when when necessary we don't want to see that happen a lot just because people are going to Mr. Hemstreet's word their favorite supervisor and so so we can have

[01:44:57] all kinds of discussions, but unless we like get right down to it and say that we can be part of the problem too, including the Planning Commission, we're not going to get this fixed. So thank you. Madam Vice Chair.

[01:45:13] Yeah, thank you, Chair Turner. So I do want to just make a quick point when you're looking at establishing criteria and a framework. Atlantic Boulevard, they did their infrastructure, you know, so they were, you know, as far as what they needed for their application i am concerned when you look at clear springs and cedar terrace you know they had their separate lie tech if we include them we need the rest of that infrastructure for that to work for those buildings so i am concerned about having that as standalone and then chair randall just brought up and i support what she's saying you know i

[01:45:51] liked our cola farms because it was single family detached cottages spread out in that community light tech so how how would we do that so i think i definitely would encourage strong criteria and a framework um and you know the infrastructure is important so if it's not standalone if it can't support you know the residential see what i'm saying on its own so if it's part of a larger community and a larger application then i don't think that would work because then you wouldn't

[01:46:31] get the infrastructure and then you'd have the housing and you know the affordable housing with no infrastructure so i just want to put that out there no point taken thank you and just clarify some things i absolutely agree we can't we can't say absolutely no over time i'm that's that was not my implication it's just i think we can really tighten the process and refine the process to where there's an acknowledgement that somebody's going to have to push back in the queue if we're going to get an expedited review through but i don't want the expedited review definition to mean okay

[01:47:04] everybody works overtime from now on um and um uh yeah i the problem of what do you do with light tech that's interspersed with other out of a single building that's a that's an issue because we don't want to incentivize people to put all their light tech into a single building as chair Randall said because we're trying to get away from that so how do we do that I don't know I don't know what the answer is I think this is a good first start I think this is a good effort and I think you're focused on the right things about what we should be focused on in order to in order to make this work and and I applaud your efforts I know this was a tough one and I was very very happy I

[01:47:43] thought you guys did Yohan's work and it really turned out very well other questions I move the transportation lane use committee direct staff to return to to Transportation and Land Use Committee with a formal policy to expedite legislative affordable housing applications as discussed at the September 18th, 2024 Transportation and Land Use Committee meeting. Seconded by Vice Chair Tocroni. All in favor please say aye. Aye. Any opposed? That motion will pass 4-0-1. Thank you very much. Our next item is, I'm sorry, I did not. Do I need

[01:48:23] to? Is it legal? Okay, thank you. I'm being school lip here, sorry. Next item is Federal Aviation Administration community process to mitigate aircraft noise within the area of the Airport Impact Overlay District.

[01:48:40] Staff, if you could come forward, that would be great. Before dinner. We're going to dinner.

[01:48:57] Thank you, Mr. Chairman, committee members, good evening. For the record, I'm Josh Peters, joined of course by Daniel Galindo and Dusty Smith. There is no PowerPoint this evening, but I do have prepared comments to try to make sure that I cover all the points that I need to. Thank you. So as you mentioned Chair Turner this is an update on staff efforts to open a dialogue with the Federal Aviation Administration regarding community concerns over airport noise in the vicinity of Dulles Airport. So the staff message tonight is fairly brief. It provides a status update on what we've been up to since we were

[01:49:35] last before you in April and then it deals with two potential action items so we could be taking votes afterward. So the two action items, just looking ahead, the first one is simple, just to establish a regular reporting interval between staff and the committee. And then the second one is to continue discussion of the board's July 2 direction to staff as directed by the board on July 16. So the board's July 2 direction dealt with eligibility of contractors and subcontractors

[01:50:08] on the project team, and I'll get into a little bit more detail later on. So first, project status. So the item was last before TLUC in April, and then it was before the board in May. At those meetings, staff presented on an expanded community engagement plan, which was endorsed by TLUC, and the board in turn directed staff to proceed with the project. So that happened in April and then in May. So accordingly, staff worked with lead contractor Binaire and the subcontractor Aloft Group to draft a change order proposal to implement that expanded project. That proposal

[01:50:46] remains under review by procurement staff at this moment. It's not yet been finalized. However, staff expects the work agreement will be finalized soon, and then the project will proceed when the work agreement is fully processed. The project team is planning a community kickoff meeting with the community to provide an overview of the project which will include a series of work group meetings with communities within Loudoun County and then of course the expanded

[01:51:18] outreach and engagement with jurisdictions around the county. Staff initially targeted September 25 for the kickoff meeting but we'll need to push that back since the new contract has not yet been finalized we will communicate with the board about a new date um when we have the work agreement in place and we can continue those discussions so that's coming i think very soon so that's the project status uh as for the action items first one very simple and it's in your staff report staff seeks to re-establish a regular reporting interval with tluck the draft motions include

[01:51:55] direction for staff to initiate a quarterly reporting interval or other such interval as as this committee might wish to see. So if we were to do quarterly starting now, the next scheduled update would

be December 18th at that meeting.

[01:52:14] Of course, we submit that as just a starting place, happy to do whatever's helpful to the committee. The second action item, the board discussed this project during both the July business meetings. On July two, the board provided direction to staff that effectively restricted any additional county residents who live in the project's defined study area from participating as paid contractors in the same project.

[01:52:41] Then on July 16, the board forwarded discussion of that motion to this September TELUC meeting. And then the board's discussion on that motion contemplated that a non-disclosure agreement might be sufficient to address concerns about proper dissemination of information.

[01:52:57] So staff has consulted during that time in between. Staff is consultant with the, we consulted with the county attorney's office, and we corresponded with the contractor and subcontractor on this idea. Use of a non-disclosure agreement or a similar instrument, such as a confidentiality clause within a subcontract agreement, would be between the contractor and their subcontractors.

[01:53:24] So this instrument would be between Vionaire and the Aloft Group, and whoever else might be in that chain of contractors. But the point being, it's between the contractor group. It's not between the county and subcontractors. So the county, as I just described, would not be a party to that nondisclosure agreement.

[01:53:43] However, this is the part that's responsive to the board's July 16 discussion. The draft change order does include a confidentiality clause. So that would be between us, the county, and Vionaire. So the draft change order does include a confidentiality clause that establishes expectations and responsibilities for the treatment of project team correspondence and confidential information.

[01:54:13] Unauthorized sharing by either the contractor or the subcontractor of project information that was deemed confidential, it would be considered a breach of contract by the lead contractor. So the entire relationship is between the county and the singular lead contractor.

[01:54:33] So that is really the update. The motions in your packet guide you toward making a giving direction to staff on when to return to you for a reporting interval.

[01:54:48] And the second item deals with discussing this nondisclosure issue and then making a recommendation to the board. We are anticipating moving from this meeting to the board on October 1st with whatever recommendation the committee makes.

[01:55:04] Thank you. Thank you, Mr. Peters. Before we do questions, I want to restate this and make sure I understand it and then hopefully level set for the rest of the board. So what we're doing here is establishing, and I'll make the motion as proposed, a quarterly reporting period. I don't see any objection to that, but we're certainly open to any ideas.

[01:55:23] And then establishing, rescinding the prior restriction on who a loft group can have within their circle of people that they're working with. It's up to a loft group. They can have anybody that they want, that they choose to have in there.

[01:55:42] We're asking Vionair to enter into a nondisclosure agreement with their subcontractor. Principal communications would be between, on the project, would be between the subcontractor and the contractor, and then our principal communications would be between the county staff and Vionaire, and

even though Vionaire would have a confidentiality agreement, a nondisclosure agreement with the Aloft Group, the combination of the Aloft Group and Vionaire would be subject to the confidentiality agreement that they have with the county.

[01:56:14] Our concern, and we would consider any action by Aloft Group or by Vionaire to be under the umbrella of the confidentiality agreement between the county and Vionair, and Vionair would be responsible for upholding the provisions of that confidentiality agreement. If we have an issue, it's with Vionair. Vionair can sort it out with whoever their subcontractors are. And then we're off and running. We're good to go. Did I say that right? Any questions?

[01:56:41] I think everything you stated is accurate. Okay. Questions? Anybody? Yeah. Thank you, Thank you, Chair Turner. So I thank you for that update. I do support an NDA. I think that's the most reasonable approach. I'm wondering why our motion says the NDA between the contractor and subcontractor must be deemed appropriate by the county attorney's office when we've made that

[01:57:11] separation between the contractor and the subcontractor. I think putting that in there, I think the intent, my intent in putting that in there is that if the board chooses to move forward in this way so that we're bringing in potentially a chain of subcontractors, we could at least, as staff, say, can you show us your nondisclosure agreement?

[01:57:36] Can we look at it? Can the county attorney just look it over? And then if there were concerns, we could report that back. But you do raise a fair point. The agreement is the county's not a party to it. Yeah, I would like to remove that from the motion.

[01:57:53] If I may. I would recommend you leave it in, mostly because we would want to ensure that the language of the NDA with our prime contractor and their subs matches up with the language with our prime. Because if they don't, then there's a possibility that something could happen that we don't have control over because the language isn't explicitly tied together.

[01:58:21] So, as Chair Turner had described it, which Mr. Peters agreed to with, the language is all set and designed to work together. And so, in order to have all of the agreements work together, we need to make sure that the language is consistent.

[01:58:38] Chair Rindle? Is that language standard? I'm sorry. Oh, I'm sorry. Madam Vice Chair, go ahead. Not yet. So I just think it kind of, it's contradictory to what's been said, that we wouldn't be involved with, you know, that contract, that NDA contract between Vionair and Aloft.

[01:59:02] You know, that would be something, that would be a standard contract that Vionair uses for their subcontractors. So, I mean, that's kind of, it seems kind of contradictory to what was said. So the enforcement of the contract is with whoever holds the contract, right, which is a different issue from what the language of the agreement says.

[01:59:30] So what Mr. Peters is articulating and what the motion is stating is that we are not in contract with the subcontractor. We have no enforcement authority over the subcontractor. Our enforcement authority is with the prime.

[01:59:47] However, if we want to hold the prime accountable and ensure that the prime has the control over the subcontractor that that we want them to have control over, the language of that agreement needs

to say what we want it to say. And so that's what the purpose of the motion is. So one issue is about who has who's in who's agreeing who's in contract with whom.

[02:00:12] The other one is what does the language of the contract say? So there are two different issues. it's a standard, right? And this is a standard NDA confidentiality agreement. I'm just wondering, you know. NDAs are drafted by the attorney who drafts them, and the language is only as good as the language in the NDA. I would refrain from saying that there is a standard non-disclosure agreement language that everybody uses. Most NDAs are similar, but I've signed a lot

[02:00:46] of them and they're the language in them are different and so i think here what we're suggesting is that the county attorney just makes sure that the language for all of these non-disclosure agreements match up with each other so that the board is has the protection that it believes it has and just just to restate the the extreme example would be if an nda was established between the contractor and the subcontractor that was directly legally contrary to the NDA between

[02:01:20] the county and the prime right off the bat we're we're set up with legal conflict correct so we have to make sure that they align otherwise we can set ourselves up okay so i do want to make sure motion two does not preclude carolyn mcculley from working on the project as an employee of a law for the regional group, for the regional project group? Motion number two, correct. Motion number two would be recommending to the board that that direction was, is rescinded. And

[02:01:58] so the rest of it kind of sets in place the things that would need to be in place. So it says non-disclosure or similar instrument, which could look like a clause within a contract somewhere else. Okay, thank you. Yeah, I just want to, I just want to dig into this a little bit more, and Mr. Umstreet, Mr. Chairman, if you don't mind, kind of dig down a little bit. So Mr. Umstreet, you said, I think you said, you know, a lot of times contracts don't have the same language, which makes sense. But they do, but it's not, is this language

[02:02:37] completely unusual to a contract we might have otherwise? So given that they have different language is based on a lot of things but is this is this very particular to this this motion in that language very particular to what we're doing here tonight i'm not sure i understand i'm not sure i understand the question what what i will say is that the non-disclosure language that we have with the prime and the non-disclosure language that the prime has with their subcontractor

[02:03:10] needs to match and needs to work together so an example could be that we we define information not to be disclosed as being specific to this project, and we may go on to describe what is underneath the nondisclosure agreement, what is covered by the nondisclosure agreement. So we may say information that is contained in documents. We may define documents as text messages, emails,

[02:03:42] Teams messages, video, right? And we may go on to be very explicit about that. The contract between the prime and the sub may not be as explicit at that. It could potentially say that there's a non-disclosure agreement and that the non-disclosure agreement covers only documents but doesn't cover video or doesn't cover text messages or something of that nature or doesn't cover verbal conversations. And so what I'm saying is that we want to make sure that what

[02:04:16] is covered by the nondisclosure agreement is consistent so that when we do this and we do this this is normal this is standard operating procedure for us in my opinion yes and what would happen if the county attorney um deemed something was inappropriate he would work with the prime contractor to

ensure that the language is he would work for you work with the language he would adjust the language correct okay okay all right thank you thank you mr chairman hearing none i move that

[02:04:54] the transportation land use committee direct staff to assume a quarterly reporting interval to the transportation and land use committee with the next schedule update to occur at the december 18th 2024 transportation and land use committee meeting and i further move that the transportation and land use committee recommend the board rescind the july 2nd 2024 direction to staff regarding contractor eligibility subject to execution of a non-disclosure agreement or similar instrument deemed appropriate by the county attorney's office between the contractor and the subcontractor. Seconded by Vice Chair T'Crony. Discussion on the motion. Vice Chair T'Crony.

[02:05:33] Yeah, I just wanted to level set everything. So, Vionair hired Aloft as a subcontractor because of their local presence in the project area and technical aviation knowledge to lead the regional project team. And before the county engaged consultants, community members came to the board, community members that were experiencing airport noise and wanted to address the issue, came to supervisors and said, you know, let us work with you, and they spent significant time

[02:06:09] to help us understand the complexity of the problem, and they offered help to find solutions to make things better for all communities. And I believe we should be encouraging community involvement, and I want to thank Karen McCulley for being engaged and really helping us get this far in the FAA community process.

[02:06:30] And I also want to thank Tom Lintler for his professional expertise. So I'm glad that we're moving forward. I look forward to getting that NDA and confidentiality agreement signed. And I look forward to the kickoff meeting, which it sounds like it'll be in October, correct?

[02:06:48] Sounds like, or maybe a little later. and then getting the residents involved who are impacted, all the residents, all the communities in the design group. So thank you so much. Any other discussion? I would just associate myself with Mr. Crony's comments.

[02:07:07] As would I, and it's unusual, I will say this, I think this is unusual to have community participants with this level of expertise involved in this process, and it's very, very helpful and gives us a dimension and a depth and an understanding of the context I think that's unusual. I think we're very fortunate to have Mr. Lintner and Ms. McCauley disengaged in the process. So I appreciate that. Staff, I know this is a long, hard slog. When the new AIOD got approved two or three years ago, I kind of seen this movie before around the country. I knew what

[02:07:45] were in for have faith hunker down we will get through this process soon i hope so any other discussion on the item all those in favor please say aye okay any post that motion will pass five zero thank you all very much for your work and we're going to roll right into the pdr program and no we're not going to take a break we're going going to roll right through. I think this will be a probably fairly short discussion.

[02:08:18] Take his last words. Take his last words. About the PDR believers up here. Yeah, you got them.

[02:08:35] The PDR believers up here. Supporters. You got to hold me upside down, I guess. Let me. Yeah, that's right. I got to wait until he comes. I was going to make some opening comments, but I'll say that. Thank you very much for coming. I appreciate it. you can begin at your leisure. Thank you, Chair Turner. I'm Jennifer Moore. I'm with Community Planning. I do have a PowerPoint this evening. The purpose of

this item is to present the purchase of development rights from now on PDR program outlined to the TLAC as directed by the board

[02:09:10] at the April 16th, 2024 board business meeting during the DPZ quarterly work plan update. The staff presentation is essentially a reproduction of information presented at the September 12, 2023 Finance and Government Operations and Economic Committee meeting.

[02:09:28] However, to date, the documents presented this evening have not received board review and staff is available to discuss the work performed on the three PDR program documents, which include attachment one, which is the PDR program outline, which includes a property ranking system or a point scoring system to review applications.

[02:09:51] Attachment two, a draft codified ordinance drafted by county attorney's office in 2022. Attachment three, the draft deed of open space easement drafted by the county attorney's office in 2022. There is an additional update you may notice, and that is that we have, with OMB's input, incorporated the 2023 capital intensity factor numbers.

[02:10:15] In light of tonight's presentation being a repeat from the September 12th, 2023 FGO EDC meeting, staff is happy to offer to skip the PowerPoint presentation or to deliver it at your discretion. Thank you, Ms. Moore.

[02:10:33] Okay, let me frame this discussion just a little bit. What we have in front of us is the proposed resumption of a PDR program that was created and worked from 2001 to 2004.

[02:10:49] It is a grand purchase of development rights program as originally envisioned by the concept. Its focus was on purchases of large pieces of land in western Loudoun County, the purchase and extinguishment of their development rights using taxpayer dollars to preserve western lands.

[02:11:10] It is a very large program that operated for those four years, was repealed by the 2004 board, I believe, in the spring of 2004. It went to finance, then it went to the board.

[02:11:26] It was basically pushed off to the very bottom of the priorities for the Department of Planning and Zoning. Correct me if I'm wrong on any of this. And rather than kill the program outright, the board said, send it, the TLUC committee said, we haven't even seen this program as presented to finance, please send it to TLUC so we can look at it.

[02:11:48] My chief of staff called up the actual discussion that we had at the board meeting on the motion, and I was irritated that essentially the direction the board was giving TLUC was, okay, you can look at it, but you can't touch it.

[02:12:07] And I said, no, no, that's not how this works. If it comes to TLUC, TLUC is empowered and chartered to do what it feels is appropriate with this large plan. The presentation I'm assuming is the large plan that was presented to finance.

[02:12:22] And it is the attempt that has been going on for several years now to resurrect this large purchase of development rights program. Okay, that brings us to up until about a week ago. I received a presentation by the Peabond Environmental Council on a notion of a much, much, much scaled-down pilot project for one or maybe two properties in eastern Loudoun County at a much, much smaller and manageable scale to demonstrate viability of a modified PDR program,

[02:12:57] which uses the same basic functions but does it at a much smaller scale and a much more focused way as to demonstrate that this is a very valuable tool to have in the county's toolbox. And so it's a fairly radically different concept.

[02:13:14] It will probably rely on a lot of the administrative details that have already been laid out in the larger program. The notion of scoring pieces of property, for example, that's probably good. But it will use that as a launching point to establish a much more narrowly defined and modest program compared to the larger program.

[02:13:37] And that's the purpose of the discussion tonight, is to basically ask the Transportation Land Use Committee in its motion to authorize, to direct staff, Please go back, look at this concept, talk to the subject matter expert, the Piedmont Environmental Council and any other subject matter experts or stakeholders in the process that would be involved in this smaller pilot project.

[02:14:02] Get that input and then come back to TLUC with a notion for the pilot project. In the interim, in order to make that work and develop, we have to be empowered. Where right now the staff has no power to do anything on a separate pilot project.

[02:14:21] So we have to go to the board and say please put the pilot project somewhere in the Department of Planning Zonings work plan and then authorize TLUC and staff to go develop the framework of this pilot project and present it back to TLUC. So that's what we're doing here tonight.

[02:14:36] We're not voting on the larger program. We are empowering staff and we're going to the board with asking for permission to advance much, much smaller pilot project. It is incumbent on me and hopefully on the members of the TLUC board to tell the larger board who was already preconditioned to say no if they see another PDR item come back, no, no, this is something completely different. You were looking at a massive SUV and we're bringing you a Volkswagen. It's radically different. It's a whole different concept. Please give us the latitude to flesh out this new pilot

[02:15:13] project in Key Luck, and we will come back to you, and then we can decide whether or not we want to continue to have it in the Department of Planning and Zoning. Staff, did I mis-say any of that, or is there anything you want to add to anything I just said? So, Mr. Krobuth kept me informed today as motion drafting was kind of ongoing.

[02:15:35] I will just say for me personally, I'm not anywhere close to fully aware of the scope of the project you're talking about, so it's hard for me to really comment on that at the moment. Right. And that makes perfect sense. I just had the briefing the other day, and what I thought I knew about the large PDR program, which I think I probably did, when I saw this new concept, I thought this is much better. This is much more appropriate. It's much more palatable. It's a bite of the apple instead of the entire apple in one swallow.

[02:16:03] And I don't know any other way to go about introducing this new concept other than to have TELUC say, yes, we're willing to take a look at a pilot project, but we can't direct staff to work on a pilot project until we go back to the board and get permission from the board to do that. Got it? So this presentation then? Is this the pilot project presentation? No. The presentation in here is the full program because that's all we were empowered to look at. Okay. Okay. Thank you.

[02:16:35] I can go straight to a motion. It's a fairly straightforward motion if you want to talk in the motion yeah so so do we have any and i'm not looking for parameters because obviously i would prefer to

have the bigger program that we've been talking about but i think do we have can you share some basic concepts of what the pilot program and you said it's in the east i'm kind of curious as to how that narrowed and tailored and whatnot so i certainly would want to support something like this because we we do have to get something started and also i guess we don't really have a con this would go to the full board to say yes we authorize and then the i guess um mr galindo couldn't really tell us how long it would take because he doesn't know the size and scope of it

[02:17:15] so yeah yeah if you could maybe provide a few more details that would be helpful happy to if you don't mind my vice chair okay um so uh the presentation by pec says it says let's come up with a list of properties in eastern loudon and western loudon and then it illustrates the clark county and and surrounding counties, PDR programs, and the benefits of them, the amount of funding that comes in from the various resources, and it shows examples of how the property is used once it's developed.

[02:17:45] So one of the example properties that we could use, for example, is a six-acre piece of land, which is, I think, part of the Hennessy property. It's not being developed, it's just sitting there, six acres of land attached to the southern piece of the Hennessy property. And what we would do is, we would work with, PEC has a program and there's a number of other experts that would work with us to keep loading on staff, absolutely minimal, that had done PDRs before.

[02:18:14] And they would put together a PDR package for the county to purchase the development rights on this six-acre piece of land on Goose Creek. And then we would go through that process, everybody would learn, we would come back and say, "Okay, this is how the pilot project worked. We think we can protect the development rights on this six acre piece of land, it gives us access to Goose Creek, we're going to put a boat landing in there, that's all within the PDR process.

[02:18:36] Now what we'd like to do is come back with a list of pilot project potential properties all around the county and prioritize some of those properties and launch the program to focus on those properties and priority. And I guess, if I don't, if I may, Chair, and so my understanding is once we kind of get to that, we would prioritize what properties are first, second, third, fourth, and that would come back to TELUC, assuming we had the full authorization of the board to kind of continue to pursue that.

[02:19:05] Correct. And then presumably we would make, and my bet is I would be shocked if the pilot project didn't include a western property and an eastern property. Sure. And we would go, we would look at it and then we'd make a recommendation when the staff had built the framework for the pilot project and we actually proceed with that framework, And we would go back and potentially the actual pilot properties that we're looking at.

[02:19:26] Then we would go back to the board and say, okay, this is what we think is worth pursuing. Do you agree? We'd have a board vote. And if the board agrees, presumably it would come back to TELAC and we would flesh out the program. Okay. And see, we don't have any sense on how long this is going to take. Because I think there's a sense of urgency, but I understand this approach.

[02:19:45] I really do understand this approach. I don't know. Staff, any suggestions on how long? I think Professor Kirshner is right. Without fully understanding the scope of what you're proposing, it's hard for me to say. I'll say looking at the draft work plan that was submitted for the October 1st meeting, beginning of the week, we currently have 21 projects that are on there.

[02:20:07] 11 of them are ongoing. So we don't have a lot of capacity to take on additional large things. I like what you're saying about us not having to do a lot of extra work, but I just don't know the scope of what we're talking about. Well and that's a that's an excellent point and we have to be sensitive to that to that especially since we've got a board that's already cocked and loaded to say no to the new pdr program so so to the to the to the extent that we can uh rely on um non-staff expertise to steward

[02:20:43] the program and and based on the conversation i had the other day they felt that the current staff that we have to administer the current PDR process would be fine and that they could supplement that with outside help to run through this pilot project and see what was required.

[02:21:01] So not to be contrarian, but we don't really have staff set up to run the PDR project. Okay, all right. I mean, we have obviously knowledgeable people that can help out. And I think looking at the draft motion that had been provided to staff, I guess part of my question would be for the first part about working with the Piedmont Merrimando Council and others um what is what is your perception of that are we talking about they're going to give us the same presentation that they gave you and kind of yeah my my expectation would be PEC would provide all the supervisors with their presentation and staff so you have an understanding of what the

[02:21:38] concept is and then at that point that gives you I think a broad framework and and believe me I'm I'm not trying to task an overworked staff or task an overworked staff with yet another project, but I really believe there's a way forward here that has minimal impact on staff, even without the FTEs to administer the current PDR program.

[02:22:02] The way it was described to me, I really think we can do this with outside experts that you're aware of and watch how this process goes on. Before we ever have to commit staff and resources, we're gonna have to get approval from the board. All I'm trying to do is flesh out a concept and say, this is a really valuable tool.

[02:22:20] We don't need the Cadillac. We can do the Volkswagen. It's really valuable. Here's the concept, what it looks like. We'd like your permission to go forward and develop the pilot project. We will come back to the board, say, this is a pilot project. What do you think, yes or no? If it gets voted down, it gets voted down.

[02:22:36] But if it gets voted up, then all you're concerned about staff and staffing and FTEs, that would all be taken into account. So, I have two thoughts. One, I think if the committee wants to move forward the motion that's been drafted, at a minimum, we need to meet with PEC as presented to you to have a better understanding of what they're proposing prior to the board taking action.

[02:23:06] unless I'm surprised by the the absolutely minimal amount of staff work that they will need in order to make it effective my concern is going to be that we only need to move something in the work plan that's currently operational or the board only the committee board they understand that we probably can't start this for nine months at a minimum with what's in the work plan the first thing that's proposed to come off is six months from now and that staff members essentially teed up for something else that we're already preparing to bring to the board as another future project.

[02:23:41] And we have a number of things lined up like that. It's a number of things that aren't even on the work plan I'm presenting on October 1st. So it's not something that we'll be able to get to quickly if it's truly at staff's ability to get to it when it can get to it without further direction.

[02:23:59] Supervisor Kirshner, you have anything? I guess my only thought is, would this be something that you could have a meeting with the PEC and come back to us at the next meeting between, and to get some sort of grasp on it to give us a little better understanding or, because if we're going to, I mean, my only thought while you're discussing, if we're going to take this long, we may just try to, I mean, I understand it failed at the full board level, so I think the concept here is, well, let's try it out at a much smaller level and see how it works.

[02:24:35] It's like a proof of concept. But. So we would be happy to meet with them in the interim. The issue we're discussing is that our typical expectations for providing an item and preparing it in the review process is time-consuming. So we would need to double-check deadlines and also just kind of set an expectation of what we're bringing back.

[02:24:56] If we're essentially recycling what's in front of you and then we can just talk verbally, I don't think that's a lot of extra work. And if I could just clarify, are we even empowered to ask staff to even do anything with PEC before we get approval from the board?

[02:25:12] This is what I was hoping to be able to say, and that's the reason for the motion, the way it's been crafted. As it stands today, essentially the direction from the board, the full board, is that staff exert no additional effort, but a meeting with PEC would be certainly fine.

[02:25:33] But if you're going to ask them to do any follow-up and come back and engage in a discussion with the committee, that is beyond what the board has directed. So we have to go. So just to flesh out how that would happen, so staff would meet with PEC so they understand the concept, so their situational awareness is raised up to a common level.

[02:25:58] This motion then would proceed on its own, separate from that, and we would need board direction to say, okay, you can go ahead and explore a pilot project. That gives us permission to come back and then ask staff to actually begin to flesh out the pilot project. Chairman, if I may. So I think what would have to happen is, yes, staff would meet with PEC and kind of flesh that out and then and then and then let me know after that if that's if this is something that is reasonable workable and if so it goes on the agenda for the full board to to do to look at to vote on understanding that the vote voting on

[02:26:37] this may still mean that it could be months away but it wouldn't but it would only be if staff believe this was reasonable and workable to look look at that I would put it on the agenda for the full board. It would not come back to this committee before it went to the full board because the staff can't do anything further without the full board's approval.

[02:27:00] And so the next step is back here. The next step is not -- I'm sorry, the next step is the full board. The next step would not be coming back here. And if staff came to me and the discussion was we saw it, it scaled down, but it's not scaled down enough or it's gonna take this amount of time, then I would probably let you know that putting it on the full board agenda is not something that I would do.

[02:27:28] - So I'm not sure where that leaves us. - Well, where that leaves us is, yes, we can ask the staff to go meet with the PEC just to find out how scaled down this looks, but that would be the only ask that we would do right now is to meet with the PEC Because truthfully, we as a committee cannot task staff to do anything that's not already created.

[02:27:59] So you have to have this be scaled down because whatever they're going to do, whatever they're going to show them has to be scaled down from what already exists. The staff cannot go create any new

work that doesn't exist because a committee asked them to.

[02:28:16] They can only do that if the full board asked them to. okay i understand what you said madam chair everything is accomplished by this motion then in that sequence the challenge of course is convincing the full board well to to now the question i had for mr hamstring and mr crowbooth does it have to go on the dpz work plan is there another mechanism that we can use to can it go to soil and water for example uh is there some other mechanism we can use other than dpz because that's going to be the tough vote at the board

[02:28:52] is getting the board to add yet another item to a 21 item list for the DPZ? So if the intent is for Loudoun County to do this program, then it needs to go on the DPZ work plan. Okay. All right. Well, that's a heavy lift, but it's a proper way to do it. I don't know any way else to describe it. Madam Chair?

[02:29:14] That is correct. And sorry, the only question is right now, if we -- I'm not even sure it would be in a motion, to be honest, that we ask the staff, we make requests of the staff to meet with PEC is really all we're doing tonight.

[02:29:32] That's really all we're doing tonight is making that request of staff to meet with PEC. And then Mr. Turner, staff can come back to you and I as T-Luck Chair, Chair of the Board, and then a discussion, and obviously Mr. Hemstreet's knowledge discussion can be made based on what staff is saying to me to whether or not I place on the agenda for the full board.

[02:29:55] That's kind of, and I got to say, Mr. Galindo and I have talked enough, and we're at a place where if he thinks it's just not a deal that we can do, he'll tell me. And I feel confident about that, that he'll tell me. And then it just says, thank you very much for having me with the PEC, and that's where we stop.

[02:30:12] Okay with that? That makes sense. Okay. So I have a question. Yeah, Madam Vice Chair. Oh, sorry. You've already had to hear me. I'll come back. Yeah. I know that DPZ is pretty booked. Like, you have a full plate of items on your agenda.

[02:30:31] What about B&D? What about, could B&D help us with this pilot? I know that that was kind of the second staff member that Mr. Hemstreet had proposed. If it's really scaled down and it's a proof of concept, and we're just saying that Goose Creek in the SPA is where we're looking, the suburban policy area, we don't need an advisory board to do the pilot.

[02:30:56] You know, all we really need is someone from B&D to do the proof of concept and maybe a grant writer from the finance department because we would want to show that money was not 100% county money, that we were going out and looking at funding from state and federal grants.

[02:31:15] Is that possible? So the discipline and the knowledge is within the Department of Planning and Zoning. So building development is a great department, they have great staff, but this is not their area of expertise. And Mr. Chairman, may I?

[02:31:32] And even if that were true, the process wouldn't change, because the staff, no matter which staff it is, DPC, DPC, whoever the staff is, still cannot be tasked to do anything by a committee. So it still wouldn't change the process.

[02:31:47] Supervisor Glass. Thank you, Chair Turner. So I feel like I missed something. So are you saying that staff would talk to PEC first before, or are you going to continue with this motion? No, we'll make the

motion, separate process. The motion is principally determined, its purpose is to get permission from the board to proceed forward with proof of concept.

[02:32:16] That's what the motion says. So I move the transportation, I'm not making the motion now, I'm just reading it. Recommend the Board of Supervisors direct staff to collaborate with Piedmont Environment Council and others as defined by the board to develop a framework for a pilot purchase, pilot purchase of rights project.

[02:32:34] In the meantime, while that's taking place, PEC will meet with DPC just so that DPC has an understanding of what the concept is. They're not developing the framework. They're just understanding the concept. The second piece is I move the Transportation Lands Use Committee, recommend the Board of Supervisors place the proof of concept on the DPZ work plan, that's the tough one.

[02:32:56] And then the last one is I move the following Board of Supervisors approval that staff return to the Transportation Land Use Committee seeking feedback and comments from the committee members on the program for staff to incorporate in the development program. That tasks DPZ staff, assuming the board has said yes, you can put it on the schedule, Go talk to the experts to flesh out the concept.

[02:33:17] Madam Chair, you're shaking your head. I don't know that any of the, I don't know that any of these motions are appropriate to be quite honest. I think that I don't, first of all, I'm not sure if we need a motion to ask staff could they meet with PEC.

[02:33:37] But beyond that, even if that was a motion, nothing else would be appropriate until after that meeting happened. Nothing else would be appropriate. Can you explain why? Because the next motion as they further move is that it's placed on the project, a pilot project is placed in the work plan.

[02:33:59] We can't say a pilot project is placed in the work plan until that meeting happens and then we know what that looks like. And then the following motion is a follow up on the second motion. of that is appropriate until they have that meeting or discussion with PEC and even know if this is a developable scaled down project that can happen and what's needed, what's timeline, and then we will decide where to go next.

[02:34:33] So the I further moves are not -- and I want this program. I put this program forward in my very first term. But the further moves are inappropriate for a committee to do. Well, all of the three parts of the motion are simply recommending to Board of Supervisors.

[02:34:54] They're not directing staff to do anything. So the first one simply says that the TELUC committee recommend to the Board of Supervisors direct staff to collaborate with the PBON Environmental Council and others as defined to develop a framework for a pilot purchase PDR program.

[02:35:12] That is -- So we're asking -- we've got to go back to the Board. At the October meeting, one of the October meetings, and say, we recommend that you direct staff to work with PEC and subject matter experts on developing a PDR pilot. The way this, Mr. Chairman, with respect, the way I'm reading this motion is you're asking staff to create.

[02:35:32] I'm not asking staff, I'm asking the board. You're asking the board to ask, so you want to, okay, let me ask, could we just say, staff, do you mind meeting with PECs? Because you're asking the board to go to the PEC to create something new.

[02:35:51] I don't think we can ask staff to work with PEC. We're not empowered to do that. I'm not, and I, well, I know that. I've said that a couple of times. Well, but you just finished saying we're asking staff to work with PEC. No, okay. So the way that I think you're both saying, I think you're both right.

[02:36:10] So I think my interpretation of what he looks discussing is in order for Mr. Glendo and his team to understand what the program is, to be able to answer questions for the DPZ work plan about what the project might entail, they need to go talk to PC. Correct.

[02:36:29] There's no board requirement. I can just authorize them to go talk to PC and have that meeting. However, what the first motion is saying is for the board to direct staff to then go and work with PEC and perhaps other stakeholders to actually put the pilot program together.

[02:36:50] So that's what the first motion is in order. And that's a recommendation from TELUC to the board asking the board to direct us to put the program together, which is different from just meeting with them and understanding what what PEC's concept is.

[02:37:05] The second motion would then ask the board to actually place the creation of the program into the work plan because so the both of those motions have to be passed by the board it's just TLUC's making that request to the board and then the third motion returns the item back to TLUC so that under the board rules the board is directing staff to work directly with TLUC to put the program together into so it can be you know the proposal can be solidified and then brought back

[02:37:39] to the board for consideration so that's how I interpret the motion as direction. I may be wrong but I believe we've just come full circle to what I originally said, which is ask DPZ staff to meet with PC so they understand the concept, then make the motion, which recommends to the board this sequence of events, so we're empowered to then ask staff to develop the framework of a pilot.

[02:38:02] Correct. Chair Turner? Yes, I'm sorry. So I would assume if we were to move forward on this motion, between now and whatever meeting we set this to, whether it was October or November, hopefully the staff would at least be able to have an informal meeting with the PEC, have a little better understanding what their concept was, and so they could answer questions at the full board meeting.

[02:38:25] That's correct. So I think that's the way I understand it, and that would seem to make a lot of sense. And then they may not have all the answers. Maybe it will get deferred for further answers than they authorize at that point, depending on whatever motion happens, or they say, okay, we authorize to look into this further, because obviously it's not going to be fleshed out by the time it comes to the full board meeting.

[02:38:43] But they're going to at least have a better concept of, hey, we could put this on the dpc plan and we could maybe get to it in nine months or whatever it may be is that i think that's a fairly fair assessment of how this would probably work yes okay thank you madam vice chair wait i'm sorry any other questions madam vice chair yeah thank you um chair turner so um staff would not work on this at all right they're just going to meet with pc and then for the proof of concept like the proposal and then it would we would go

[02:39:21] to the full board for authorization to put it on the work plan is that what it sounds like okay okay okay okay i am i am still confused as to why the why okay so say that say staff sits down with pec and they come back to me and they say chair rando this is not a scaled down project this is pretty

[02:39:55] still fairly wholesome and we we can't do that so we're not going to do this at that point i would not put this on the agenda for to go to the full board so my confusion is first of all again i do not believe we need a motion for them to go talk to pc let's start with that again secondly i'm a little confused by that's why the second the ends i further move is a little confusing to me because Because that assumes something's happened that we don't know that's going to happen.

[02:40:27] Chair Turner? Yeah. So, Madam Chair, if I could, is your concept then to maybe defer this for a month, have them speak with them, come back, and they can have a discussion with us to maybe further pass this motion? And so we would have a better idea whether it's reasonable to put it on the full board agenda?

[02:40:44] I would, my concept with them to have a discussion, have them come back to Mr. Turner and I and give me, and then we would go from there. That's what I'm saying. The next two assumes things that we cannot assume yet. But all of that, the feedback we'll get from staff about whether it's a viable concept will all happen, will have to happen before this motion is made, which means we are deferring this motion to the next TLEC meeting.

[02:41:14] We'll hear back from staff of what they think of the proof of concept. They'll say, sure, that's viable. Then we have to make this motion at the next meeting to go forward. After they do that. After they do that. Then if they say that's viable, that's fine. After we get the feedback. That's right. I mean, we're going to ask them to meet with PEC tonight, and then we will defer this motion until the next TELEC meeting.

[02:41:34] Are we okay with that? I think we are. Staff, are we okay with that? Okay, then we will defer this motion until the next meeting, and if you would meet with PEC, that's fine. And let me recommend to all the TELEC members, please get the PEC briefing as soon as you can, because it's very good and very informative.

[02:41:55] I think we are done. Any other questions, any items before the committee?



Coraggio Consulting · aguyonx.com