

MEMORANDUM

TO: Mr. Joshua Bateman, Lovettsville Planning Director & Zoning Administrator

FROM: Alaina Ray, Loudoun County Director of Planning and Zoning

CC: Mr. Tim Hemstreet, Loudoun County County Administrator
Mr. Kenny Young, Loudoun County Assistant County Administrator

DATE: October 17, 2019

RE: LVAN 2019-0001, West End Motors Application for Annexation

BACKGROUND

An application submitted to the Town of Lovettsville seeks annexation through Boundary Line Adjustment (BLA) of a 1.47-acre parcel (subject property) located on the southeast corner of Berlin Turnpike (Route 287) and Lutheran Church Road (Route 676), better identified as Property Identification Number (PIN) 371-49-5463, east of the Town and located in the County's Rural Policy Area. The applicant provides motor vehicle services on the subject property including selling gasoline, repairs, inspections, and sales and rentals, and operates a convenience store.

Automotive-related services have been provided on the subject property for more than 70 years, according to the applicant, which predates the Revised 1993 Zoning Ordinance (Zoning Ordinance) and can be considered legally nonconforming. The applicant seeks to expand services and requires additional space. The applicant requested and attended a County Pre-Application Conference (PRAP-2018-0056) on May 22, 2018, to explore rezoning and special exception approval to allow uses on the subject property to conform to the Zoning Ordinance. The existing automobile-related uses provided on the subject property are not supported in the Rural Policy Area or permitted in the Agricultural Rural-1 (AR-1) zoning district. The Loudoun County 2019 Comprehensive Plan (2019 GP) also does not support rezoning to another commercial zoning district in the Rural Policy Area. The applicant, therefore, is seeking annexation into the Town.

The simplest mechanism available for annexation in Virginia is a Boundary Line Adjustment (BLA), which requires public hearings by both affected jurisdictions followed by submission to the appropriate Circuit Court to determine whether proper procedures

have been followed and proper boundaries established (Section 15.2-3100, Code of Virginia).

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The subject property is governed under the policies of the 2019 GP. The 2019 GP places the property within the Rural Policy Area in an area identified as the Rural North place type where rural economy uses and limited residential development are envisioned (*2019 GP, Chapter 2, Rural Policy Area Place Types Map*). The Towns and Joint Land Management Areas (JLMA) policies of the 2019 GP are also applicable to the review of the proposed annexation (BLA) request.

ANALYSIS

The Rural Economy policies of the 2019 GP promote the development of a variety of business uses that include traditional and non-traditional agricultural enterprises that are dependent on the land resource base (*2019 GP, Chapter 2, Rural Economy, text*). The existing property, while located in the Rural Policy Area, has developed over the years with automobile-oriented uses that are not considered rural economy uses.

The County and Towns may proceed with annexation or with corporate boundary line adjustments pursuant to Virginia Code requirements, irrespective of whether the Town has a JLMA (*2019 GP, Chapter 2, County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines, Guideline 6*). Specifically the Town of Lovettsville has identified several limited areas outside its corporate boundaries that may be candidates for annexation for the purpose of supporting existing commercial or employment uses and achieving the Town's economic goals (*2019 GP, Chapter 2, Towns and JLMAs, Lovettsville, Introduction, text*). The policies of the 2019 GP support the County and incorporated Towns entering into agreements to facilitate annexations that implement the shared vision of both governing bodies (*2019 GP, Chapter 2, Towns and JLMA, Strategy 1.1 and County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines, text*). The proposed boundary line adjustment is consistent with the 2019 GP Boundary Line Adjustment guidelines and will enable the extension of municipal utilities. Incorporating the subject property into the Town of Lovettsville supports the County's strategies for the Towns and the Rural Policy Area.

RECOMMENDATIONS

County planning staff find that the proposed BLA is supported by the policies of the 2019 GP, and that sufficient information is included for the County to consider annexation should

the Town express its intention to approve a BLA Agreement and transmit such intention to the Board of Supervisors.

Thank you for the opportunity to comment.