

GOOD MORNING CHAIRMAN YORK AND MEMBERS OF THE BOARD OF SUPERVISORS. MY NAME IS ED GORSKI AND I AM THE LAND USE OFFICER FOR THE LOUDOUN COUNTY OFFICE OF THE PIEDONT ENVIRONMENTAL COUNCIL. APPARENTLY MY ANALYSIS OF THE WORST CASE SCENARIO OF THE POTENTIAL ADDITIONAL UNIT YIELD WHICH COULD RESULT FROM THE ADOPTION OF THE LOT REQUIREMENT MANIPULATIONS PROPOSED BY THE BOARD APPOINTED ZORC CREATED QUITE A STIR WHILE I WAS ON VACATION. SINCE SEVERAL SPEAKERS AT THAT PUBLIC HEARING AS WELL AS AT LEAST ONE MEMBER OF THIS BODY SAID "ASK ED GORSKI" I DECIDED TO PROVIDE THE BACKGROUND FOR THAT WORST CASE SCENARIO.

I HAVE DISTRIBUTED THIS MORNING A HAND-OUT WHICH HIGHLIGHTS TWO VERY SIMPLE EXAMPLES OF THE ANALYSIS I COMPLETED. I MUST EMPHASIZE, AS I DID IN THE HAND-OUT THAT THESE ARE ONLY TWO EXAMPLES AND THERE ARE MANY MORE I CAN PROVIDE YOU, PARTICULARLY WHEN YOU CONSIDER THAT THE ZORC IS PROPOSING OVER 1,000 CHANGES TO THE COUNTY'S ZONING ORDINANCE.

I IMAGINE THAT AS YOU ARE REVIEWING THIS HAND-OUT, SOME OF YOU ARE THINKING THAT THE PURPOSE SECTIONS OF BOTH THE R-8 AND R-16 GENERALLY INDICATE THAT DEVELOPMENT IN THOSE DISTRICTS IS LIMITED TO A CERTAIN NUMBER OF UNITS PER GROSS ACRE. HOWEVER, THE VERY SPECIFIC LOT REQUIREMENT MANIPULATIONS PROPOSED BY THE ZORC WILL IN FACT CREATE A CONFLICT WITH THIS GENERAL STATEMENT. OUR REVIEW OF COURT CASES DEALING WITH GENERAL VERSUS SPECIFIC LANGUAGE AND CONFLICTS CREATED BY THEM HAS INDICATED THAT IN THE VAST MAJORITY OF CASES THE SPECIFIC LANGUAGE TRUMPS THE GENERAL STATEMENT.

BOTTOM-LINE, THE WORST CASE SCENARIO ANALYSIS WHICH I COMPLETED WAS BASED UPON THE NUMEROUS UNIT YIELD PERMUTATIONS RESULTING FROM THE PROPOSED ZORC LOT REQUIREMENT MANIPULATIONS AND A SCENARIO WHERE THE COURTS DETERMINED THAT THE SPECIFIC LANGUAGE OF THE MANIPULATIONS SUPERCEDED THE GENERAL STATEMENT CONTAINED WITHIN THE VARIOUS PURPOSE SECTIONS OF THE ORDINANCE.

IN CONCLUSION, IT CONTINUES TO BE MY PROFESSIONAL OPINION THAT THE ZORC AMENDMENTS DO NOTHING TO PROMOTE THE HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF LOUDOUN COUNTY NOR DO THEY IMPLEMENT THE POLICIES AND GUIDELINES CONTAINED WITH THE REVISED GENERAL PLAN. THEY ARE SIMPLY PROPOSALS TO ACCOMMODATE THE DEVELOPMENT COMMUNITY AND ITS DESIRES TO: (1) MAXIMIZE UNIT YIELD; (2) "HOLD DOWN ITS COSTS"; AND (3) EXPEDITE THE LAND DEVELOPMENT REVIEW PROCESS.

IF YOU WOULD LIKE TO DISCUSS THIS ISSUE IN GREATER DETAIL JUST LET ME KNOW AND I WOULD BE MORE THAN HAPPY TO ACCOMMODATE YOUR REQUEST. THANK YOU AND HAVE A GREAT DAY!