

**Loudoun County Chamber of Commerce**  
Resolution on the Chesapeake Bay Preservation Ordinance  
April 28, 2010

Whereas Loudoun County has long-established, broad and effective environmental protections set out in the Loudoun County Zoning Ordinance, Facilities Standards Manual and Revised General Plan, such protections including but not limited to the Scenic Creek Valley Buffer Zoning District, the Floodplain Overlay District, Mountainside Development Overlay District, Steep Slope Standards, wetland protection principles and stormwater management regulations, all of which serve to ensure a thorough and diverse network of environmental protections,

Whereas these protections were further strengthened with the County's adoption of the Energy Strategy in December of last year,

Whereas the Loudoun County business community understands the need to balance future growth with environmental protections,

Whereas the draft Chesapeake Bay Preservation Ordinance ("CBPO") would add a significant and potentially onerous additional layer of regulation,

Whereas the implementation of the draft CBPO, especially in concert with the existing regulations set out above, has not been studied,

Whereas the draft CBPO is proposed to be applied against properties within the County's primary commercial corridor, the Route 28 Tax District corridor,

Whereas the Route 28 corridor is currently being planned for significant commercial development projects that are under review by the County,

Whereas the Route 28 corridor is served by public water and sewer and thus warrants classification as an Intensely Developed Area that is exempt from the CBPO,

Whereas the proposed CBPO introduces uncertainty to the development process, as it impacts pending and approved plans alike, as well as potentially reduces developable area for approximately 10 percent of the parcels in Loudoun County,

Whereas all approved and pending development plans should be grandfathered, to prevent additional review and significant and costly delays as well as to avoid challenging the vested rights of property owners,

Whereas the collective effect of the Chesapeake Bay Preservation Ordinance and the extensive body of environmental regulation referenced above is to dramatically chill the County's effort to attract new businesses to Loudoun and grow the commercial tax base,

Whereas businesses consider the cumulative number and impact of regulations and administrative burdens when deciding where to locate a new or expanding business, and

Whereas the CBPO will cause a competitive disadvantage as between Loudoun County and surrounding jurisdictions at a time when the competition among greater Washington localities is increasing and intensifying,

**Therefore, be it resolved that the Loudoun County Chamber of Commerce urges the Board of Supervisors to affirm its partnership with the business community by adopting reasonable grandfathering provisions, similar to those proposed by various development industry groups and adopted by Fairfax County;**

**Further, be it resolved that the Loudoun County Chamber of Commerce calls upon the Board of Supervisors to designate the Route 28 Corridor as an Intensely Developed Area, as defined in the Virginia Administrative Code; and**

Further, whereas the Loudoun County Parkway, from Route 7 to the North to the future Loudoun County Parkway/Route 772 Metro station in the South, has long been planned as an important corridor of prime existing and future commercial development; and

Whereas the Loudoun County Parkway corridor has long been planned as an important generator of current and future commercial real estate property taxes; and

Whereas, many property owners in the Loudoun County Parkway corridor have already incurred significant expense and effort to comply with Loudoun County's existing stringent environmental requirements; and

Whereas, designation of this corridor as an Intensely Developed Area will provide economic relief for Loudoun County taxpayers in the form of increased commercial property taxes and reduced prospects of litigation filed by impacted property owners;

**Therefore, be it resolved that the Loudoun County Chamber of Commerce asks the Board of Supervisors to designate the Loudoun County Parkway corridor as an Intensely Developed Area, as defined in the Virginia Administrative Code; and**

Whereas, the County has not conducted an analysis on how the costs to comply with the CBPO will affect the county's rural economy; and

Whereas the County has long supported policies and programs that encourage rural businesses and agricultural operations and has witnessed how a change in prosperity for property and business owners could impact government revenues; and

Whereas the proposal to designate all parcels in the County as a Resource Management Area that are not designated as a Resource Protection Area would

impose an additional regulatory burden on properties that have relatively little potential to cause significant water quality degradation.

**Therefore, be it resolved that the Loudoun County Chamber of Commerce asks the Board of Supervisors to carefully analyze and specifically detail the impacts that the CBPO, as proposed, would have on Loudoun's rural businesses and agricultural operations, for the purpose of eliminating any unnecessarily burdensome and ineffective new regulations on Loudoun's rural economy from the proposed CBPO; and**

**Further, be it resolved that the Loudoun County Chamber of Commerce strongly requests that Board of Supervisors take all steps necessary to ensure the predictability of Loudoun County's land development application process that is so vital to businesses as they choose jurisdictions in which to locate and expand.**