AGENDA
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
6 E PENNSYLVANIA AVENUE
LOVETTSVILLE, VA 20180
THURSDAY, NOVEMBER 12, 2026, AT 7:30PM
This meeting will be held through electronic means

This Meeting will be held at the Town Council Chambers at 6 E. Pennsylvania Avenue. The Mayor, Town Council Members, and Town staff will participate in attendance of the meeting.

Written comments regarding items on this agenda can be submitted to clerk@lovettsvilleva.gov by 3:00PM on the day of the meeting.

Members of the public may access and participate in this meeting in attendance at the stated location or electronically using the link or call-in number provided below:

Join Zoom Meeting:
https://us02web.zoom.us/j/81176670442?pwd=zWp2O44LbS2wC4BxApJB3a2b8JaUgX.1
Webinar ID: 811 7667 0442 | Passcode: 362625 | Phone: (929) 205-6099 or (301) 715-8592

1. **Call to Order/Pledge of Allegiance**

   Town Council Present:
   Town Council Absent:
   Town Staff Present:

2. **Comments from the Public**

   The following Public Comments were received prior to the meeting:
   Melissa Dukes – 34 Eisentown Drive, Lovettsville, VA 20180
   Brian Carson - 34 Town Center Drive, Lovettsville, VA 20180

   To be read by the Town Council before Public Comment: *Comments from the public are limited to three (3) minutes at the beginning of the Council meeting. A speaker representing a group or organization will be allowed up to five (5) minutes to present the position of the organization. Any member of the public speaking for an organization must submit a letter from the Board of that organization authorizing them to speak for the organization on that issue. Questions by the Mayor or Town Council Members will not be counted against the speaker's time. All speakers shall refrain from using vulgarities, profanities, and obscenities. Speakers shall address the Mayor and Town Council as a whole and not address their remarks toward any specific member of Town Council or Staff.*

3. **Committee Reports**

4. **Town Manager's Report**

5. **Additions/Deletions/Modifications to the Agenda**

6. **CONSENT AGENDA**
THE FOLLOWING ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND/OR NON-CONTROVERSIAL SHALL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED **AT A LATER TIME**.

   A. **October 22, 2026, Town Council Meeting Minutes** – Approval

   Draft Motion: *I move to approve the Town Council Meeting Minutes of October 22, 2026, as included in the November 12, 2026, staff report.*

   B. **Annual Review of Documents**

   Draft Motion: *I move to postpone the following review of documents to 2027 to include the proposal of the new Memorial Policy, and the review of the Rules and Procedures Town Code Subdivisions 2-II-2, Events Guidance Document, Standards of Conduct and Ethics, and the Employee Policies and Procedures Manual.*

   C. **November 18, 2026, Town Council Special Meeting – Events Workshop** – Approval

   Draft Motion: *I move to schedule a Special Meeting to be held on Wednesday, November 18, 2026, at 6:00PM in Town Council Chambers at 6 East Pennsylvania Avenue, Lovettsville, VA 20180 to discuss the following items: Call to Order, Pledge of Allegiance, Public Comment, 2027 Event Planning Workshop,* 2027 General Assembly Legislative Agenda, *a Closed Session for the discussion of personnel and performance, and Comments/Disclosures from the Mayor and Town Council.*

7. **Public Hearing**

To Be Read by Town Council Before Opening Public Hearings: *Comments from the public are limited to three (3) minutes. A speaker representing a group or organization will be allowed up to five (5) minutes to present the position of the organization. Any member of the public speaking for an organization must submit a letter from the Board of that organization authorizing them to speak for the organization on that issue. Questions by the Mayor or Town Council Members will not be counted against the speaker's time. The speaker shall limit his or her comments to only those pertaining to the item that is the subject of the Public Hearing.*

   A. **Annexation Policy and Zoning Ordinance**

Informative Summary: The proposed amendments to the Zoning Ordinance regulate and administer land that may hereafter be incorporated into the town limits by annexation or boundary line adjustment. The proposed amendments to the Annexation Policy and Process

align the policy with the latest Town and County Comprehensive Plans, and update the Town Council review criteria, process, and application requirements.

Draft Motion: *I move to adopt Ordinance 2026-11-0001, approving the amendments to the Town of Lovettsville Annexation Policy and Process dated November 12, 2026, and LVZA 2026-0001, amendments to Chapter 42, Zoning, Articles 42-V, 42-VI, 42-VII, and 42-VIII-2, dated November 12, 2026, and included as Attachments 2, 3 and 4 to this report.*

B. LVCU 2026-0001, George Family Holdings LLC

Information Summary: To consider an application for a conditional use permit submitted by George Family Holdings LLC of Lovettsville, Virginia, to operate a package and parcel service on the first floor of 1 South Loudoun Street.

Draft Motion: I move to adopt Ordinance 2026-11-0002, approving LVCU 2026-0001, George Family Holdings LLC, subject to the conditions of approval included in Attachment 2.

8. Closed Session

Draft Motion: *In accordance with Va. Code section 2.2-3711(A), subsections (1) and (3), I move to convene in Closed Session for: (1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, relating to the annual evaluation of the Town Clerk and the restructuring of Town staff, and (2) Discussion or consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.*

Certification of Closed Session: "*Do you certify to the best of your knowledge that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the Lovettsville Town Council?"*

When polled as to whether (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting, the following members stated "Aye:"

9. Discussion Items

A. 2027 General Assembly Legislative Agenda – Discussion

Draft Motion: *I move to approve the 2027 Legislative Agenda Packet as presented on November 12, 2026.*

B. **Oktoberfest Feedback Survey Results** – Review

C. **Request for Public Hearing – LVZA 2026-0002 – Cannabis Control Act**

Draft Motion: *I move to schedule a Public Hearing for consideration of LVZA 2026-0002 at the December 10, 2026, regular Town Council meeting.*

10. **Informational Items**

A. **CEED Coordinator's Report** – Informational

B. **Utilities Report** – Informational

C. **Zoning Administrator's Report** – Informational

D. **Capital Projects Report** – Informational

E. **Public Works Report** – Informational

11. **Upcoming Meetings/Agenda Items**

A. **Upcoming Town Council Meetings – Preliminary Agendas** – Informational

12. **Comments/ Disclosures from the Mayor and Town Council**

13. **Adjournment**

Town of Lovettsville

Memorial Policy
(10.8.2026 DRAFT)

Purpose and Scope
This policy establishes standards, procedures, and fees for memorials and commemorative items on Town-owned property, including parks, plazas, municipal buildings, and rights-of-way. It balances community remembrance with public safety, maintenance, accessibility, and aesthetic standards. Traditional town memorial options are continued where possible, but the intent is to transition to a more permanent structure as space becomes more limited, and maintenance becomes more burdensome. This policy does not apply to naming rights for facilities or permanent structural changes unless approved by the Town Council.

Vision
The Lovettsville Infrastructure Committee embraces the sense of community and small-town character associated with honoring Lovettsville's deceased residents. Currently, the town does this through memorial benches and trees. While these options will continue as space allows, the Committee recommends adding a longer lasting and more affordable option in a granite memorial. In conjunction, the Committee recommends a marker be placed near the granite memorial with a QR code or similar accoutrement that links to a town-maintained web page. Applicants who wish to have a loved one or family member's name engraved on the memorial, would be encouraged to also submit a biography about the person. The web page would be a central location for all biographies, easily and quickly accessible from the memorial site.

Eligibility
- Eligible subjects: Recipient must have lived at least part of their life in the Town of Lovettsville, or in the 20180 zipcode with past service in a Lovettsville area civic group, on town staff, as a committee member or volunteer, military or first responder, or victim(s) of local incidents. Commercial dedications with Town Council approval.
- Ineligible: Political campaign messaging, memorials to currently living people (except in exceptional circumstances approved by Council), or content contrary to Town values.

Types of Memorials Allowed and Locations
1. Temporary memorials (flowers, small mementos), TC location approval
2. Living memorials (trees), types:
    a. Sugar Maple (ornamental)
    b. Redbud (ornamental)
    c. Dogwood (ornamental)
    d. American Hornbeam (hardwood)
    e. Tulip Poplar (hardwood)
3. Benches with plaque
4. Granite engraved name on Town memorial
5. Possible locations for benches and/or trees:
    a. Along Hwy 287, on the walking path both North and South of Town
    b. Town Green

c. Quarter Branch Park
d. Other areas specifically approved by Town Council

Application & Approval Process

1. Submit completed Application for Memorial Installation to the Town of Lovettsville, with required attachments and non-refundable application fee.
2. Attachments include:
    a. Biography of the individual, which includes date and place of birth, date and place of death, and any contributions to the Town or area
    b. A photograph of the individual (if possible)
3. Staff review for site suitability, safety, ADA, utilities, and consistency with policy.
4. Final approval by the Town Council for all requests.
5. The town will accept applications any day town offices are open. However, granite engraving on the memorial will be done annually in preparation for a ceremony on the first Friday in June. The application period will be June 2 – March 1 each year.

Decisions are finalized within 45 days of a complete application, barring delays for town holidays or Council scheduling. Town Staff shall advise the Infrastructure Committee when space in approved areas is at capacity, in order to maintain functionality and aesthetics.

Fees, Donations & Funding

All fees below are payable to the Town of Lovettsville.

Standard fee schedule (effective November 1, 2026):
- Application fee (nonrefundable): $50
- Standard bench donation (bench, plaque, installation): $2,500
- Tree dedication (sapling, planting, plaque): $500
- Granite engraving on Town Memorial: $250

Fee notes:
- The Town may negotiate fees for nonprofits or hardship cases at Town Council discretion.

Temporary Memorials

- Type and location by TC approval
- Allowed duration: up to 14 days. Town staff will remove items earlier if they create hazards or maintenance issues.
- Exceptions: Town may extend period for significant community events with TC approval.

Design, Materials & Installation Standards

- Benches: Town standard model (black metal).
- Granite Monument engraving: name, date of birth, date of death
- Trees: Trees must be chosen from the Town-approved species list to ensure longevity, nativity, and low maintenance.
- All installations must comply with ADA, setback, and utility clearance requirements; locate to avoid obstructing pedestrian paths and sightlines.

- Installation performed by Town staff or approved contractors. Donor may supply memorial item only with prior IC approval.

Maintenance, Ownership & Liability
- Ownership: All approved memorials become Town property upon installation.
- Maintenance: Town will perform routine annual maintenance as necessary.
- Removal/Relocation: Town reserves the right to remove or relocate memorials for safety, redevelopment, or policy changes. Town will provide reasonable notice and will attempt to notify donor.

Removal, Damage & Replacement
- The Town may remove memorials for safety, vandalism, redevelopment, or change in policy. The Town will attempt to replace memorials.

Recordkeeping & Registry
- Town will maintain a digital registry of approved memorials (location, inscription, donor, date installed, maintenance records).
- The Town will also maintain a database of biographies for every individual name engraved on the Town Memorial, searchable by QR code collocated with the memorial.

Enforcement & Amendments
- Violations (unauthorized installations) shall be removed by Town at owner expense.
- Town Council may amend this policy as needed by a majority vote.

prARTICLE II TOWN COUNCIL

DIVISION 2. RULES AND PROCEDURES

Subdivision I. General

Sec. 2-40. - Biennial Rreview.

The provisions of this section shall be scheduled by the Ttown Mmanager for review by the Mmayor and Ttown Ccouncil at least biennially. Changes in procedures may be made by majority vote of the Ttown Ccouncil at the meeting after the change in this division is proposed.

The Ccouncil may amend these rules of procedure to cover any situations that are not adequately addressed.

When Ccouncil's rules of procedure do not address a procedural issue, CouncilcCouncil shall consult the most recent edition of *Robert's Rules of Order* for guidance. The failure of Ttown Ccouncil to strictly comply with the rules of procedure shall not invalidate any action of Town CouncilTtown Ccoccouncil.

(Rules of 4-15-2005, § IV)

Sec. 2-42. - Regular Mmeetings; Rregular Wwork Ssessions.

The Mmayor and Ttown Ccouncil will normally meet at a regular Ccouncil meeting on the second and fourth Thursday of each month withand a work session ason the fourth Thursday of each month, if needed. The Mmayor and Ccouncil may meet on other days where, in their judgment, an alternative day is either necessary or desirable. Notice of alternative meeting dates shall be provided in compliance with notice provisions outlined in the Ttown Charter. Alternative meeting dates shall be set by the Mmayor or three members of the Ccouncil.

The Ccouncil shall sit as a "committee of the whole" in a Ccouncil work session, with the Cchair presiding. The committee of the whole may consider such business as may come before it, for study purposes only. The Ccouncil Mmembers may review upcoming agenda items, hear staff reports and public comment and take other non-legislative action as it deems necessary. Complex or controversial items that have been placed on the Ccouncil's agenda for public hearing will be normally scheduled for Ccouncil discussion at the next work session after the public hearing. No formal action shall be taken at the committee of the whole for work session. Notification shall be in compliance with the Code of Virginia.

(Rules of 4-15-2005, § II(A))

Sec. 2-43. - Annual Mmeeting Sschedule.

The Mmayor and Ttown Ccouncil shall approve and publish the annual meeting schedule at their first meeting in Januaryuly of each year.

(Rules of 4-15-2005, § II(B))

Sec. 2-44. - Special Wwork Ssessions.

The Mmayor and Ttown Ccouncil may schedule special work sessions as required for items requiring substantial discussion upon the written request of either the MmMayor or three Ccouncil Mmembers. Every attempt will be made to schedule these meetings for Thursday nights when there is not a regular monthly meeting. Notice of special work sessions shall be given to the MmMayor and each Council Membercouncil at least seventy-two (72) hours in advance of such special meeting and shall contain the purpose, date, time and place of such meeting.

(Rules of 4-15-2005, § II(C))

Sec. 2-45. - Special Mmeetings.

The Mmayor and Ttown Ccouncil may meet in special meetings upon written request to the Town Manager fromof either the Mmayor accompanied by the concurrence of the Vice Mayor or three members of the Ttown Ccouncil. Upon receipt of all necessary requests and concurrences, notice shall be provided to the Ttown Ccouncil promptly. Notice of special meetings shall be given to the Mmayor and each Ttown Ccouncil Mmember at least 72 hours in advance of such special meeting and shall contain the purpose, date, time and place of such meeting.

(Rules of 4-15-2005, § II(D))

Sec. 2-46. - Emergency meetings notice.

The Mmayor and Ttown Ccouncil may meet in emergency meetings upon the request to the Town Manager fromof either the Mmayor or two members of the Ttown Ccouncil for matters constituting a severe and imminent danger to the health, safety or welfare of the public. As much notice as is practicable shall be given to the Mmayor and each Ttown Ccouncil Mmember in advance of the meeting and shall contain the purpose, date, time and place of such meeting.

(Rules of 4-15-2005, § II(E))

Sec. 2-47. - Closed sessions.

The Mmayor and Ttown Ccouncil may meet in closed session (closed to the public) under the circumstances, conditions and reasons set forth in the Code of Virginia. If practicable, the Mmayor and TTown Ccouncil will relocatetown councilte to a private meeting space for the closed session and return to the Ccouncil chamber to reconvene the regular meeting. If the Ccouncil chamber must be used for the closed session, the public will be notified when the closed session has concluded so they may return to the chamber for the continuation of the regular meeting. Confidential and Privileged Information Documents, information and discussions from a closed session, attorney-client privileged communication and other confidential information shall not be disclosed without the approval of the Council. In thecouncile event confidential or privileged information is released or otherwise disclosed, without the consent of the Council, then the CcouncilIncil shall vote to eithercouncil to authorize the disclosure or reaffirm the confidentiality and/or claim of privilege. In addition, the Council may, in its discretion, sanctionticouncilction or censure a member for improper disclosure of confidential or privileged information.

(Rules of 4-15-2005, § II(F))

Mayor Mayor

Sec. 2-49. - Place of meetings.

All meetings of the Mmayor and Ttown Ccouncil, unless otherwise determined, shall be held in the town hall Ccouncil Chambers located at 6 East Pennsylvania Avenue, Lovettsville, Virginia. Notice of change in meeting place shall be prominently posted on the door of the regularly scheduled meeting place and shall be given by such other means, including a local newspaper (if able), tposting on the Townown website, and Town social media. or other available media, as may be feasible. Every attempt will be made to keep the meeting location within the corporate limits of the town.

(Rules of 4-15-2005, § II(H))

Sec. 2-50. - Meeting time.

The Mayor and Town Council shall approve and establish the meeting time at their first meeting in January of each year.

~~Meetings of the mayor and town council shall begin at 6:7:30 p.m., unless a different starting time is established by the mayor and town council and reasonable notice thereof provided to residents of the town.~~

(Rules of 4-15-2005, § II(I))

Sec. 2-51. - Public notice of meetings.

Proper notice of all meetings of the Mmayor and Ttown Ccouncil shall be provided to the public by the Ttown Mmanager and/or designated staff.

(Rules of 4-15-2005, § II(J))

State Law reference— Notice of public meetings, Code of Virginia, § 15.2-3707.

Sec. 2-52. - Quorum.

(a) *Definition.* A majority of the Ccouncil shall constitute a quorum for the transaction of business. Each member of the Ccouncil shall have one vote. To conduct official business, a quorum must be present at all times. To be "present" is defined as being within the location in which the meeting is being held.~~, as defined from time to time by the mayor and town council.~~

(b) *Change in quorum status.* Once a meeting has been properly convened with the presence of a quorum and the number of persons necessary to constitute a quorum is no longer present, the presiding officer or a Ccouncil Mmember should bring this fact to the attention of the body. The meeting shall then be automatically temporarily recessed until a quorum is reestablished. Upon reestablishment of the quorum, the Mmayor and Ttown Ccouncil shall resume consideration of the matter before them at the time of the recess. If, in the opinion of the presiding officer, a quorum cannot be obtained within an hour ~~reasonable period of time~~, the presiding officer shall declare the meeting adjourned until the next scheduled meeting; at that next meeting, after taking up the usual preliminary matters, the Mmayor and Ttown Ccouncil shall resume their consideration of the matter that was before them when they previously adjourned. This shall not prevent any Ttown Ccouncil Mmember from moving to table, defer, postpone or make any other appropriate motion with respect to any pending matter.

(c) *Reconvene as work session.* In the event that a regularly scheduled meeting is adjourned due to a lack of a quorum, the Mmayor and Ttown Ccouncil may immediately convene into a work session to discuss Ttown matters. No action will be taken.

(Rules of 4-15-2005, § II(K))

Sec. 2-53. - Meeting agendas.

(a) *Agenda schedule.* The Ttown Mmanager and/or designated staff, in consultation with the Mmayor, shall prepare the agenda for all meetings of the Mmayor and Ttown Ccouncil. The agenda shall outline the established order of business. The Mmayor and Ttown Ccouncil during the scheduled meeting can reorder items on the agenda. Agenda items shall be submitted by Ttown Ccouncil no later than 12:00 noon~~noon~~, 10 ~~eight (8)~~ calendar days preceding the meeting at which the matter is to be presented.

Agenda items submitted after the established deadlines may be considered if it is an emergency or if it is a time sensitive item, by consent of a simple majority of the Ttown Ccouncil present at the meeting.

(b) *Posting of agenda.* The agenda shall be posted on ~~AV Capture,~~ the Town website, ~~t he Town FaceBook page, and~~ the Town bulletin board and any other locations where town notices are customarily posted.

~~(c) A located at Zoldos Square.at places where town notices are customarily posted and shall be communicated to residents of the town through available media.~~

~~(c)~~ ~~A~~ny material distributed at the Town C~~c~~ouncil meeting shall be distributed to the Town Clerk and Town Manager.

(d) *Consent agenda.* A consent agenda may be established for regular meetings, which consists of items determined by a unanimous vote of the T~~t~~own C~~c~~ouncil to require action, but which do not require discussion. Upon request of any C~~c~~ouncil M~~m~~ember, an item shall be removed from the c~~C~~onsent a~~A~~genda. The item shall be considered separately after adoption of the c~~C~~onsent a~~A~~genda. The consent agenda shall include, by way of illustration but not limitation to the following:

1. Approval of minutes.
2. Ordinances or resolutions that are routine.
3. Ordinances or resolutions which received unanimous approval upon introduction at a previous meeting.
4. Any item believed by the ~~M~~M~~m~~ayor/Town Manager to be routine and not controversial in nature.

(e) ~~—~~*Special work session agendas.* Special work session agendas shall be created with the intent that the work schedule can be reasonably accomplished within three hours.

(f) *Session time limits.* The pace will be sped up after 9~~10~~:00 p.m. to complete any unfinished business. The T~~t~~own C~~c~~ouncil will not initiate new items for consideration on its agenda after 9:30~~10:00~~PM ~~p.m.~~ on the night they started the session. All discussions on any item under discussion at the time must cease without exception by 10:00~~10:45~~PM ~~p.m.,~~ and the T~~t~~own C~~c~~ouncil is therefore considered adjourned. In the event that a majority of T~~t~~own C~~c~~ouncil wishes to consider additional time for the item under discussion, they may do so by ~~a straw~~ vote. Upon failure of the ~~straw~~ vote to carry by a simple majority, all T~~t~~own C~~c~~ouncil activities will cease at 10:00~~10:45~~PM. ~~p.m.~~

(Rules of 4-15-2005, § II(L))

Sec. 2-54. - Agenda for special meetings.

The matter or matters to be considered at a special meeting of the M~~m~~ayor and T~~t~~own C~~c~~ouncil shall be stated in the call to the meeting. No other matters shall be considered~~.~~.

(Rules of 4-15-2005, § II(M))

Sec. 2-55. - Distribution of meeting materials.

The agenda and related materials will be provided to the M~~m~~ayor and m~~m~~embers of T~~t~~own C~~c~~ouncil by the T~~t~~own M~~m~~anager and/or designated staff approximately five business days in advance of scheduled meetings. The M~~m~~ayor~~,~~ and T~~t~~own C~~c~~ouncil shall communicate with ~~use emails and telephone calls to~~ staff whenever possible to reduce the need for explanation and discussion. Meeting materials will be prepared by the T~~t~~own M~~m~~anager and/or designated staff and made available to members of the T~~t~~own C~~c~~ouncil and the general public, except for materials which are legally privileged or confidential, no later than close of business on the Friday immediately preceding the meeting of the M~~m~~ayor and T~~t~~own C~~c~~ouncil, at which time such matters are to be considered.

(Rules of 4-15-2005, § II(N))

Sec. 2-56. - Conduct of meeting.

(a) ~~—~~*Presiding officer.* The M~~m~~ayor shall preside at all meetings of the T~~t~~own ~~c~~Council. The V~~v~~ice-~~m~~Mayor shall preside at all meetings in the absence of the ~~m~~Mayor. In the absence of both the M~~m~~ayor

and the Vvice-Mmayor, the Mmayor, or the Vvice-mMayor, if the Mmayor is not available to do so, shall designate a member of the Ttown cCouncil to preside in their absence.

(b) *Procedure.*

(1) *Recognition.* The presiding officer shall recognize cCouncil mMembers before speaking. Other persons at a meeting of the Mmayor and tTown cCouncil may speak only when called upon or authorized.

(2) *Comments on agenda items.* The Ttown Mmanager or his designee shall introduce or present staff's position on all agenda items. When appropriate, the Ttown Mmanager shall make a recommendation to the Ttown Ccouncil. The member of the Ttown cCouncil who initiates an agenda item for action, by the Mmayor and tTown cCouncil, may provide comments relating thereto. Comments by a Council Mmember ~~of the town council~~ who initiates an agenda item shall be limited to five minutes. The time it takes the Ccouncil Mmember to actually state the motion shall not be included in the five minutes. Following introduction and seconding of an agenda item, each member of the Ttown Ccouncil may provide comments on the item and the presiding officer shall keep discussion germane to the subject. Each comment shall be limited to three minutes. Each agenda item will only be discussed for 30 minutes. After 30 minutes of discussion, the presiding officer or his designee will call for a vote on the item or a motion to table the item until a future council meeting.

(3) *Proclamations*. Proclamations shall only be considered granted and passed ~~where the~~ by a ~~unanimous~~, affirmative vote of the members of the Town Council present and voting. ~~unanimously approves such a proclamation~~. The reading of the Proclamation will dispense after the vote.

(c) *Motions/resolutions in writing.* All motions pertaining to ordinances, resolutions, Ccouncil policies or other substantive proposals shall be made in writing by the Town Manager, Town Aattorney or staff, prior to adoption.

(d) *Recording of Votes*

(1) Each member of the Town Council~~Ccouncil~~ who is present at a meeting shall be recorded on each vote upon all issues presented for decision. A member who wishes to abstain ~~be excused from voting~~ shall state his or her reasons for abstaining.

(2) If there is an abstention, it shall be the responsibility of the Town Clerk of ~~c~~Council to note the abstention and the reason for abstaining for the record.

(e) *Method of Voting*

(1) After debate, the presiding officer shall ensure that the motion is clear and call for the vote.

(2) All questions submitted to the Town Ccouncil shall be determined by a majority vote of the members voting on any such question, unless otherwise required by special or general law. A majority is more than half.

(3) In order for a motion in a zoning matter to be adopted, it must be approved by a majority of those voting.

~~(4) Unless otherwise precluded, in the alternative, the Presiding Officer may, upon request and surveyance, simply ask of there are any objections by the Town Council in lieu of a vote. Where no objections are lodged, a vote may be recognized as unanimously in favor.~~

~~(4~~5) ~~All~~ questions submitted to the Town Ccouncil for decision shall be decided by either an oral vote of "aye," ~~" or~~ "nay," or "abstain." ~~Any~~ member may request a roll call vote. In any case,

the presiding officer shall announce the results of the vote. Unless otherwise precluded, in the alternative, the presiding officer may, upon request and surveyance, simply ask if there are any objections by the Town Council in lieu of an oral vote. Where no objections or abstentions are lodged, a vote may be recognized as unanimously in favor.

(~~5~~5~~6~~) The Mayor has the ability to veto any actions taken by Town C~~c~~ouncil according to the Town Charter, S~~s~~ection 3.3 (A. 6~~2~~.)

(f) ~~—~~*Public participation.* Members of the public may speak at public hearings and at the beginning of regular and s~~ome s~~pecial meetings of the M~~m~~ayor and Town Council, as well as provide written comment to the body in accordance with the procedures established by the M~~m~~ayor and Town Council.

~~(1) *Sign-up procedure.* Cards or a sign-up sheet shall be placed in an accessible location in the meeting room for people to sign if they wish to speak. This will ensure that the minutes reflect the proper spelling of names and correct addresses.~~

(1) ~~(2)~~ ~~—~~*Rules for public participation.* Before receiving any public comment during a public hearing or regular/special meeting, the presiding officer or their~~his~~ designee will read aloud the procedures established by the body to receive such comments. The presiding officer shall recognize members of the public who wish to speak. The member of the public shall provide their name and current address.

(2~~3~~) ~~—~~*Public comment.* ~~-~~Comments from the public ~~-~~are limited to three minutes at the beginning of the C~~c~~ouncil meeting. A speaker representing a group or organization will be allowed up to five minutes to present the position of the organization. Any member of the public speaking for an organization must submit a letter from the board of that organization authorizing them to speak for the organization on that issue. Questions by the M~~m~~ayor or ~~town~~ Town Council Members will not be counted against the speaker's time.

(3~~4~~) ~~—~~*Public hearings.* Comments from the public are limited to three minutes. A speaker representing a group or organization will be allowed up to five minutes to present the position of the organization. Any member of the public speaking for an organization must submit a letter from the board of that organization authorizing them to speak for the organization on that issue. Questions by the M~~m~~ayor or ~~town~~ Town Council Members will not be counted against the speaker's time. The speaker shall limit ~~his~~ comments to only those pertaining to the item that is the subject of the public hearing.

(4~~5~~) *Speakers' comments.* The speaker shall not deliver comments on anyone else's behalf. Notwithstanding any of the above, all speakers shall refrain from using vulgarities, profanities, or obscenities. Speakers shall address the M~~m~~ayor and Town Council as a whole and not address their remarks toward any specific member of Town Council or staff.

(5~~6~~) ~~—~~*Written comments.* Written comments must be received by the T~~t~~own M~~m~~anager or T~~t~~own C~~c~~lerk by 3:00PM ~~p.m.~~ the day of ~~before~~ the meeting to be distributed to the members of the body at the meeting. ~~Items received before the packet deadline (generally, 9:00 a.m. the Friday before the week of the meeting) will be included in the packet.~~ Written communications must contain the writer's name and physical address. Any member of the public submitting comments on behalf of an organization must also submit a letter from the board of that organization authorizing them to submit~~ting~~ written comments for the organization on that issue. Written comments meeting the above criteria and all other criteria established by the body will be distributed to the members by the T~~t~~own C~~c~~lerk. Minutes of the meeting will ~~not~~ include the submitted text as well as ~~but will include a section at the end of the minutes listing~~ the name and address of anyone submitting written comments distributed at the meeting. ~~or in the meeting packet.~~ Those comments will be kept on file at the T~~t~~own H~~h~~all and will be made available to the public under normal Virginia Freedom of Information Act (Code of Virginia, § 2.2-3700 et seq.) procedures.

(g) ~~—~~*Town M~~m~~anager's report.* Along with a written report that is to be provided to the ~~m~~Mayor and T~~t~~own C~~c~~ouncil monthly, the M~~m~~ayor shall provide an opportunity at each meeting for the T~~t~~own M~~m~~anager to provide an oral report concerning items of T~~t~~own business to the M~~m~~ayor and Town Council. ~~Mayor~~

~~and Town Council comments or questions to the town manager shall be limited to matters raised in the town manager's oral or written report or those which require immediate action by Town Council. All other questions or comments for response by the town manager shall be deferred to the end of the meeting.~~

(h) ~~—~~*Planning Cc~~ommission report.* A summary of applications pending before the Pp~~l~~anning Cc~~o~~mmission may be presented to the Cc~~o~~uncil by the Cc~~h~~airperson of the Pp~~l~~anning Cc~~o~~mmission or their~~his~~ designee once a month or as needed.

(I) ~~—~~*Mayor and Town Council disclosures.* ~~At the start of every Town Council meeting,~~ T~~t~~he M~~m~~ayor and ~~t~~Town ~~c~~Council may ~~are invited to~~ share any personal meetings or activities they feel may be of interest to fellow Cc~~o~~uncil M~~m~~embers or citizens, especially those events that may relate to items on the agenda.

(j) ~~—~~*Mayor and Town Council comments.* During the time established for M~~m~~ayor and ~~t~~Town ~~c~~Council comments, Cc~~o~~uncil M~~m~~embers may offer comments provided they are limited to 5~~five~~ minutes. The M~~m~~ayor may offer comments provided they are limited to 10~~ten~~ minutes.

(k) ~~—~~*Formal presentations.* Formal presentations shall be limited to a 15-minute presentation. The M~~m~~ayor and T~~t~~own M~~m~~anager shall confer on multiple presentation requests.

(Rules of 4-15-2005, § II(O))

Sec. 2-57. - Disorderly conduct.

The presiding officer shall call to order any person who disrupts the orderly conduct of business at meetings, including speaking without being recognized, exceeding designated time limits, failure to be germane to the issue being presented or use of vulgarities. If the disorderly conduct continues, the presiding officer shall recess the meeting, and the offending individual will be asked to leave ~~the meeting~~. Law enforcement will be called upon if necessary. The meeting shall reconvene when order is restored.

(Rules of 4-15-2005, § II(P))

Sec. 2-59. - Ordinances and policies.

(a) ~~—~~*Enactment.* Ordinances may be enacted pursuant to the provisions set forth in the Code of Virginia. All amendments to Town Code must be implemented after a minimum of 14 days of public notice via a public hearing as Virginia Code requires or after Town Council has considered the proposed amendment after two regular meetings. The first meeting shall be comprised of a presentation and discussion of the amendment under consideration and a second presentation of the proposed amendment at a proceeding second regular meeting, for which the proposed amendment will be eligible for Town Council passage; provided, that in the event a majority of the Town Council Members present at any given meeting concur that an emergency situation exists, an amendment to this Code can be implemented at the initial regular meeting.

(b) ~~—~~*Public hearing notice.* A public hearing shall be held on proposed ordinances following publication of the ordinance or a fair summary thereof in a local newspaper of general circulation as set forth in the Code of Virginia. Emergency ordinances shall also be considered pursuant to the Code of Virginia.

(c) ~~—~~*Notice regarding modification of an ordinance.* Where a modification to an ordinance is ~~proposed, but~~proposed but does not otherwise qualify for public hearing or comment in order to consider or enact such an ordinance, the modification shall be advertised in accordance with Section 2-59(b), notwithstanding invitation for public comment or input obligations.

(d~~c~~) ~~—~~*Majority vote.* The affirmative vote of a simple majority of the members of the Town Council present and voting shall be required for the enactment of ordinances, except as otherwise required by law.

(ed) ——*Adoption.* Ordinances shall become effective immediately following T~~t~~own ~~c~~Council approval unless the Town Council declares otherwise or the M~~m~~Mayor v~~V~~etoes the Ordinance within eight (8) calendar days from which the Ordinance was voted affirmative.

(Rules of 4-15-2005, § II(R); Rules of 7-11-2013, § II(R)4)

State Law reference— Ordinances and other actions by governing bodies, Code of Virginia, § 15.2-1425 et seq.

Sec. 2-60. - Parliamentary authority.

Robert's Rules of Order, Newly Revised, shall govern all questions of procedure not otherwise provided for in these rules or by state or federal law. The Town Attorney shall be the parliamentarian. If the Town Attorney is absent, the Town Manager shall be the parliamentarian. The parliamentarian is an advisor of the rules of procedures to the presiding officer.

(Rules of 4-15-2005, § II(S)) …

Secs. 2-61—2-78. - Reserved.

Subdivision II. - Town C~~c~~ouncil Appointments and Conduct

Sec. 2-79. - Appointment.

(a) ——Within ten days of learning of a vacancy or of the occurrence of a vacancy, whichever is later, the T~~t~~own will advertise the opening. Advertising will consist of an ad in a local newspaper to run two consecutive weeks, public posting at T~~t~~own h~~h~~all, and other outlets such as the T~~t~~own website and the Mayor's~~weekly~~ email updates. The T~~t~~own shall receive applications for no less than 15 days. Fifteen days after the first newspaper advertisement or once the T~~t~~own receives one application, whichever comes last, the T~~t~~own M~~m~~anager shall work with the Mayor and Town Council to schedule interviews with the applicants. The Mayor and Town Council shall conduct a private interview with each applicant to determine the suitability of the candidate for the temporary C~~c~~ouncil position. Once all interviews have been conducted, the Town Council may make an appointment at their next C~~c~~ouncil meeting.

(b) ——Any member of the Town Council who is contemplating resignation is encouraged to coordinate the effective date of resignation so as to permit compliance with law as to any temporary appointment by the remaining Council Members and applicable special election requirements.

(Rules of 4-15-2005, § III(A))

Sec. 2-80. - Conduct.

(a) ——*Conduct unbecoming.* If the Mayor or any member of the Town Council engages in any language or conduct unbecoming to the office, the member shall be called to order by the presiding officer or a Council Member, and in such case, the offending member shall lose the floor and shall not proceed without the approval of the majority of members present. The Mayor and Town Council may, by vote of all members of the C~~c~~ouncil present, expel the Mayor or any member of the Town Council from a meeting for disorderly conduct or violation of the rules and procedures.

(b) ——*Conflict of interest.* Council Members are subject to the requirements of the State and Local Government Conflict of Interests Act (Code of Virginia, § 2.2-3100 et seq.) and are required to familiarize themselves with its provisions prior to assuming office.

(c) ——*Representation.* When the Mayor or a ~~town~~ Town Council Member appears before any other governmental agency, organization or media to give a statement on an issue affecting the T~~t~~own, the

Mayor or ~~town~~ Town Council Member shall first identify the adopted position of the body with respect to that subject, if any. Thereafter, the Mayor or ~~town~~ Town Council Member may provide a statement of personal opinion or comment (including a minority or opposing viewpoint) provided the ~~town~~ Town Council Member expressly acknowledges that such statements do not represent the position of the town.

(d) All members of Ccouncil and the M~~m~~Mayor shall complete FOIA and COIA training within the second month that they have been sworn in and once every two years while in office.

(e) All members of Ccouncil and the M~~m~~Mayor should complete an approved Virginia L~~l~~and U~~u~~se course within two years of their first appointment or election unless previously completed prior to being sworn in.

Sec. 2-81 Committees.

(a) Definitions

i. At Large – individuals in this position may be appointed from all residents in Lovettsville and its surrounding areas.

ii. Membership of Advisory Committees shall be made up of seven members including:
   1. Chair [T~~t~~own Ccouncil]
   2. ~~Vice-Chair [At Large]~~3 members At Large
   3. Town Ccouncil Representative [~~T~~T~~t~~own Ccouncil]
   4. Planning Commission Representative [Planning Commissioner]
   5. Three Members At Large

iii. Membership of ~~Advisory~~ Sub-Committees (comprised of Love America, MayFest, Love Summer, Oktoberfest, and Love Winter) will be made up of seven members unless altered by the Town Council:
   1. One ~~of which~~ shall be a Town Council member and one shall be a Planning Commissioner.

iv. The Vice Chair of the Advisory Committees shall be elected by its members from its members on an annual basis. The Chair and Vice Chair of the Sub-Committees shall be elected by its members from its members on an annual basis.

v. The M~~m~~Mayor may serve as a non-voting Ex-Officio member on any committee. By request to the Town Council, the M~~m~~Mayor may be appointed to serve as an At Large member to any committee or sub-committee.

(b) Process

i. Appointment
   1. Pursuant to the Town Charter (Section 3.3.A.3), the M~~m~~Mayor shall appoint all members of the Advisory Committees and Sub-Committees. ~~to a two-year term bi-annually not coinciding with town General elections.~~ All appointees shall be confirmed by the Town Council at their next meeting and serve at the pleasure of the Town Council~~.~~
   2. All terms shall expire at the end of the calendar year. Pursuant to the Town Charter (Section 3.3.A.3), any reappointments shall be renewed at the first annual meeting in January.
   3. The M~~m~~Mayor may remove any member of the Advisory Committees and Sub-Committees. Removal of members shall be confirmed by the Town Council at their next meeting. Subsequently, the Mayor shall notify the member of the Council decision.

4~~3~~. The Chair of the Planning Commission shall recommend to the M~~m~~M~~a~~ayor, members of the Commission for appointment to the Advisory Committees and Sub-Committees.

5~~4~~. The Chairs of the Advisory Committees and Sub-Committees (once established) shall recommend to the M~~m~~M~~a~~ayor, members for appointment to their committee.

6~~5~~. Citizens wishing to be appointed to an Advisory Committee and Sub-Committee shall submit an "Application for Town Service".

ii. Advisory Committees and Sub-Committee Structure

1. The Town Council may, by majority vote, alter the size and makeup of the Advisory Committees and Sub-Committees.

iii. All A~~a~~advisory C~~c~~ommittees, ~~and~~ S~~s~~ub-C~~c~~ommittees, and members therein shall~~must~~ comply to all policies, rules and procedures established by the Town Council where applicable.

(Rules of 4-15-2005, § III(B))

Town of Lovettsville
Standards of Conduct and Ethics for Town Government
Adopted May 22, 2025

Purpose:
Having been vested with fiduciary obligations and public trust to execute the business of the Town of Lovettsville ("Town"), it is of utmost importance that the Lovettsville Town Government act with the utmost ethical and transparent behavior. In order to uphold trust in government and provide assurance for constituents that the Lovettsville Town Government is committed to transparent and fair dealings, as well as comity, the following Standards of Conduct and Ethics for Town Government ("Standards") are hereby adopted.

Scope:
These rules govern the expectations and ethical obligations of members of the Lovettsville Town Government, defined as the Town Council, appointed members of committee, commissions, and boards Vice Mayor, and Mayor. Members of town staff are governed separately by the Employee Policies and Procedures Manual. These Standards are intended to guide the behavior of the Lovettsville Town Government and set the expectations for executing their oath of office in a way that reflects the dignity of the Town of Lovettsville and sets a standard for the ideals set forth for public representatives as passed down from the US Constitution, Virginia Constitution, and Town Charter.

1. **Execution of Duties**
    - **a.** No member of the Lovettsville Town Government shall be authorized or otherwise eligible to take part in substantive motions, decisions, or the allocation of town resources without having completed all requisite obligations to assuming office. Such requisite obligations include (i) filing all necessary campaign paperwork, including but not limited to financial disclosures and campaign reports, with the Commonwealth of Virginia; (ii) having completed their swearing in by the Clerk of Loudoun County; and (iii) completion of any required training prior to assuming duties.
    - **b.** All members of the Lovettsville Town Government shall execute their oath of office within their fiduciary obligations as a good faith actor on behalf of the Town of Lovettsville.
    - **c.** Members of the Lovettsville Town Government shall, in observation of their obligation to steward Town resources, ensure that all financial resources and decisions shall be used solely for the furtherance of Town business purposes.
    - **d.** As an essential aspect of the obligations conferred upon Town Council representatives, all elected officials shall avoid dereliction of duty and shall commit to the regular and routine attendance of Town Council meetings and any applicable committee assignments.

i. Members who fail to attend three (3) consecutive Town Council meetings or four (4) Town Council Meetings over a two-month period (Measured from the first absence), absent good cause, shall be considered to have abdicated their duties. Such members shall agree to forfeit any entitlements, such as stipends, for the quarter in which this policy is violated, and may be subject to censure, or stripped of committee assignments, in the interest of the proper execution of the duties and obligations conferred upon the Town Council.

ii. Members who fail to attend three (3) consecutive obligatory committee meetings (defined as Committee assignment meetings and measured from the date of first absence), absent good cause, shall be considered to have abdicated their duties. Such members may be subject to censure and stripped of committee assignments in the interest of the proper execution of the duties and obligations conferred upon the Town Council.

e. Members of the Lovettsville Town Government shall, to the maximum extent practicable, respect the separation of powers and authorities that exist between the discharge of Town Government duties and Town Administration and operations, vested with the Town Manager.

i. Both Parties shall, to the maximum extent possible, engage in the collaborative process necessary to fully and faithfully discharge their duties in the best interest of the Town.

2. Transparency and Fair Dealing

a. All members of the Lovettsville Town Government shall be bound and obligated to comply with the Virginia Freedom of Information Act (Va Code § 2.2-3700, *et seq*) and the Virginia State and Local Government Conflicts of Interest Act (Va Code § 2.2-3100, *et seq*).

i. Where a member of the Lovettsville Town Government believes that they have a conflict of interest, said member shall disclose this conflict to the Mayor, the Town Attorney, and the Town Manager. A recess may be called to meet and confer on the nature and materiality of the conflict of interest and whether the member must recuse themselves from any further action touching upon the potential conflict of interest.

b. No member of the Lovettsville Town Government shall leverage, utilize, or otherwise improperly dispose of town resources through direct appropriation or the procurement process for personal gain.

i. Personal gain is defined as an individual, familial, or business pecuniary or proprietary interest.

c. Members of the Lovettsville Town Government should avoid the formation of relationships which would create the appearance of improper influence or stewardship of Town resources or obligations.

d. Members of the Lovettsville Town Government shall not leverage, utilize, or otherwise act upon confidential or non-public information received in the execution of their duties to further their personal gain.
    i. Personal gain is defined as an individual, familial, or business pecuniary or proprietary interest.

3. Dignity of the Office

a. At all times, the Members of the Lovettsville Town Government, in the discharge of their public duties, shall adhere to decorum and behavior reflecting the ideals of the Town and the spirit of comity.
    i. Members of the Lovettsville Town Government should abstain from behavior which would call into question or otherwise tarnish the reputation of the Town via baseless derogatory behavior towards the Town, its citizens, and its seal.
    ii. All members of the Lovettsville Town Government shall engage with and approach all issues brought before them on the merits and conduct all negotiations and debates in good faith.

b. The Lovettsville Town Government, as a legal entity within Loudoun County, Virginia, remains committed to an open and inclusive Town which confers no unfair or improper advantage to any individual on account of race, sex, religion, ethnicity, sexual orientation, gender identity.



Town of Lovettsville
Events Guidance

Adopted December 14, 2023

Purpose:

This document is intended to provide the guidelines for town events and create a clear articulation of the Town Council's (the "Council") expectations with regards to events and budgeting. In order to ensure that all events are executed in a way that provides reasonable certainty, fiscal responsibility, and repeatability, this guidance is meant to allow every event subcommittee to put their own stamp on what are quintessential Lovettsville events.

This guidance should familiarize you with the obligations of committees, the policies that apply to committees, their statements, and their activities, and the best practices associated with ensuring events are executed consistently and in a repeatable way. For all intents and purposes, this is a guide and a template to make your life easier as a volunteer because we know your time is valuable and that the Town of Lovettsville ("Town") has every obligation to honor that commitment by lowering the stress and strain of event planning.

Scope:

This policy is applicable to all events officially connected to the Town as chartered in the Events committee charter or established by the Council. Enforcement and compliance with this policy shall be overseen by (i) the relevant subcommittee chair and (ii) the Town Council representative assigned to the relevant committee.

As a general rule, the scope of all community sponsored events is simple – showcase the community, its businesses, and the Town's history. This means that, first and foremost, public-private partnerships and showcases of the Town and all of its constituency **must** form the cornerstone of event efforts. At the end of the day, Town events should serve the Town, not the events.

Event Minimum Requirements:

Each events subcommittee is tasked with executing their business plans. At a minimum, the Town and the Council has an expectation of specific events which are outlined below. Please consult records available for what each event is specifically comprised of or historically comprised of in order to inform your planning and execution, as well as ensuring focus on the core components necessary to deliver on tradition. The relevant event subcommittee listed below has an obligation to produce these offerings as part of their budget with anything in excess of those offerings being considered discretionary. Any substantial material changes to the approved event plan will require Council's approval.

MayFest:

- Family friendly contests such as pie eating, 3-legged race, and wheelbarrow race.
- Family focused activities such as bounce house, foam party, and pony rides.
- Picnic atmosphere
- Traditionally held the Saturday of Memorial Day weekend 10:00AM – 6:00PM
- Includes business/craft/food vendors on the Town Green
- Includes live music and/or entertainment on the Walker Pavilion

Love Summer:

- Typically consists of 6-10 movies or concerts on the Town Green/Walker Pavilion on Fridays and Saturdays beginning at 6:00 PM or 7:00 PM.
- Events typically begin after Memorial Day Weekend with the last event held before the new school year begins at the end of August. Events typically begin at 6:00PM or 7:00PM with activities related to the movie or concert. The movie or concert typically begins at dusk once it's dark enough to see the screen.
- National Night Out
    - Reference natw.org
    - Coordinate with the local public safety agencies.

Love America:

- Memorial Day Ceremony
    - Held on Memorial Day at 11:00AM on the Veterans Memorial
- 4th of July Parade
    - The parade is actually held on July 3rd.
    - Coordinated with the Lovettsville Community Center
    - Lovettsville puts together a Town Council and Planning Commission float.
- Patriot Day Ceremony -
    - Held on September 11th beginning at 8:30am to mark the timeline of the September 11th attack on America.
- Veterans' Day
    - Held on Veterans Day, November 11th, at 11:00AM on the Veterans Memorial.
    - Coordination with Lovettsville American Legion Post 1836 for the POW/MIA

Oktoberfest:

- Held the last full weekend in September.
- Kinderfest
- Weiner Dog Races
- Keg Tapping
- Stein Hauling
- Stein Hoisting
- King and Queen of Oktoberfest
- Locals Night (Friday Night)
- Includes business/craft/food vendors

Love Winter:

- Cocoa Crawl
- Berserkle in the Squirkle
- Menorah Lighting
- Light Up Lovettsville (Light Judging)
- Wintertainment/Tree Lighting
    - Includes book collection and distribution by Santa at Wintertainment
- Coordinate with the Community Center for the Lantern making and Lantern Walk.

- Partner with the Lovettsville Volunteer Fire and Rescue for their Santa Breakfast
- Partner with the Lovettsville Game Protective Association/Lions Club for their Christkindlmarkt.

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I. Getting Started

Congratulations on heading up an event for the Town. We know that the time and commitment necessary to getting these events planned and executed isn't small. We're fortunate that we have a dedicated community and events that inspire people so as to have brought you here.

This policy is intended to help you execute an event with a good idea of what it costs, how to get a better idea of the challenges, and effort needed for the events planning process moves forward.

When in doubt, feel free to reach out to the Town Council representative assigned to your events subcommittee or the Town's Community Engagement and Economic Development Coordinator to ask for clarification or guidance – they often have access to additional information or guidance that bridge one event to the next and have additional perspective they can provide based on standing Town of Lovettsville policies.

In this guide you will find resources on: (i) How to build an event plan for your event ; (ii) providing you some guidance on how the appropriations process works; (iii) providing you clarity on the role of the Town Council in the event planning process; (iv) providing you some guidance on how the budgeting process works; and (v) helping provide some direction on compliance with Town defined obligations for events.

II. Building Your Event Plan

Your Event Plan has two parts – your Event Business Plan and your Event Execution Plan. The Council must review the Event Business Plan in order to ensure that event subcommittees are complying with Town Financial Policy and setting realistic expectations for events. The Event Execution Plan is the document which the events subcommittee puts together to provide a logistical plan for the event – where to be, when, and who will be there. To help you, a Template Event Plan is attached to this guidance and a draft excel is included as Attachment 1.

The Event Business Plan
The Event Business Plan has five (5) main sections – (i) Financial; (ii) Marketing; (iii) Partnerships; (iv) Staffing; and (v) Potential Challenges

Event Execution Plan
The Event Execution Plan is a simple logistical agenda showing the timeline for execution of your event. The agenda should include (i) set up; (ii) timing of events; (iii) staffing assignments; (iv) administrative/ contractual requirements; and (iv) tear down and clean up.

III. Role of the Town Council and Staff, Obligations of Events Committees

Town Council

The Mayor nominates a chair and the Council approves the appointment. The Mayor can remove an event chair. The Council also provides oversight and approval of event plans and budgets in order to enable the events subcommittee to execute the approved event plan. Ultimately, the Council is the only entity that can earmark or obligate funds for an events subcommittee and all requests for such expenditures are subject to Council review and approval. The Council, as the elected body representing the Town, also bears the obligation for certain policy decisions and is answerable for liabilities generally, meaning that the Council must be apprised of any actions which would confer liability or create externalities for the Town.

The Council representative(s) assigned to your committee is responsible for ensuring that event subcommittees maintain their focus on their Event Plan and their charter, that any relevant policy considerations or liability concerns are stated, noted, and brought to the Council, and to provide support to and advise event chairs. The Council representative cannot unilaterally obligate funding or provide a definitive statement of guidance (Absent prior meeting and conference of the Council laying out a policy position) Where a event subcommittee takes an action outside its scope, its Event Plan, or raises an issue of controversy/first impression, the Council representative has the obligation, as does the event chair, to call for a suspension of the discussion until the issue can be resolved by Council for guidance. Between this guide and best practices, there should be minimal calls for suspension.

Please note that Oktoberfest and Mayfest are designated as "stand-alone events" and are expected to be revenue-neutral at worst and revenue generating at best. The intent is for positive revenue flows to grow the reserves for these events.

Town Staff

Town Staff, as detailed further below, is here to help facilitate the workings of the event subcommittees but is not a substitute for the work of the subcommittee itself (Eg: The Town Treasurer can help provide inputs and information but should not be coming up with the budget or doing the justification process for said budget).

The Town Treasurer is a fantastic resource to help review profitability and provide an accurate picture of the cost of inputs versus revenue generated in an event. Again, Town Treasurer support should be coordinated through the Town Manager but the Town Treasurer is a vital asset in informing the event subcommittee on recurring, annual costs such as charges relating to event website maintenance and any lagging/trailing costs or revenue. Since the Town's fiscal year (July 1-June 30) does not necessarily line up with an event year or the planning efforts for an event, knowing what the recurring costs and collected revenue rolls over or drops off will help an event subcommittee ensure that there are unaccounted for expenses omitted from the after-action review of an event.

Events Committees

Event subcommittees should, at the very least, be comprised of (i) a Chair; (ii) a Council representative; and (iii) a Treasurer. A regular meeting should be called at least once per month, or more frequently if advisable by the Chair, and the Council representative will produce a committee report for the Council on a routine basis. The event subcommittee chair should support the Council representative's reporting capacity to ensure all necessary or relevant elements are put forward for consideration or information. Committee chairs act as executive heads of events committees and should ensure that the relevant event charter is followed and consult with the Council representative to ensure that Council expectations or requirements are observed. The Chair will submit meeting agendas to the Town Clerk a minimum of one week prior to each event subcommittee meeting. The Chair will also attend Events Committee meetings to share common ideas, resources, and concerns It is the general policy that, for the avoidance of conflicts of interest, Town staff should not, absent extraordinary circumstances, occupy subcommittee leadership positions.

In addition to the Event Plan, events subcommittees are tasked with not only planning events but coordinating and executing the event. The Town recognizes that its events subcommittees are staffed by highly talented and critical volunteers. To that end, events subcommittees are provided support with resources such as this guide, Council representatives, Town Staff support, and any historical resources available. Events subcommittees must ensure compliance with town policies and executions on the minimal event requirements as a baseline and are empowered to add to the events whatever local flavor or flourishes may be reasonable in light of their Event Plan.

Event subcommittees are expected to accomplish the following; (i) coordination of vendors and suppliers, third-party staffing, and entertainment for events; (ii) set up and tear down for events; (iii) coordinating with the appropriate Town Staff to ensure that all administrative processes are adhered and payments are remitted to and from the Town; (iv) collaboration with Town Staff (CEED Coordinator) on marketing efforts for events in alignment with the Town's Social Media Policy; and (v) promoting the values of the Town .

Each event subcommittee should be prepared to submit, at the very least, an after-action review report for each event. This should take a critical look at determining the following factors; (i) Summary of the event and critical points (Successes and failures); (ii) Financials (revenues and expenditures) of the event; (iii) Unresolved issues and remaining liabilities; (iv) Logistical successes and failures and lessons learned/ issues to avoid; ; (v)an evaluation of the costs and revenue associated with the event; (vi) Logistical efficiencies that could improve the economic sustainability of the event; and (viii) Recommendations regarding future events and analysis as to the causes of successes and failures.

The after-action review report is strictly for review by the Events Committee and the Council and should not be represented as or otherwise denoted as an official Town report or finding.

A template after-action report is provided in this guide as Attachment 2.

IV. Utilization of Town Resources

Utilization of Town resources is defined as any action or behavior which commits the Town of Lovettsville to a financial obligation that requires Town Council appropriation of funding. This comes in the form of making financial commitments to the payment of vendors, utilization of highly specialized town employees (such as the Town Attorney), and the leveraging of resources kept for fellow events subcommittees.

Requests for the expenditure of Town funds are subject to Council approval. Approval can be granted in advance via approval of an Event Plan which allows the event subcommittee to pursue its plan through to execution without issue or additional need for approval. Note that any deviations from an approved Event Plan must be brought before the Town Council for consideration as any alteration from an approved Event Plan inherently represents a change from what was previously considered and approved. These changes should be briefed to the Council in advance in order to facilitate the prompt action of the Council. Please note that changes that result in substantial material change from what was approved also require Council review (For example, a limited to no risk activity being swapped out for one where there is a notable risk of serious harm would qualify as a substantial material change).

Requests for utilization of specialized Town employees should be submitted to the Town Manager. Depending on the nature of the inquiry, the Town of Lovettsville may have prior opinions and guidance which can reduce the need or burden associated with procuring independent legal advice. In any event, where leveraging of the Town Attorney or any other Town employee exists, the events subcommittee include projected costs in their Event Plan budget to offset the Town's costs for the resource. This ensures that the events subcommittee's total event costs are accounted for and reflected in the approved budget and allows the events subcommittee to get a better feel for size and scope of event as well through understanding cost to cover.

Requests for utilization of resources of other event subcommittees should be coordinated through the Town Manager and the Council representative on the event subcommittee via the chair of the relevant event subcommittee. Such requests ensure that a defined chain of custody is followed based on the leadership positions of each involved.

V. Compliance and Policies

Compliance with federal, state, and local laws as well as Town insurance policies is critical and a minimum expectation. Even where the Town has insulated itself from liability, perception is reality, and the Town may face issues where compliance is not top of mind. Keep in mind, during all interactions, that you are first and foremost seen as representing the Town in an official capacity – in all things promote the Town and keep in mind that maintenance of relationships should be a primary focus. Pursuant to that, note that, as event subcommittee members, you are tasked with also complying with the Town's social media, ethics, and fiscal policies.

As an official event subcommittee of the Town, you must understand and appreciate that certain obligations, such as the Freedom of Information Act (Federal and Virginia's) are applicable to your efforts. This means that the work product of the event subcommittee and communications concerning the event may be requested and must be produced pursuant to a public inquiry. Ensure all communications are professional, courteous, and reasonable. Additionally, all information subject to the Freedom of Information Act relevant to your committee, its decisions, and its votes, should be provided to your event subcommittee Council representative to save onto public file systems. In no event should Town business be conducted on personal or private servers and mediums.

Additionally, as a public event, a strict non-discrimination stance is required with regards to all protected classes and to free speech matters. As a "governmental" unit, viewpoint discrimination (Meaning the allowance of one type of speech while the prohibition of a form of speech on the same topic but of a contrary message) is not allowable. Please note that there are no exceptions for vulgar speech (such as blatantly violent, racist, or sexual). It is the policy of the Town of Lovettsville to comply with the Virginia Public Procurement Act wherever possible. In brief, the Act requires that where a Town has a need for services or goods (In the case of events, things such as bands, beverages, food, and equipment), that such requirements are advertised for bids from providers and then awards of contracts are subject to negotiation between the parties[1]. As a Town event, however, please note that local businesses should be provided a right of first refusal to satisfy procurement requirements where available.

While acknowledging the above, events subcommittees should not be engaged in business interactions with individuals or entities on any grounds that are violative of the legal requirements imposed upon governmental agencies (And municipalities) or the Town Code of Ethics.

***A special note on political organizations*:** The Town works closely with elected officials throughout Loudoun County and its representatives at the state and federal level. In adhering to a strict stance that equal access is critical, no **political organization**, *defined as an organization chartered and structured under federal or state law for the promotion of a*

[1] Note that the Virginia Procurement Act also provides for non-negotiated procurement if certain criteria are met.

specific candidate or for the purpose of advocacy for the same or political issues, shall be prevented opportunities of the event made available to the general public.
Event sponsorship, however, is viewed as an act of discretion of the events subcommittee and, in the interest of avoiding issues pertaining to endorsement or the appearance of favoritism, event sponsorship is reserved first for local businesses and organizations not meeting the definition of a political organization, and then to commercial and organizations not meeting the definition of a political organization generally.

All pricing, application forms, and decision criteria should be transparently provided publicly on the website and stated in order to ensure that acceptance and rejection criteria are plainly stated for all individuals.

The sale of food by any private, for-profit vendor is subject to the Town's meals tax and must adhere to the Town's tax administrative processes and remit the collected tax in a timely manner after the event. All food vendors should be direct to coordinate with the Town Treasurer to ensure compliance prior and during the event.

In the interest of repeating critical information – the presence of Council members on event subcommittees is not equivalent to Council approval of any specific actions. All decisions which impact (i) fiscal allocation not otherwise approved in the Event Plan; or (ii) a substantial imposition on the conduct of the routine operations of the Town; or (iii) a substantial change to risks posed by an activity must be submitted to the Council for review and approval. The sooner the better on these matters to avoid the exhaustion of a great deal of effort for something that cannot meet approval standards. Regardless, remember, the Chair and the Town Council representative have an obligation to call for suspension of a discussion (Or the provision of tentative guidance with no action thereupon) in issues of controversy or first impression.

No representations made by an event subcommittee, unless otherwise approved in advance of the Council or, where applicable, the Town Manager under the advice of the appropriate Town Staff where appropriate, shall be made. This includes (1) statements concerning the performance of an event; (2) commitments of financial resources; (3) approval of transportation plans; and (4) material deviations from an approved Events Plan.

The Town believes strongly in the power of public-private partnership. The Town has comparative advantages relative to other entities but other businesses and community organizations also have comparative advantages, infrastructure, and interests which synergize with the Town's to result in a successful event. Where possible, event committees should pay keen attention to the power of partnerships with local constituencies to leverage assets on hand in exchange for promotion ("in-kind donations"). By leveraging cross-promotion and making available an exchange of logistics already in-flight, the Town and local constituencies can both elevate their profile and reduce costs while also enhancing event success and serving the community.

As a final note on the policies and stance of the Town, local constituencies are to be **primary beneficiaries** of events, not collateral beneficiaries of events. It is the policy of the

Town that local businesses, organizations, and individuals should be the primary drivers of decisions, integration, and promotion for events first and foremost. Where any constituency wishes to abstain, honor the decision but still promote their interests. Local constituencies should be consulted before moving on to external resources and participants. The Town acknowledges that, as events scale, a broader and deeper pool of participants is desirable but, first and foremost, these are Town events that need to highlight and emphasize the Town first, then the event second.

VI. Staffing Your Event

The Town of Lovettsville enjoys a rich and vibrant volunteer community which is a central focus of our events. Over time, partnerships with Community Organizations (Nonprofits, primarily) have become more and more critical towards execution of events. In those instances, event subcommittees are encouraged to seek partnerships with Community Organizations where they will be providing relevant services and support necessary to execute events.

When staffing your event, a primary focus should be on the recruitment of volunteers. As an event subcommittee, it's important to understand that there is no difference between compensation and "donation" for volunteers. Event subcommittees should consider leveraging non-monetary exchanges, where possible, to incentivize volunteers and staffing whether this be discounts, promotions, or other considerations that the Town or event has to offer where possible.

Any staffing which cannot be addressed through volunteers or in-kind contributions and relationships should be placed under a contractual relationship and coordinated through the Town Manager. These agreements should **not** include variable compensation due to the risk it poses to an event's revenue posture and the potential lack of predictability combined with the administrative oversight requirement.

VII. Executing Your Event

The big day has arrived – it's time to execute your event. This is where your Event Execution Plan is critical; this plan will be the blueprint for making sure everyone is set up, in the right place, and providing the necessary support for a successful event.

Your Event Execution Plan should be straight to the point, an agenda. Who needs to be where at what time and what time are things to set off. This should be disseminated to the people tasked with executing the event. Where supervision is needed, make sure that person is identified and their location is included on the Event Execution Plan. At a fundamental level, the chair of the event should be overseeing and ensuring that everyone is in place. Since some events have a high degree of sprawl, communication with other individuals meant to ensure that people and places are correct is critical but, at a root level, the chair of any event committee will be the primary person responsible for answering questions, providing direction, and problem solving as the day goes on.

VIII. Template Event Plan

(i) The Financial Plan

The Financial Plan consists of a pair of documents that are complementary to each other. A spreadsheet should lay out the anticipated costs on one sheet, the anticipated revenues on another, and the third sheet should reconcile the anticipated costs to the anticipated revenues. Certain events are defined as "revenue generating" while others are defined as "revenue neutral." In any event, all events should revenue neutral at a minimum.

All financial expenditure claims should be supported by quotes from vendors in the year of the event to take place (eg: Not historical quotes). Where such a quote is not obtainable (eg: Vendor will not offer the quote or extend a validity period that the committee would be able to exercise a decision on in time), a historical quote adjusted for inflation may be allowable as a substitute.

The word document should articulate the "how" behind the spreadsheet's revenue expectations. This involves forecasting, some historical knowledge, and creating a reasonable narrative which the Town Council can rely upon to ensure that costs are reasonably considered and that revenues are reasonably calculated.

Spreadsheet

1. Anticipated expenditures, supported by quotes from vendors.
2. Segregated listings of overhead and "sunk" costs and expenditures towards revenue.
3. Accounting for general return on investment for expenditures towards revenue.

Word Document

1. A rationalization and explanation of the Committee's anticipated cost of the event versus the anticipated revenue of the event.
    a. This should be broken out into a discussion of the following funding periods:
        i. **Pre-Revenue**; defined as revenues that can be raised without a corresponding expenditure (Ex; Event intends to sell an item through Partnerships, Partnerships then pays to the Committee an amount for the goods which is then later ordered by the Event and distributed to Partnerships for sale).
        ii. **Event Revenue**; defined as revenue generated on the day of the event.
        iii. **Post-Revenue**; defined as trailing payments (Such as taxes) offset against any projected offsets, such as sell-backs or contingent payments.
2. An analysis of the costs of the event and revenue generation anticipated. (Eg: Beer for Oktoberfest wherein a keg is 1,984 ounces, priced at $100.00 per keg. Committee intends to charge $8.00 per beer. Assuming a 10% loss per keg for foam and mispour, committee anticipates 150 sellable pours at 12 ounces per beer (Grossing $1,202.42 per keg) netting a total profit per keg of $1,102.42. Committee anticipates selling through 50 kegs, thus netting a profit of $55,121.00. Historically, the Event has sold X.)

a. The above analysis would be performed for all revenue generating items such as anticipated sponsorship contributions, payments from vendors, tax revenue derived from certain activities (Eg: Meals Tax allocations), etc…

(ii) Marketing Plan

The marketing plan for any event must identify certain key factors which are useful in determining advertising spending and also tailoring an event to the anticipated attendees. Like any event where expenditures and revenues are anticipated, the more you can tailor your message and your event to the likely attendees, the greater the likelihood of success and the better the after-action review of the event will be in uncovering why an event succeeded or failed.

At a minimum, your marketing plan should cover:

1. The anticipated demographics for the event attendees, inclusive of:
    a. Raw anticipated attendance number; and
    b. Town or city of primary residence; and
    c. Age; and
    d. Familial structure (Eg: adults only or familial, an event can accommodate both); and
    e. Income of target demographic.
2. The anticipated vendors responsive to the demographics identified above including:
    a. Anticipated number of vendors required to service the anticipated attendees; and
    b. The breakdown of vendor types applicable to servicing the anticipated attendees; and
    c. Any co-branding and event sponsorship plans; and
    d. The return on investment or "reasons to invest" to be provided to vendors and sponsors; and
    e. Any unique or special plans to drive value to vendors and sponsors.

(iii) Partnerships

Partnerships are defined as any concurring events, event sponsorships, or vendors associated with an event. This section of your Event Plan should speak to the following factors:

1. Any specifically identified Partnerships as "key" (Meaning significantly tied to the Town of Lovettsville, its history, heritage, and quality of life and, therefore, of primary concern to integrate into your event(s)); and
2. Any specific events that require Partnership support in order to be viable or succeed; and
3. A review of the historical contribution of Partnerships to event execution and sponsorships; and
4. Ways in which to collaborate with local business and events to leverage Partnerships in non-monetary ways (In-Kind contributions); and

5. The incentive structure and plan to secure such Partnerships.

(iv) Staffing

Your staffing plan is critical to event execution. The following is the minimum required for a staffing plan:

1. Tasks requiring staffing; and
2. Estimated number to support said tasks; and
3. Anticipated mix of volunteers to service providers in support of the tasks required; and
4. Anticipated Partnerships covering staffing; and
5. Detailed plan to attract volunteers to cover staffing matters.

(v) Potential Challenges

Like any good business plan, your Event Plan should make an earnest review of the potential challenges and their impacts to a successful event(s). Identification of issues and quantifying them provides assurances that an event has been reasonably reviewed for vulnerabilities and ensure that proactive measures are in place to address issues as they arise or may arise.

Identification of potential challenges should do the following:

1. Identify weather challenges, ways to mitigate harm and insulate the town from liability as well as produce contingency plans as need be (What are the liabilities if the event needed to be canceled?); and
2. Identify any questionable or contingent sources of revenues and plans to mitigate where these sources may be augmented or mitigated; and
3. Identify resource restrictions and information gaps that may be necessary to execute the marketing plan; and
4. Identify a plan for addressing and resolving any conflicts in Partnerships which includes resolving competitive events, non-compliant vendors, and communication plans with local businesses concerning your event(s).

Mitigation of the above-referenced potential challenges:

1. How will you mitigate the above identified factors?

IX. After Action Report

The purpose of the after-action report is, quite simply, to enable an event committee to identify the why behind successes and failures and to evaluate the success of a particular model.

The following template should provide an easy starting point for your report.

(i) Summary of the event and critical points

Describe the date of the event, estimated attendance, the weather, the individuals who led the committee, and who provided support on the day of. This allows the committee to get an idea into the event's backdrop and its factors for success as well as provide credit to the individuals who enabled the event to take place.

Critical points are points that warrant specific mention as a top-line item, this would include a significant amount of vendor success, high attendance, struggles with execution, or issues concerning day-of matters. This enables a reader of the report to get a good feel for the general attitude towards the event and its execution. Be honest in this section as understanding the why behind both successes and failures allows for additional resources or support to address what's working and what's not.

(ii) Net revenue and net profitability of the event

This is where you would report the total earnings of the event versus the net expenditure to provide a baseline. This should be easily reconciled against your Event Plan which would include all expenditures as made as well as any costs carried over from the Town's fiscal year. This provides the Council a top line item to see the general health of the event as well as allowing the event committee to speak to any liabilities which may impact these numbers.

(iii) Trailing liabilities

Any liabilities, whether it be potential claims to be asserted against the Town or event in connection with the event, trailing payments that need to be reconciled, or any other obligations which may need to be paid out by the event or chargeable against the town in connection with the event. This allows the Town and the Council to get a feel for any additional expenditures which may be required or to prepare for any issues.

(iv) Execution successes

This is the section where you can shout out your committee and entities that enabled success. Speak to what went right and the things that are worth preserving as best practices or things worth replicating in the future.

(v) Execution failures

Where did things go wrong? Identify failures at a top level so that during your analysis you can do a deeper dive into where things struggled. This will allow the Council to zero in relevant information where a change needs to take place in order to support event success. This also allows the Town to identify potential resources to help support issues.

(vi) Rationalization of the costs and revenue associated with the event

Use this section to speak to the amount paid, assumptions that went into the initial budget forecast, and where any gaps exist, explain what was or wasn't right with those assumptions. Additionally, use this section to provide additional information on where revenue forecasts missed the mark. This allows the Council to identify whether improvements can be made to things like contracting processes or discretionary items to enable their success or advocate for changes as may be needed.

Think of this section, simply, as "Whether our basis of estimate or assumptions were correct with regards to costs." If possible, group costs by type (Entertainment, food, logistics, etc…) and provide the basis of estimate or assumptions before and whether those assumptions proved reliable.

(vii) Rationalization of the execution of the event and their impact on net revenue and profitability

This section should speak to whether any operational issues arose that materially impacted the event's bottom line budget. A good example would be "We anticipated weather of this type but on the day of, weather was less than ideal leading to significantly less foot traffic and thus, less revenue." Equally, make note of things where there were issues with contracts that failed to mitigate certain predictable risks (Think not having offset provisions for failing to reach certain use metrics or anything like that).

(viii) Recommendations and analysis of as to the causes of success and failures

This is your chance to provide an earnest assessment of things. Was a success the product of a very productive relationship with a local business? Was a struggle the result of lack of oversight? The ability to identify what went wrong and what went right, as well as to articulate why is critical to passing on best practices so that these events are repeatable and increase in quality year over year. This includes stories of things to be on watch for and things to run headlong to. This is perhaps the most important part of the after-action report because the Council and future committees will be looking to this section specifically to see where previous event committees succeeded and why and how things can be improved. This is passing on the wisdom of committees and essential to the success of these events.

EMPLOYEE
POLICY AND PROCEDURES MANUAL

ADOPTED MAY 1, 2025
AMENDED AUGUST 28, 2025

MESSAGE FROM TOWN MANAGER

Dear Employees,

In this Employee Procedures and Policy Manual, you will find the Town of Lovettsville's formal policies and procedures as an overall guide for Town employment. Every day we provide services to residents, workers, and visitors in an efficient, effective, and equitable manner to build upon our strong community values. We do this by incorporating open communication, customer service, personal responsibility, and integrity into our everyday work.

As a Town of Lovettsville employee, you are also representative of our Town and how we do business. With your title and employment, it is my expectation that you will comply with the policies and procedures set forth in this manual. I expect that it is with sound judgement and good stewardship that you will deliver services to Town residents and each other.

Thank you for providing your very best to our Town every day.

Sincerely,

Jason L. Cournoyer
Town Manager

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1.0 PURPOSE OF THIS MANUAL

The Town of Lovettsville has established the Employee Policy and Procedures Manual ("Manual") to provide a uniform system of administering personnel; and to guide the compensation and equitable conditions of employment for Town staff. The policies set forth in this manual are based upon merit principles, equitable and total compensation, open competition in hiring and advancement, and equal employment opportunities.

The Town policies in the Manual provide reasonable expectations for employee conduct and guidelines for managing personnel. Compliance with these policies and procedures are in the best interest of the Town and its employees. The Town Council reserves the right to modify, amend, or rescind the policies within the Manual as deemed necessary and appropriate for the Town and staff. An employee's continued employment is subject to agreement with such revisions and changes.

This Manual is not and shall not be construed as an explicit contract. It shall not modify any existing "at will" status of any Town of Lovettsville unit, department, or employee. It shall not create any due process requirement in excess of Federal or State Constitutional or Statutory requirements. The term "at will" means employees can terminate voluntarily or be terminated at will. Exceptions are employees who have written contracts signed by the Town Manager or Mayor, if the contract does not purport to extend employment for a period of greater than 12 months.

It is the policy of the Town of Lovettsville to strive for safety as a priority in all activities and operations. Employees must ensure public spaces and workstations are free of ALL hazardous conditions and comply with the health and safety laws applicable to the Town.

This Manual does not include all of the policies and practices governing employment. Employee policies cannot anticipate every circumstance or question. This manual is a practical guide for addressing the Town's most significant employment policies, procedures, and programs. Anything non-conclusive in the Manual is to be addressed with the Town Manager. The Town Manager implements and enforces the policies stated in this Manual.

Employees are responsible for keeping informed of changes to Town policies. The Town Manager is responsible for maintaining a complete and current set of employment policies and for bringing these policies to the attention of all employees. Each department head shall also maintain a copy of the Manual that is accessible to employees. Should there be any questions concerning these guidelines or need for further information about any employment topic, employees shall consult their supervisor or the Town Manager.

The Employee Policy Manual and all rules and regulations adopted pursuant hereto shall be binding to all Town employees. Though held to the same general standards, independent contractors, the Town Attorney, members of the Town Council, and Advisory Boards and Commissions are exempt from these policies and procedures, except where stated in policy. An employee violating any of the provisions of this policy shall be subject to appropriate disciplinary action, as well as prosecution under any civil or criminal laws which have been violated. The Town Manager may modify or make exceptions in special or unusual circumstances to the policies and procedures when it is in the best interest of the Town.

Employees are required to sign a statement acknowledging their receipt and review of the Employee Policy Manual. By signing, employees agree to abide by the Town's policies and procedures as a condition of employment.. Employees are referred to the Acknowledgement Form at the beginning of the Manual or provided by their Supervisor or Town Manager. Employees are responsible for providing their signed Acknowledgement Form to the Town Manager.

1.1 Vision Statement

Lovettsville is a rural, welcoming community that values its small-town friendly character, celebrates its historical roots, increases the Town's quality of life and the Town's sense of community by providing reliable public services, promoting events and volunteerism, and creating a loving place where residents and businesses thrive.

1.2 Ethical Contributions

The Town and all its employees are examples for the community at large. The Town expects employees to hold themselves and others to the highest practical ethical standards. Employees are expected to act responsibly and make decisions in accordance with basic public service principles and values that achieve positive results. These principles and values include:

- Honesty and Transparency
- Seek No Personal Gain
- Treat Everyone Fairly
- Build the Community Responsibly

It is important to always consider the way the Town achieves results. Employees shall seek advice and guidance when there is doubt about the appropriate action or decision. Advice and guidance can be sought from Supervisors, , Charter Officers, and the Town Manager.

Elected officials are exempt from some provisions stated in this employee manual, however, the Town holds all employees and officials to the same standards of conduct. The Town measures leadership by the amount of each employee's participation in the stated principles and values. Employee contributions help build the community and fulfill the Town's mission.

1.3 Town Manager Administration

The Town has one Mayor elected in even number years every two years and a Town Council comprised of six at large members elected for staggered terms every four years. The Mayor and Town Council appoint the Town Manager as the Chief Administrative Officer who provides strong experience and professionalism while implementing Town policies and operations.

As the Chief Administrative Officer, the Town Manager has the following Human Resource authority:

1. To oversee efficient operations of the Town
2. To assign duties and functions to employees of the Town
3. To appoint, supervise, and discipline or remove all department heads and all subordinate officials and employees of the Town for the appropriate administration of public affairs of the Town, except Town Council appointed officials
4. To enforce the policies and procedures as set forth in this manual.

The Employee Policy and Procedures Manual (EPPM) itself and its policies are not a contract of employment. It provides rules and guidelines for employees and managers to reference during their work.

Any of these policies and procedures may be modified, amended, or rescinded through the Town Council. The Town Manager shall enforce these policies and procedures through administrative methods.

2.0 RECRUITMENT AND SELECTION PRACTICES

2.1 Open Positions

All positions shall be open to all individuals who meet the minimum requirements for the position. The recruitment objective is to obtain well-qualified applicants for all vacancies. Selection shall be based on the competence and best-qualified person available at the salary offered for the position. The Town supports merit and performance principles for all employment decisions, including selection, promotion, and re-assignment (See Section 8.0 Employee Performance Pay of this manual).

First consideration will be given to current employees who desire to fill an open position; if the current employee is qualified for the position, and if the placement best serves the needs of the Town of Lovettsville. The Town Manager may also carry out open competition to fill any vacancy.

The Town shall only accept applications for open and available positions. The Town shall advertise job openings for a period of at least two weeks for all part-time or full-time positions, unless the Town Manager concludes that a different process will yield a more advantageous result.

Such advertisement shall be: (1) paid advertising in a newspaper of general weekly circulation in the Lovettsville area, and/or (2) posting of an announcement on a bulletin board at the Town Hall, and (3) such other means as may be appropriate at the time, including Town newsletters, the Town website, Town Facebook Page, the Virginia Municipal League, or other appropriate professional sites.

Job descriptions shall be provided to all applicants clearly stating the duties of the position, the hours of work, required and/or preferred qualifications, and salary range. Candidates who are considered finalists for a position shall provide appropriate references who may be contacted by the Town Manager or his/her designee to verify and assess previous employment experience.

If a criminal background check is required for the position, the Town Manager shall obtain authorization from the applicant. The results of that investigation are deemed confidential. If any reference check or background investigation discloses any material misrepresentation on the application, or any other information indicating that the individual is not suited for employment with the Town, the applicant shall not be offered employment. The Town retains the discretion to select the applicant best suited to its needs or to refuse all applicants for any position.

Applicants for positions which require operation of Town vehicles, or who reasonably may be expected to operate a vehicle for Town business, will be required to sign a release permitting the Town Office to obtain their driving records. Failure to provide such release will result in disqualification.

Employment decisions shall be managed by the Town Manager and handled in a manner consistent with the Virginia Conflicts of Interest Act (Va. §2.2-3100).

2.2 Hiring Authority

The Town Manager has complete authority for hiring, promoting, and discharging all Town employees in accordance with these policies. The Town Manager has the responsibility and authorization for

administering the personnel system established by these policies. At the sole discretion of the Town Manager, positions may be filled on a full-time, part-time, or temporary basis.

I. **Charter Positions**

Charter Officer Positions include the Town Manager, Town Attorney, Town Clerk, and Town Treasurer.

The Town Manager shall make his recommendation to the Town Council for the best qualified candidate and include the proposed salary and any special conditions of the individual's employment (e.g., take-home vehicle, etc.).

The Mayor appoints the recommendation and the Town Council may either adopt the Town Manager's recommendation or request that the full Town Council review the finalists for the position. The Town Council has final authority over the hiring and the conditions of employment of Charter Officers. Charter Officers serve at the pleasure of the Town Council who assigns the Town Manager oversight of the positions. Charter Officer employees are subject to dismissal at any time.

II. **Non-Charter Positions**

Non-charter employment decisions shall be determined by the Town Manager and handled in a manner consistent with the Virginia Conflicts of Interest Act (Va. §2.2-3100).

2.3 Letter of Appointment

A letter of appointment, approved by the Town Manager, shall be provided for every hired employee or officer. A copy of the appointment letter will be placed in the employee's personnel file. The letter will clearly state the starting salary (either in hourly wage or annual salary), hours of work, probationary period, and termination provisions. Any special conditions of employment (e.g., a take-home vehicle) shall be set out in the text of the appointment letter. The appointment letter shall also specify the terms of employment and adherence to all policies and procedures in the Employee Policy Manual, even those that are amended by the Town Council. The failure of the appointment letter to address any matter stated above shall not operate to revoke or limit the authority of the Town regarding the terms and conditions of employment. The employee or Charter Officer shall sign a statement acknowledging receipt of the Employee Policy Manual, a clear understanding of the policies contained therein, and that the employee or Charter Officer will comply with these policies.

2.4 Employment at-will

Virginia is an at-will state and at-will status applies to all employees during their employment at the Town of Lovettsville. These policies shall not constitute an expressed or implied employment contract or any right to continued employment. The Town's policies and procedures may be changed at any time, so long as they comply with Federal, State, and Local employment laws and regulations.

2.5 Probationary Period

All new full-time and part-time employees shall serve a 6 (six) month probationary period. During this period, employees must show that they are capable and willing to perform the job satisfactorily. At the end of the probationary period, the employee will be evaluated to determine satisfactory performance. If the employee is determined to not satisfactorily performed their duties, the Town Manager or Direct Supervisor will assess whether a supplemental probationary period or separation is appropriate.

During the employee's initial six-month probationary period, they are not eligible for merit increases, Cost-of-Living-Adjustment (COLA) increases, or promotions. Transferred, promoted, or demoted employees are required to serve a new probationary period of six (6) months. This probationary period is imposed for the purpose of evaluating the employee's suitability for the new position. Employees that fail to complete this probationary period satisfactorily may be restored to their former position, may be placed on additional probationary period, or may be dismissed with the approval of the Town Manager.

2.6 Medical Examination & Random Drug Screening

Prior to being employed by the Town, all applicants may be required to submit to a complete medical examination to include drug and alcohol screening for the purpose of determining physical fitness for the position. The Town will pay for said examination, and the test and results belong to the Town, but will be considered confidential information pursuant to the provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The Town Manager may, at his/her discretion, release the results to the employee, though there is no such requirement to do so. The Town reserves the right to require a medical examination to include drug and alcohol screening at any time during employment and for any reason; including, but not limited to, when it becomes evident through an employee's actions that his or her physical condition may be negatively affecting the ability to perform the duties and responsibilities of the position.

2.7 References and Background Checks

Candidates who are considered finalists for a position shall provide appropriate references who may be contacted by the Town Manager or his/her designee to verify and assess previous employment experience. If a criminal background check is required for the position, the Town Manager shall obtain authorization from the applicant. The results of that investigation are deemed confidential. If any reference check or background investigation discloses any material misrepresentation on the application, or any other information indicating that the individual is not suited for employment with the Town, the applicant shall not be offered employment. The Town retains the discretion to select the applicant best suited to its needs or to refuse all applicants for any position.

Applicants for positions which require operation of Town vehicles, or who reasonably may be expected to operate a vehicle for Town business, will be required to sign a release permitting the Town to obtain their driving records. Failure to provide such release will result in disqualification.

2.8 Confidentiality of Records

All official personnel files are maintained in the Town Office. These files include employment applications, payroll and benefit information, inquiries and responses, evaluations, results of physical examinations, reference checks, disciplinary actions and commendations. All such employee records shall remain confidential and shall be secured in such a way as to prevent unauthorized access. Requests for access to personnel records shall be governed by the provisions of the Virginia Freedom of Information Act (Va. Code § 2.2-3700, *et seq*) and the Government Data Collection and Dissemination Practices Act (Va. Code § 2.2-3800 et seq.). Routine access to personnel files is limited, and only to the extent necessary to carry out their duties, to the Town Manager or their designee, the Town Treasurer and/or an employee's supervisors, Each employee has a right to review his or her personnel file. Personnel files are also available to persons to whom the employee has given written permission.

The Mayor and Town Council shall be permitted to inspect the personnel records of Town Charter Officers and non-officer employees when access is necessary and related to their duties as the elected policymakers

of the Town, and upon submission of a formal request for access to the Town Manager. The Town Manager, in their discretion, shall provide the Mayor and Council the opportunity to inspect the requested records in the office of the Town Manager. The Mayor and Town Council shall not disclose the contents of personnel records nor shall the information contained in the records be used for any purpose not specifically stated in the formal request for access to the same.

The Town Manager shall not release, nor shall the Mayor or Town Council shall be entitled to, any personal information, as defined in the Government Data Collection and Dissemination Practices Act, of the employee without documented permission from the employee.

Personnel records are subject to disclosure in response to judicial or administrative subpoena or prospective employer inquiry. In such a case, the employee will be given notice of the inquiry or request and will be given the opportunity to object to the release of said information using the procedures as appropriate as dictated by the form of the inquiry or request. If the employee objects, the Town will not release the personnel information unless required to do so by law.
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Any employee or official of the Town who is authorized to review or process information in personnel records is bound to this policy of confidentiality and shall not divulge or discuss such information with any unauthorized person. Those violating this policy will be subject to discipline, up to and including termination .

2.9 Reduction in Force

The Town Manager may call for a reduction in force. In determining which employees shall be laid-off, the Town Manager shall consider length of service, performance evaluations, and each employee's specific benefit to the Town. This review shall include all employees assigned to the position class affected by the reduction in force. Upon completing the review, the employees shall be ranked in the order in which they will be laid off.

Each employee laid off shall be given a written notice at least two (2) weeks prior to the effective date of the termination. The notice shall include the reasons for the lay-off, the effective date, and any other information deemed necessary by the Town Manager.

Employees laid-off from Town service may be eligible for continuation of certain benefits and should discuss their eligibility with the Town Manager. See Chapter 16.

3.0 EQUAL EMPLOYMENT OPPORTUNITY

3.1 Policy Statement

It is the policy of the Town of Lovettsville to provide equal opportunity in employment and to administer employment policies without regard to age, sex, color, race, creed, religion, national origin, ethnicity, pregnancy, childbirth or related medical conditions (including lactation), disability, political affiliation, marital status, military/veteran status, or status in any other group protected by Federal, State (VA 2.2-3905), or local law or for any other reason. This policy applies to every aspect of employment practice

including, but not limited to the following:

a) Recruiting, hiring, and promoting in all job classifications without regard to race, color, religion, sex, gender, age, national origin, political affiliation, pregnancy, childbirth, or disability, except where such a factor can be demonstrated as a bona fide occupational qualification.

b) All decisions for hiring or promotions shall be based solely upon individual qualifications for the position to be filled.

c) Other personnel actions such as compensation, benefits, transfers, layoffs, training, and assignments, will be administered without regard to race, color, religion, national origin, sex, gender, age, pregnancy, childbirth, disability, veteran status, or political affiliation.

d) See the Town's No Harassment/No Discrimination Policy. (Section 17.0 of this manual)

4.0 EMPLOYEE CLASSIFICATION

4.1 Classifications and Definitions

a) **Exempt Employee** – an employee who occupies a position which is exempt (not eligible) from the overtime pay as detailed in the provisions of the Fair Labor Standards Act (FLSA) due to executive, administrative, or professional capacity. Full-time, part-time, and temporary employees may be exempt.

b) **Non-Exempt Employee** – an employee who receives hourly wages, is subject to wage and hour laws and included in the overtime pay provisions of the Fair Labor Standards Act (FLSA) including entitlement of an additional one-half their "regular rate" of pay for each hour they physically work over the regular scheduled 40 hours per seven days. Full, part-time, and temporary employees may be non-exempt.

c) **Full-time Employee** – an individual hired on either an exempt or non-exempt basis for an established position for an indefinite term, who is expected to work a standard of (40) forty hours a week.

d) **Part-time Employee** – an individual hired on either an exempt or non-exempt basis for an established position for an indefinite term, who is expected to work an established amount of time that is less than (40) forty hours per week. Note: Part-time employees regularly working more than 32 hours per week are eligible for VRS retirement benefits.

e) **Probationary Employee** – a full-time or part-time employee who has worked for the Town for less than six (6) months.

f) **Temporary or Contract Employees** – Employees who are hired for a prescribed length of time, until the occurrence of a certain event (e.g., the return of an employee from sick or maternity leave), or to perform a specific task or tasks.

5.0 EMPLOYEE BASE COMPENSATION STRUCTURE

Employees shall be compensated based on a total compensation package consisting of salary, applicable overtime pay for full-time employees, the employer's contributions to employee benefits, holiday pay, various forms of leave with pay, vehicle usage, and vehicle allowance. Any comparison made regarding compensation to employees of other jurisdictions shall be made based on "total compensation" and not on salary alone.

5.1 Hours of Work

The Town Manager shall establish the hours of work for all Town of Lovettsville employees. The standard work week schedule for which salary is paid consists of forty (40) hours, generally Monday through Friday from 8:30am-4:30pm, and shall have a paid 30-minute meal break. This does not preclude the establishment of specified schedules other than forty (40) hours in each work week for any employee if approved by the Town Manager.

5.2 Flexible Schedule

Flexible work scheduling may be used for the purpose of extending the duration of a meal break with the employee's start time being advanced or end time being extended, as approved by the Town Manager. Flexible work scheduling may be considered within the standard work week, Monday through Sunday, so long as the standard (40) hours in a work week are not altered. Flexible work scheduling may be considered within the same pay period, so long as the standard (80) hours in the same pay period (two consecutive workweeks) are not altered.

Some examples are:

- Arrive earlier in the morning and leave earlier in the afternoon.
- Arrive later in the morning and leave later in the afternoon.
- Work four 10-hour days.
- Work four 9-hour days and one 4-hour day.
- Work some other similar permanent or seasonal scheduling option(s)
- Add time to meal break and arrive earlier and leave later.
- Work at home shall be pre-approved by the Town Manager, to accomplish specific projects or tasks, or while recovering from illness or injury.

Other temporary or occasional flexible work schedules may include some combination of altered work start and stop times to allow employees to have medical appointments or take care of personal business during work hours without being charged leave. Requests for flexible work schedules must be approved in advance by the Town Manager and are contingent upon adequate office coverage.

If an employee is unable to report for work or expects to be late, the employee must contact the Town Manager and direct Supervisor (if applicable) as soon as possible but no later than the beginning of his or her scheduled work period, giving the reason for his absence or tardiness. Paid leave may or may not be approved. If an employee has difficulty reaching the Town Manager, they should leave a message reporting their absence but continue to attempt to make contact with the Town Manager. The responsibility to notify the Town Manager about absences or about tardiness always rests with the employee. Failure to comply with this policy will negatively impact the employee's performance evaluation and may lead to disciplinary action if recurrent.

5.3 Overtime and Compensatory Leave

Employees who are not exempt under the Fair Labor Standards Act shall be paid at the rate of time and a half for all hours worked in excess of forty (40) hours a work week. Unless authorized to do so beforehand, employees should not work over forty (40) hours during a workweek.

For authorized overtime, non-exempt employees may be offered compensatory leave at the same rate of time and half for all hours worked in excess of forty (40) hours a work week.

Exempt employees who are required to work beyond normal hours or on weekends and holidays may be given compensatory leave at the discretion of the Town Manager.

5.4 On Call

The Town Manager may designate essential employees to be on-call outside operating hours and required to arrive at the worksite or other designated area on short notice during an emergency. On a weekly basis, one utility employee will be required to serve in an emergency on-call position. The operator who is on-call will be the first point of contact for all water and wastewater emergencies and is expected to be the first responder to these callouts.

Employees who are On-Call must:

1. Carry their Town issued mobile phone with them at all times.
2. Be available to respond to Town utility emergencies within one hour of receiving a call.
3. Be sober at all times to respond to emergencies.

An on-call employee is not required to remain on Town premises; but is required to be fit for duty at all times while on-call. The on-call employee must be able to respond and arrive at their work site within 60 minutes or as soon as is reasonable considering weather, traffic, and other circumstances. On-call employees shall refrain from the use of alcohol and/or other substances, which may impair their ability to operate Town vehicles/machinery and perform their duties, and must adhere to all Town personnel policies and procedures.

At the discretion of their supervisor and/or Town Manager, an on-call employee may be removed from on-call status at any time if there is any question whether the on-call employee is able to carry out their on-call responsibilities. Any violation of the personnel policies and procedures may result in disciplinary action, up to and including termination.

Utility employees assigned to the weekly emergency on-call will be provided the equivalent of compensatory 2 hours at their regular hourly rate. If an emergency, or call-in situation occurs, the employee will be paid at their regular hourly rate. Utility employees assigned to weekly emergency on-call are provided a Town owned vehicle for that week per Section 11.1 of this document.

Employees working in an on-call status required to responds to an emergency or call-in situation shall record the following information on the appropriate timesheet:

a. Date and time of arrival
b. Nature of the problem/location, if applicable
c. Time of completion

5.5 Telecommuting

Telecommuting is an alternative work arrangement available for temporary weather-related conditions and other unusual circumstances, as approved in advance by the Town Manager.

Telecommuting is implemented to decrease absenteeism and improve productivity for the benefit of the Town. Telecommuting is neither appropriate for all Town employees nor entitled or guaranteed to employees. The Town Manager shall authorize and approve telecommuting at their discretion for employees who are deemed eligible.

Qualifying Work shall:

1. Be of a nature so that tasks can be successfully performed away from the office.
2. Be generally independent in nature.
3. Be quantified by output and performance rather than time spent on the job.
4. Be supported by internet service, connectivity to all Town drives via the Town's virtual private network (VPN) and a dedicated adequate workspace.

Employees that telecommute shall demonstrate dependability, care of work time and productivity, and self-motivation. All telecommuting employees shall communicate regularly with supervisors and co-workers during the normal workday of 8:30am-4:30pm, or as otherwise approved by the Town Manager or Supervisor.

5.6 Payroll and Timesheets

Timesheets schedules are bi-weekly and shall be submitted to the Supervisor or Town Manager. Payroll is scheduled for the week following submission of a timesheet and is paid every two weeks.

Timesheets include all work hours, accrued annual leave, sick leave, compensatory leave, holiday, closures and overtime. It also includes hours deriving from used compensatory and leave time. Timesheets are due by close of business the Monday following the last day of the pay period. Timesheets are expected to be filled out completely, accurately, and shall be approved by the Town Manager.

5.7 Compensation Plan

The Compensation Plan shall be updated with the budget on a 3-5-year basis for recruiting quality employees and maintaining competition in the region. The plan includes an official job title for each position, salary rate, and hourly rate range for each position.

The rates of pay for each employee within the salary range shall be recommended by the Town Manager and set by vote of the Town Council and included as an exhibit the Adopted Budget document. The initial rate of pay for new employees shall be dependent upon qualifications.

The Compensation Plan may be amended by motion of the Town Council within the limits of appropriations by the Town Council and possible budget constraints.

The pay scale in the compensation chart in the Adopted Budget document provides a salary range within specific job titles. The salary range has a minimum, midpoint, and maximum pay scale which is used as the basis for placing employees within those salary ranges. Employees will be eligible for annual salary increases based on the Cost-of-Living Adjustment and Performance Pay described in Section 8.4 of the Manual.

6.0 EMPLOYEE BENEFITS

The following are benefits currently offered by the Town. The Town reserves the right to alter benefits as economic or budgetary constraints are necessitated, and as allowed or required by law. Copies of all plan documents are available for review in the Administrative Office.

A. ***Workers' Compensation***

In accordance with the Virginia Workers' Compensation Act, the Town provides insurance for all employees covered by the Act to pay for medical and lost wages expenses which result from an on-the-job injury, disability, or death.

B. ***Health Insurance***

Full-time employees, as defined in Section 2.1, are eligible to participate in the health insurance plan, or plans made available to them by the Town.

The Town shall pay the cost of health care insurance for its employees according to the following schedule:

Full-time employee only	100% of the health care premium
Full-time employee and spouse or one dependent	85% of the health care premium
Full-time employee and family	80% of the health care premium

The employee has the option to reject health care benefits if the employee can obtain coverage from another provider, Medicare, or spouse's health care plan. In any event, once employees become eligible for Medicare health care, benefits will be reduced to a secondary status, and the benefit schedule will change to 20% for that employee reaching retirement age.

Employees who retire from the Town and have worked full-time for the Town for at least 10 years, meeting the requirements for retirement under the Virginia Retirement System, are eligible to participate in the Town's health insurance program. Town retirees shall receive full benefits paid by the Town toward the cost of the health insurance premiums for the retired full-time employee until the retired employee becomes eligible for Medicare benefits. All remaining costs are paid by the retiree.

C. ***Retirement Benefits***

The Town is a member of the Virginia Retirement System (VRS). All full-time employees of the Town working more than thirty-two hours per week on a consistent basis (every week for a full month) are required to enroll in the system and, thus, are entitled to all benefits offered by the Plan in accordance with the date of their employment with the Town. Any officer or employee who is over

65 years of age may elect not to participate in the retirement plan. If covered by VRS, they may elect to cease making contributions at age 65.

Individual members contribute the prescribed percentage of their annual base salary based on the enrolled VRS plan. This contribution is paid by the employee. The Town, as the employer, makes additional annual payments to VRS to assist in funding the Plan. This payment by the Town is determined actuarially by VRS.

Retirement benefits are not automatically paid. The employee must file the appropriate forms with the VRS at least ninety (90) days in advance of the effective date of retirement. Temporary and contract employees are not eligible for retirement benefits.

D. ***Deferred Compensation Retirement Plan***

The Town provides a 457 Deferred Compensation Plan. Employees can elect to make voluntary, pre-taxed contributions to a 457 plan. The Town will match employee contributions of up to $15.00 per pay period. Employee is eligible for matching contribution immediately.

E. ***Life Insurance***

The Town provides fully paid group life insurance coverage through VRS for all eligible full-time employees. This coverage, which includes coverage for accidental death, natural death, and dismemberment, is available to VRS-enrolled personnel only, in the amount equal to double their annual salary rounded up the next thousand-dollar amount. In cases of accidental death, the insurance doubles.

VRS makes available "Optional Life Insurance" to employees electing to purchase the coverage. The employee is responsible for the full cost of the "Optional Life Insurance". Detailed and specific information on the "Optional Life Insurance" Program may be obtained at the Town Office.

F. ***Social Security – FICA***

All Town employees are covered by the Federal Insurance Contributions Act (FICA), otherwise known as Social Security. After a qualifying number of work years, Social Security will provide an income in the event of retirement, disability or death.

Identical contributions to Social Security are made by both the employee and the Town. The amount contributed is a percentage of an employee's earnings up to a maximum level of salary, as set by Congress each year. The employee's portion will be deducted automatically from his/her paycheck. If an employee is disabled or nearing retirement, they should contact a Social Security office in the vicinity. Benefit payments are not made automatically by the federal government. An employee needs to file an application in advance.

G. ***Long-term and Short-term Disability Benefits***

The State Mandate (Chapter 11.1 of Title 51.1 of the Code of Virginia) for Long-term and Short-term Disability (LTD/STD) went into effect in January 2014 for members of the Virginia Retirement System. Previously, employees had options for income replacement resulting from non-work-related disabilities (e.g., sick leave or supplemental insurance such as AFLAC). All employees under VRS must have short-term disability coverage for non-work-related disabilities. The Town of Lovettsville

is committed to ensuring that its employees are covered.

Short Term Disability Benefits begin on the 7th day of disability due to an accident or illness. Up to that point, employees must use their sick and annual leave days for days not worked. If an employee is receiving Short Term Disability benefits, their accrued sick days will be charged based on the percentage of pay being reimbursed per day. For example, an employee receiving Short Term Disability benefits at 60% of his or her pay will be charged 4.8 hours of sick leave per day (8 hours * 60% = 4.8 hours) until the number of sick days accumulated is equal to 5 days. Employees can also use full accrued sick days and/or annual leave days while on Short Term Disability to ensure that they receive 100% of their pay during this time. For details about the percentage of pay reimbursed based on months of service and the maximum benefit days, please see the Town of Lovettsville insurance contract for Short Term Disability benefits. All employees who will be out for more than 7 business days due to an injury or illness are required to use their Short-Term Disability benefits unless they have received a waiver from the Town Manager.

Long Term Disability benefits begin after a certain number of calendar days of the initiation of the disability and after Short Term Disability benefits are depleted. Please see the Town of Lovettsville insurance contract for Limited Term Disability benefits to determine the number of calendar days needed and the monthly percentage pay.

*H. **Fitness Benefits***

The Town of Lovettsville recognizes that unhealthy lifestyles can be costly to the Town as they may result in chronic illness that leads to the loss of productivity due to absence from work and/or reduced performance while at work, as well as increased insurance costs. In an effort to promote the health and well-being of its employees, the Town offers, if approved in the annual budget, a fitness benefit to all full-time employees. Under this program, eligible employees shall receive reimbursement up to $15 per pay period for membership to a gym or other fitness program as evidenced by the production of a signed membership contract or other proof of participation to the Town Manager. Reimbursement shall be subject to applicable receipt of payment including taxes.

Nothing in this section shall be construed to mean that the employee's use of the gym or participation in a fitness program is intended to occur during normal work hours or are to be counted as paid working hours. All such use/participation is intended to occur during an employee's off-duty hours.

7.0 LEAVE AND OTHER ABSENCES

A. ***Annual Leave***

Full-time employees will accrue paid annual leave for personal purposes at the following rates and shall be used on an hour-for-hour basis, unless otherwise approved by the Town Manager.

Hired -3 years of service (0-36 months)	3.08 hours per pay period (10 days a year)
4-5 years of service (37-60 months)	4 hours per pay period (13 days)
6-10 years of service (61-120 months)	5 hours per pay period (16.25 days)
10-15 years of service (121- 160 months)	6 hours per pay period (19.5 days)
16+ years of service (161+ months)	8 hours per pay period (26 days)

Use of annual leave shall be approved in advance by the Town Manager or direct supervisor. The Town Manager or Town Council, as deemed appropriate, has the discretion to award additional annual leave workdays to an individual employee because of promotions and/or benefit negotiations to attract or retain the best available talent for Town service. Leave is not always available; the Town Manager has a primary obligation to ensure that the Town of Lovettsville's service to the citizens is carried out.

Each employee may accumulate a maximum of 280 hours of annual leave. Annual leave above that amount shall expire December 31st of each year and will not be used. Annual leave may be used in lieu of sick leave. All unused annual leave will be rolled into employee sick leave.

Upon separation, an employee shall be entitled to payment for all unexpired credited annual leave based on the employee's current rate of pay at time of separation. In the event of the death of an employee, the employee's estate shall be entitled to payment for any unused balance of annual leave allowances at the time of death. Probationary employees are not entitled to payment of any unused annual leave.

At the time of hire, during the initial six-,month probationary period, all full-time employees are provided with the equivalent of six months ofaccrued annual leave. After the probationary period of six months, annual leave will accrue per pay period as normal.

B. ***Sick Leave***

Sick leave shall accrue at the rate of approximately one day per month (3.692 per pay period). When taken, sick leave shall be used on an hour-for-hour basis.

At the time of hire, during the initial six-,month probationary period, all full-time employees are provided with the equivalent of six months of accrued sick leave. After the probationary period of six months, sick leave will accrue per pay period as normal.

Sick leave shall be used for:

1) Illness or injury incapacitating the employee and preventing the employee from performing assigned duties, doctor, or dental appointments during working hours. Personal sick leave is charged on an hour-for-hour basis for all employees and requires approval from the Town Manager or direct supervisor.

2) Medically necessary care of family members, such as spouse, child, parents, siblings, or in-laws, living in the same household or immediate family members living outside of the same household.

An employee absent from work for medical conditions more than three days is required to provide the Town Manager or direct supervisor a written statement from the attending physician or health care provider, stating the earliest approximate date of return to duty and advising on the ability of the employee to perform the essential functions of his or her job with or without reasonable accommodations. The Town Manager or direct supervisor can require a physician's or health care provider's letter prior to an absence of three days.

Per the American Disabilities Act, the Town will provide reasonable accommodations to the employee. The Town may either hold the employee's position or consider placement into another position for which the employee qualifies. All medical information will be kept confidential and will be made a part of a file separate from the employee's personnel file.

Exceptions to this policy may be considered on a case-by-case basis and approved by the Town Manager.

Upon separation, an employee shall be paid all earned sick leave based on 25% of the employee's current rate of pay at time of separation. In the event of the death of an employee, the employee's estate shall be paid for any unused balance of sick leave based on 25% of the employee's current rate of pay at time of death. Probationary employees are not entitled to payment of any unused sick leave.

If an employee has used all their sick leave, compensatory leave and/or annual leave can be used.

C. ***Compensatory Leave***

FLSA exempt employees, who are not eligible for overtime pay but who are authorized to work more than their regular work schedule may be provided and able to accumulate compensatory leave. Compensatory leave is compensation for directed work in excess of 40 hours actually worked per work week which must be accomplished to maintain a level of service authorized by the Town Council, Town Manager, Supervisor, or as specifically mandated by State Code or regulations. Compensatory Leave is earned at straight time; ie 1 additional hour worked equates to 1 hour of compensatory leave earned. Compensatory Leave is not an entitlement, but rather a discretionary benefit to the employee.

Employees must make every attempt to minimize the need for work in excess of 40 per work week by adjusting work schedules when possible. Compensatory leave may only be taken after verification of adequate staff coverage.

The Town Manager may prevent the eligibility of compensatory time for employees if abuses of the compensatory leave are identified.

Employees may elect to use compensatory leave instead of sick leave and/or annual leave. Accrued compensatory leave is not limited; however, the use of compensatory leave is limited to an aggregate of 80 hours per calendar year. Unused compensatory leave is not paid out at time of separation.

D. ***Holiday Leave***

The Town Council adopts a Town Calendar for each calendar year which generally follows the holiday schedule established by Loudoun County. Full-time and part-time salaried employees shall be granted paid holiday pay equivalent to their regular rate for all regularly scheduled hours for these days without charging the time against leave balances. Part-time employees will be paid for four (4) hours of holiday pay if they are normally scheduled to work per the Town Manager or their designee, or the direct supervisor.

When an FLSA non-exempt employee is required to work on a Town observed holiday, they shall be paid holiday worked pay for all hours worked at the rate of one and a half times their regular pay rate or provided an option of compensatory leave at a rate equivalent to one and a half for every hour worked on the holiday. FLSA exempt employees that work on a Town observed holiday may be provided compensatory leave at a rate equivalent to one and half hours for every hour worked on the holiday, as approved by the Town Manager or direct supervisor. Holidays falling on Saturday or Sunday are generally taken on Friday or Monday as part of the Town Council adopted Town Calendar.

The Town Council, at their discretion, may recognize additional or fewer holidays that are recognized by Loudoun County. The Town does not recognize Loudoun County's floating holiday.

E. ***Family Medical Leave Act (FMLA) Leave***

The Federal Family and Medical Leave Act (FMLA) of 1993 requires that all eligible employees are provided with protected FMLA leave annually. Employees who take FLMA leave are entitled to be restored to the same job or equivalent job at the conclusion of their leave. In addition, FMLA leave cannot result in the loss of any employment benefit accrued before the leave began.

The Town will maintain healthcare coverage on the same conditions that would have been provided had the employee not taken leave, and the healthcare premiums shall be deducted from the employee's paycheck while on FLMA leave. If the employee has unpaid FLMA leave, the employee's healthcare premiums will be collected by the Town on a pre-tax basis upon the employee's return from FLMA leave. The Town will make multiple healthcare premium deductions per pay period (not to exceed 2) until the balance of unpaid premiums is paid. If the employee fails to return to work, the employee must reimburse the Town for all health care benefits paid by the Town during the period of unpaid FLMA leave.

Employees shall receive the equivalent of five working days' paid leave for each occurrence. Additionally, employees may use any combination of Sick Leave, Annual Leave, or Compensatory Leave if additional time off is desired.

The method used to determine the employee's the FMLA leave eligibility will be a "rolling" 12-month period for each time an employee takes FMLA leave, the remaining leave entitlement would be the balance unused for the preceding 12 months. Please refer to the U.S. Department of Labor's Fact Sheet #28H for examples: (www.dol.gov).

F. ***Parental Leave***

Parental Leave is leave granted for pregnancy, childbirth, or related medical conditions associated with birth, adoption, or placement of foster child. Employees shall receive the equivalent of twenty (20) working days of paid leave for each occurrence.

Additionally, employees may use any combination of Sick Leave, Annual Leave, or Compensatory Leave if additional time off is desired. Additionally, Parental Leave without pay may be granted to an employee up to a period of two (2) months, during which the Town will continue to pay for medical and retirement benefits, however annual or sick leave will not be accrued. At the end of that period, the employee shall be entitled to return to work at the same pay which they vacated. Total Parental Leave, or any combination of Parental Leave, Parental Leave Without Pay, or Leave Without Pay shall not exceed 12 weeks without approval from the Town Manager.

G. ***Military Care Giver Leave***

An employee will be given time without charge to leave for any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, parent, or next of kin is a covered military member on "covered active duty"; or up to twenty-six work weeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin.

Employees shall receive the equivalent of five working days' paid leave for each occurrence. Additionally, employees may use any combination of accrued Sick Leave, Annual Leave, or Compensatory Leave if additional time off is desired.

H. ***Military Leave***

The Town shall afford its employees serving in the uniformed services of the United States or the Commonwealth of Virginia the benefits of the Uniformed Services Employment and Re-Employment Rights Act of 1994 and any other similarly applicable statute.

I. ***Jury/Court Duty Leave***

An employee will be given time off without charge to leave or loss of pay for performing jury duty, or when subpoenaed as a witness to appear before a court, public body, or commission. The period of such leave shall be only as necessary for the performance of the activity, plus any necessary travel time. A copy of the jury duty notice must be furnished to the Town Manager.

J. ***Civil Duty Leave***

An employee will be given time off without charge to leave or loss of pay for (a) serving as a blood donor, or (b) performing emergency civilian duties in connection with national defense. The period of such leave shall be only as necessary for the performance of the activity, plus any necessary travel time.

K. ***Bereavement Leave***

Any employee who suffers a death in his or her immediate family (mother, father, husband, wife, partner, child, brother or sister, or resident of his or her household), or a death of an immediate family member of his or her spouse, will receive three days of paid bereavement leave. Three days will include regularly scheduled workdays.

L. ***Volunteer Leave***

With advanced approval from a Supervisor or Town Manager, employees are granted up to 16 hours of paid leave in any calendar year to provide volunteer services through non-profit organizations within or outside their communities as part of an organized service project sponsored by a community, national, or other service organization.

Employees are granted up to 24 hours of paid leave in any year (in addition to other paid leave) to serve with a volunteer fire department and rescue squad or auxiliary unit thereof.

M. ***Leave Without Pay***

The following are the situations for which an employee may be on leave without pay status beyond eligible FMLA leave. To be eligible to take leave without pay, an employee or Charter Officer must have worked for the Town for twelve (12) months and must have worked at least 1,250 hours within the twelve (12) months preceding the start of the leave. Employees or Charter Officers who meet these requirements or

receive an exception to this policy as approved by the Town Manager and Town Council are eligible for leave without pay.

An employee may take up to six weeks of leave without pay for the following occurrences:

1) To care for an employee's child after birth or for the placement with an employee of a child for adoption or foster care, provided that the leave is requested and used within twelve (12) months of the birth, placement, adoption, or foster care.

2) To care for an employee's spouse, child, or parent who has a serious health condition. To qualify for leave due to the serious health condition of a family member, the family member must be incapable of self-care. To qualify for leave due to the serious health condition of the employee, the employee must be unable to work at all or unable to perform any of the essential functions of the employee's position.

3) When the employee is unable to work because of a serious health condition. A serious health condition is an illness, injury, impairment, physical, or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or an incapacity lasting more than three consecutive days and involving continuing treatment by a health care provider. Continuing treatment involves two or more treatments (or one treatment when the condition is such that continuing follow-up is or will be required) by a healthcare provider, pregnancy, prenatal care, or other chronic or long-term serious health conditions.

4) Other circumstances in the employee or Charter Officer's personal life that upon the consideration of the Town Council and/or Town Manager would merit the necessity for leave without pay.

Failure on the part of the employee to report to work at the expiration of approved leave without pay may be cause for disciplinary action, up to and including dismissal.

N. ***Extended Leave without Pay***

When special circumstances require an extended leave, which are not eligible for FMLA leave benefits, the Town Manager has the authority to grant an employee leave without pay provided that the operations of the Town of Lovettsville's program(s) will not be adversely affected. Extended leave exceeding 12 weeks may be granted upon the approval of the Town Council and Town Manager.

O. ***Emergency Weather Plan- Closure and Closure Worked Pay***

Employees are generally required to arrive at work during their regular assigned hours under all weather conditions unless the Town Manager closes the Town Government. Employees failing to report to work during inclement weather or snow fall shall have the hours missed deducted from annual leave except in those instances where the Town Manager has declared the emergency weather plan to be in effect.

Under extreme weather conditions, which make travel to and from work extremely hazardous, the Town Manager may close the Town Government and discontinue all non-emergency functions until the weather and travel conditions improve. Employees directed not to work during the emergency weather plan will receive closure work pay equivalent to their regular rate of pay with no deduction in pay or leave during this period. Essential personnel will be required to work the hours necessary as determined by the Town

Manager, or supervisor if applicable. Closure pay is considered compensatory pay for which the hours considered closure pay are not counted towards overtime pay or physical hours worked.

Essential Employees (except the Town Manager) required to work when the emergency weather plan is in effect will receive closure worked pay as compensatory time or overtime pay at the rate of one and a half times their regular hourly rate for hours worked, and closure pay at their regular rate of pay for any remaining hours if they do not work a full eight (8) hour shift. Exempt employees will receive closure worked pay as compensatory leave at a rate equivalent to one and half times for every actual hour worked.

For example, if the Town Manager determines that essential employees will work six (6) hours during a weather event, these essential employees will receive six (6) hours of closure worked pay at the rate of one and a half times their regular hourly rate, plus eight (8) hours of closure pay at the regular hourly rate.

If the Town Manager determines that essential employees will work twelve (12) hours during a weather event, these essential employees will receive twelve (12) hours of overtime or compensatory time pay at the rate of one and a half times their regular hourly rate, plus eight (8) hours of closure pay at the regular hourly rate.

8.0 EMPLOYEE PERFORMANCE PAY

It is the policy of the Town of Lovettsville to encourage a performance culture where Town employees and the organization are accountable in achieving the performance goals established by the Town Council and Town Manager. Financial Bonuses to employees are contingent on achieving performance goals (individual, team, and organizational), improving employees' knowledge and skills, and providing innovation to the Town's business processes and/or procurement.

8.1 Performance Management/Measurements

The work of each employee will be evaluated annually by the Town Manager and direct supervisor if applicable. The performance appraisal shall be the basis for determining any merit increase in salary. The Town Manager will meet with the employee to discuss the employee's annual performance. A written report of the evaluation will be prepared with a copy provided to the employee being evaluated and a copy for their personnel files.

If the employee believes that the evaluation is unfair, they may prepare comments to be attached to the supervisor's evaluation report. The Town Manager shall review the performance evaluations of all Town employees. The performance evaluations are deemed confidential records per Section 2.8. The evaluations are to be maintained in a secure file in the office of the Town Manager

In the Town of Lovettsville, success is determined by achieving the goals set by the Town Council which reflect a combination of public will and the professional long-term perspective of the Town Council. The Town Manager will establish an annual work plan based on the Town Council's goals and will translate these goals into key programs, projects, and/or tasks for the Town Staff to implement. Along with other measures, each employee will be evaluated based on the following foundational criteria described in section 8.2 of this manual.

8.2 Performance Criteria

A. Performance Criterion #1- Job Title Specific Duties

Each employee will have a specific job title(s) with a corresponding job description(s) and tasks designated by the Town Manager. The employee's work ethic is a major factor in determining how well the employee meets this criterion. Factors include dedication to meeting deadlines, managing projects within budget, willingness to work extra hours and put in the time to get jobs done, accept tasks with a positive attitude, and take initiative.

B. Performance Criterion #2- Teamwork

In the Town of Lovettsville, teams are often more productive and effective than a group of employees working individually in a siloed environment. The size of our organization also makes teamwork a requisite for success. Each employee is expected to provide support to other Town employees by going above and beyond to respond to questions and service support. Showing a willingness to work with one another and support one another at times when team members need help.

C. Performance Criterion #3- Support to the Town Manager, Town Council, and Town Residents

Town Employees are required to follow the direction set by the Town Manager, who follows the direction set by Town Council. Employees must ensure that they respond to all Town Manager requests in a timely fashion and provide service support to the Town Council. Also, the priority of all employees including the Town Manager, is to respond to service requests and inquiries from Town residents. All employees will be evaluated for their willingness to take initiative, their customer service dedication, and their commitment to the chain of command.

D. Performance Criterion #4- Innovation

Employees who go above and beyond their required tasks and can innovate new processes, techniques, systems, and/or technology that saves time, resources, and/or money, or improves efficiencies and effectiveness for the Town will be rewarded. Employees who identify less costly items/services for procurement will also be recognized.

E. Performance Criterion #5- Professional Development

It is the policy of the Town of Lovettsville to encourage employees to obtain training and/or education designed to develop the employee's value to the organization. Employees who take the time to learn (either in a formal setting or self-study) knowledge and skills that improve their capacity to perform their jobs or improve as professionals will be recognized.

8.3 Performance Evaluation

Performance Evaluation will be conducted first by Supervisors and then by Town Manager of each employee at least once a year, with a goal to complete an annual evaluation by the employee's hiring anniversary date each year. These performance evaluations shall be documented in writing and placed in the employee's personnel file. Procedures for the performance evaluation program shall be published by the Town Manager.

Members of the Town Council will do an annual evaluation of the Town Manager in written form and will discuss the findings of the reports with the Town Manager in closed session at the close of a regular Council meeting. The evaluations will be done by Council Members on a standard form. Original copies of the evaluations are to be placed in the Town Manager's personnel file following the

evaluation.

The Town Manager will review and amend individualized work plans for each employee, subject to resource adjustments during the Fiscal Year as requirements change. These work plans will list job tasks and goals On a monthly basis, the Town Manager will meet with all employees, except Utility Operators who will be counseled by the Utility Supervisor, to discuss progress on completing priority tasks, overall performance, and any actions that need to be taken to improve performance.

On the employee's hire date anniversary, each employee will have their final evaluations with the Town Manager to determine performance pay. The Utility Supervisor will advise the Town Manager on evaluations for Utility employees; however, the Town Manager will meet with each Utility Operator and determine their final performance pay adjustment.

8.4 Performance Pay

Each employee shall be provided a Cost-of-Living Adjustment (COLA) increase annually on July 1st or upon completion of initial probationary period for those employees hired prior to July 1st. The COLA increase will be recommended by the Town Manager as part of the annual budget process and considered by the Town Council along with the budget.

In addition to any COLA approved by the Town Council, each employee is eligible for any annual performance pay increase appropriated in the annual budget approved by Town Council which will be applied at the time of the employee's annual evaluation and effective on the employee's hiring anniversary date.

Any proposed Cost-of-Living Adjustment (COLA), performance, and/or other planned or unplanned salary adjustment which results in a salary increase exceeding 150% of the approved average annual performance pay increase must be approved by the Town Council in order to be effective.

Employees' performance will be rated on a scale of one (1) to five (5) for each of the five (5) criteria outlined in Section 8.2 of this manual. An average of all scores will be calculated for the five (5) criterions. This average will equate to the proportional performance pay increase to be applied to the employee's current salary within the following score ranges:

20%	50%	62.5%	75%	87.5%	100%
1.01-2.00	2.01-3.00	3.01-3.50	3.51-4.00	4.01-4.50	4.51-5.00

There will be a salary range developed and reviewed annually by the Town Manager for each official job description and title as defined in Section 5.7 of this manual.

Employee annual salaries will always fall within the salary range for each specific job title. If the performance pay increase results in an annual salary in excess of the maximum salary range, the amount in excess will be paid as a one-time payment.

8.5 Pay Adjustments for Higher Operator License

The Town encourages its Utility employees to seek higher licensing. Therefore, the Town will compensate operators with the following annual salary adjustments at time of obtaining the class of operator's licenses shown below for both the water licenses and wastewater licenses while employed

by the Town:

Class IV	Minimum of $1,500 or 2.5% to increase annual salary (whichever is more)
Class III	Minimum of $2,500 or 2.50% increase annual salary (whichever is more)
Class II	Minimum of $3,000 or 2.50% increase annual salary (whichever is more)

8.6 Clothing and Equipment Allowances

The Town shall provide front line workers with an annual allowance for purchasing safety shoes/boots and clothing required for workplace safety. The allowance is a taxable benefit and will be included in taxable wages and subject to tax withholdings. Allowance is subject to annual appropriation by Town Council.

9.0 EMPLOYEE TRAINING, EDUCATION, AND TRAVEL

It is the policy of the Town of Lovettsville to encourage employees to obtain training and/or education designed to develop the employees' value to the organization. The cost of training and related expenses undertaken at the direction of the Town Manager may be paid in full by the Town of Lovettsville. For training requested by an employee, the employee may receive reimbursement of tuition costs if (1) the training was approved in advance by the Town Manager and (2) the employee showing successful completion of the course, and employee must earn a grade of "B" or better. Courses taken on a pass/fail basis require a passing grade.

The cost of education related to work towards an undergraduate or post-graduate degree or certificate may be partially or fully reimbursed by the Town of Lovettsville at the discretion of the Town Manager and/or Town Council, within the limits of funds appropriated annually for such purposes. The Town will offer this support as an incentive benefit, professional development tool, and/or to support human capital development within the organization.

6.1 Training or Education Leave – For Pursuit of Courses of Study

It is the policy of the Town of Lovettsville to encourage employees to obtain training and/or education designed to develop the employees' value to the organization.

A. Training Leave

When an employee can demonstrate that the pursuit of a training program will have an immediate and discernible benefit to the Town of Lovettsville, leave with full pay may be granted by the Town Manager.

1. Training Stipend

The cost of training and related expenses undertaken at the direction of the Town Manager may be paid in full by the Town of Lovettsville. The employee may receive reimbursement of training costs if:
(1) the training was approved in advance by the Town Manager, and
(2) the employee provides proof of successful completion of the course, and employee must earn a grade of "B" or better. Courses taken on a pass/fail basis require a passing grade.

B. Education Leave

Education leave is discretionary and hours of schoolwork during or outside of Town business hours will not be counted as worked hours. The conditions of such leave for educational purposes shall be subject to a case-by-case determination based on factors which include the nature of the courses of study, length of the absence, work record of the employee, work requirements at the time of the request, and value of the training to the Town of Lovettsville.

1. Education Stipend

The cost of education and related expenses may be partially or fully reimbursed by the Town of Lovettsville. Reimbursement of education costs are contingent on:

(1) the coursework being approved in advance by the Town Manager and/or Town Council,

(2) the employee showing successful completion of the course, and employee must earn a grade of "B" or better. Courses taken on a pass/fail basis require a passing grade.

(3) the coursework is credit towards an undergraduate degree, post-graduate degree or certification administered by an accredited institution.

(4) Reimbursement is limited to in-state tuition rate and may not exceed $2,500 per fiscal year, per employee. Reimbursement will be made for tuition fees only. There will be no reimbursement for laboratory fees, textbooks, supplies, transportation, parking, registration, etc. Audited courses will not be approved.

(5) An employee who receives an education stipend/ reimbursement is expected to remain in regular, full-time employment with the Town for a minimum of two years following completion of the course, degree, license, or certification subject to the stipend/ reimbursement. If an employee voluntarily terminates employment, or if the employee is terminated for cause, the employee must reimburse the Town as follows:

a. Employee remains employed less than 12 months after completion: 100% repayment
b. Employee remains employed 12-24 months after completion: 50 % repayment

6.2 Travel

The Town is committed to providing its employees and citizens serving in an appointed/elected capacity with the opportunity to seek further training which is beneficial to the Town. It is the intention of the Town to adequately compensate and reimburse those individuals during travel periods based on the following policy.

A. Approval Process

All seminars, courses, meetings, etc. must be related to the performance of the traveler's assigned duties or employee professional development goals, as approved by the Town Manager. The monies requested must be approved by the Town Manager prior to attending the program. Failure to obtain approval when traveling could result in the individual not being reimbursed for travel expenses.

All hotel reservations, conference registrations, and other items should be paid for in advance by the Town whenever possible.

B. Expenses

The individual shall be reimbursed for the cost of meals and incidental expenses by the Town, upon the presentation of receipts, except that the Town will not reimburse the individual for alcoholic beverages.

Per Diem: Typically, meal and incidental expenses (meal tax, meal tips*) while traveling are provided through per diem rates. Employees are not eligible for meal per diem for any travel within Loudoun County. No receipts are necessary for full or partial day per diem. The amount per diem depends on the period of travel:

a. Full days travel: $55/day.
b. Partial days of travel:
    Morning Meal = $10.00
    Mid-Day Meal = $15.00
    Evening Meal = $30.00

Employees are not eligible for Morning Meal per diem on the day of travel unless the employee must leave for their destination prior to 6:00 a.m., and are not eligible for Evening Meal per diem if able to be home by 7:30 p.m. Non-overnight, or one day, travel is defined as travel by an employee outside of Loudoun County for business purposes, meetings, or training, where an overnight stay is not required. Employees have the option to take their own lunch. However, the Town will reimburse for lunch during non-overnight travel, if lunch is not provided. Per IRS regulations, this reimbursement is considered a taxable benefit and will be remitted through the regular payroll.

If necessary, under limited circumstances, and if time allows, employees may obtain a travel advance for anticipated meals expenses. A full agenda of the meeting or conference, where applicable, is required to process the travel advance and should accompany the Reimbursement Form submitted for reconciliation.

No reimbursement for meals will be provided for travel within 60 miles of the Town of Lovettsville unless an overnight stay is required or otherwise approved by the Town Manager.

Mileage: The individual shall be reimbursed for round trip mileage when they use their personal vehicle to attend approved travel and training. Mileage shall be calculated with the starting point as the Town Office at the gas allowance rate established by the IRS for that period. Road tolls and parking fees are also included as a reimbursable item with proof of payment provided.

Lodging: Unless otherwise authorized by the Town Manager, the Town will only pay for a single room rate for hotel rooms for travel and training exceeding one day and/or at a location that exceeds 60 miles one way from Lovettsville. If a double room is desired, the individual will pay the difference between the single and double room rate.

Parking: Fees associated with overnight parking and hourly parking will be reimbursed to the employee; however, valet, premium parking, or any supplemental parking benefits may not be reimbursed and will require the approval of the Town Manager.

No expenses incurred by a traveling spouse, family, or guest shall be covered by the Town.

7.0 HEALTH AND SAFETY

7.1 Designation for Director of Town Emergency Management

The Town Manager is designated as the Director of Emergency Management. The Town Manager designee followed by the Mayor are designated as the Emergency Interim Successor if the Town Manager is unable to fulfill their duties during the emergency (Town Ordinance. 2020-03-0005).

7.2 Emergency Service

The Town provides mass updates and alerts through the Everbridge system managed by Alert Loudoun County. Everbridge sends notifications through smartphones and tablets. It is useful for mass communications of events and utility notifications. In Emergency situations, each Town employee has a responsibility to perform necessary duties as assigned by the Town Manager or designee to provide services to the residents of the Town of Lovettsville. This responsibility includes service outside normal working hours or in special circumstances outside normally assigned duties. When circumstances require and the Town Manager declares a State of Emergency, all Town employees must contact the Town Manager for assignment.

7.3 Occupational Safety and Health

The Town of Lovettsville is committed to providing our employees with a safe and healthy workplace. To accomplish this goal, all employees and the Town Manager must be proactive and make diligent efforts to promote safety. This process is ongoing and requires periodic review. Safety reviews will be undertaken to determine the necessity and feasibility of providing devices, work practices, policies, or other safeguards to ensure a safe and healthy work environment. We will continually provide training for our employees regarding workplace hazards and the proper and safe methods to use in performing their job tasks.

Employees are expected to give their full skill and attention to the performance of duties using the highest standard of care and good judgment. Employees are also expected to always follow safety rules and regulations, including using appropriate protective clothing and equipment, attending all training sessions related to their job, and following the directions of supervisory personnel. If there are any health and safety concerns affecting an employee's work environment, please inform a supervisor or the Town Manager immediately.

Safety Standard Operating Procedures will be issued or modified from time to time and will be effective immediately upon communication. OSHA standards posters shall be posted in all Town buildings.

7.4 Accident Reporting and Investigation

All job-related injuries or illnesses shall be reported to the Town Manager or designated representative immediately, regardless of severity. In the case of serious injury, employee reporting obligation will be deferred until circumstances reasonably permit a report to be made. Failure to report an on-the-job injury or illness may preclude or delay the payment of any benefits

the employee may be eligible for and could subject the Town of Lovettsville to fines and penalties.

A. Employer's Responsibilities

Each employer is to investigate the cause of every lost-time accident and determine the means in which to prevent recurrence. Employers are required to install any safeguards or take corrective measures indicated or found advisable.

B. Employee Responsibilities

The employee shall:

1) Report all injuries, regardless of severity, to the Town Manager or designee immediately but no later than 24 hours, or before medical treatment is sought, whichever comes first.
2) Report and, if possible, correct all unsafe conditions or acts; and
3) Take all standard safety precautions to prevent injury; and
4) Follow all safety rules and worker's compensation rules per standard operating procedures

11.0 USE OF TOWN EQUIPMENT, CREDIT CARDS, AND TECHNOLOGY

11.1 USE OF TOWN VEHICLES

It is the policy of the Town that Town-owned vehicles shall be used primarily by essential personnel and will only be used for official Town business and purposes that are reasonably and directly related to an employee's assigned duties and responsibilities.

A. Requirements:

Whenever feasible, employees will use a Town vehicle in the performance of their official duties. If a Town vehicle is not available, the employee may receive reimbursement for using their private vehicle at the current mileage reimbursement rate authorized by the United States Internal Revenue Service.

All employees of the Town operating vehicles must maintain a valid state driver's license. Any suspension or revocation of an employee's driver's license must be reported to the Town Manager or designated representative immediately. An employee without a valid driver's license shall not operate any Town vehicle until their license is restored. Employees who drive Town vehicles must provide the Town with the authority to inspect personal driving records at any time.

Unless otherwise specified within this policy or with the express permission of the Town Manager, all Town owned vehicles must remain on Town premises when not in use for official duties. When a vehicle is in official use, seat belts **must** be worn by the driver and passengers.

Town vehicles should not be left running or unlocked when someone is not physically in the vehicle. When parking, employees should turn off the vehicle and remove the keys. At all times, employees must keep the keys with them and on their person.

Employees operating Town vehicles must immediately report any accident or damage the vehicle to the Town Manager or designated representative. The Town Manager, or designated representative, shall then be responsible for completing a review of the incident within twenty-four (24) hours of the incident.

It is the responsibility of any Town employee operating a Town vehicle to ensure the interior of the vehicle is kept tidy of debris, trash, tools, clothes, etc. Failure to keep the interior of the Town vehicle clean may result in loss of driving privileges. Town vehicles must be properly maintained and inspected annually for State safety and emissions as required, and periodically, the exterior shall be cleaned so the vehicles remain presentable.

B. Take Home Vehicles – Regular Basis

Certain Town employees may be authorized by the Town Manager to take home a Town vehicle on a regular basis. The criteria used to determine eligibility will be:

i. Potential for emergency call back.
ii. Potential for use outside the normal workday.
iii. No take-home vehicle may be authorized without prior approval of the Town Manager.

Assignment of a take-home vehicle shall be limited to those individuals living within a 25-mile radius of the Town Office, unless specifically authorized by the Town Manager. If an employee lives further than 25 miles from the Town, they will be responsible for refunding the Town for the additional miles at a reimbursement rate of half the IRS mileage reimbursement rate.

Employees assigned take-home vehicles are subject to any applicable tax liability associated with the benefit on a quarterly basis.

C. Take-Home Vehicles – Occasional Basis

If approved by the Town Manager and if a vehicle is available, employees who are not assigned take-home vehicles may take a vehicle home under the following situations:

i. When it is logical for the employee to travel directly from home to a meeting or conference the next day.
ii. In circumstances where it is in the best interest of the Town that the employee has use of a Town vehicle.

D. Take Home Vehicles – Utilities Department

In order to provide for the rapid and efficient response of utility personnel to Town utility emergencies, the Town will provide vehicles for employee use. Any utility staff member may take a Town vehicle home during periods when they are the appointed on-call responder for utility emergencies or for all utility employees who are expected to report when severe weather is forecasted.

Employees are permitted to use the vehicle for their personal use, up to 25 additional total miles beyond the most direct route from the Town to the employee's residence for each day that the employee is assigned the take-home vehicle. Employees may use the vehicle to make stops on the way to their home that are reasonable and appropriate (example: stopping by the store or gym that is no more than 10 miles round trip in excess of the most direct route from the Town to the employee's residence). The Town vehicle may not be used for personal use once the employee reaches his or her residence, except for those operators who are in possession of a vehicle while they are the appointed on-call responder. No mileage reimbursement is provided by the Town for operators that choose not to take a Town vehicle.

The Town utilizes a GPS monitored system for each Town vehicle that is used as an evidence-based measure for economic benefit, vehicular use, and emergency reporting. The Utility Supervisor shall serve as the fleet manager.

11.2 Store Credit, Credit Card Use, Petty Cash

The credit card program is intended for all Town staff, elected officials, and appointed officials that may use Town credit, credit cards or petty cash for any reason. The credit card program is an alternative method for procuring goods and services. The purpose of this policy is to provide a procedure for the use of credit cards for small dollar purchases in accordance with the Town's Purchasing Ordinance (Town Code Chapter 20).

A. Card Issuance, Cancellation, and Changes

Credit cards may be used by employees who have been delegated appropriate purchasing authority by the Town Manager. Any Town credit cards are to always be kept in the Town's safe. Prior approval of the Town Manager is required each time the cardholder wishes to use the Town credit card.

B. Spending Limits

The Town Manager, in agreement with the Town Council, will establish spending limits during the annual budget along with the authorization form.

C. General Requirements Associated with Credit Card Use

For spending limits to be monitored and purchasing activity reconciled to the monthly credit card statements, cardholders must maintain a lot of purchases made with each credit card. The purchasing log shall include the date of the purchase, the vendor's name, the amount of the purchase, the budget code, and the individual details of the purchase. A new purchasing log must be established at the beginning of each new monthly billing cycle. To use the card, the cardholder must:

1. **Inform the vendor that the Town is tax exempt**
   Be sure there is no sales tax applied to any purchase. The Town of Lovettsville is exempt from sales tax but must pay meals and lodging taxes.

2. **Retain all documents pertaining to the purchase**
   When the vendor delivers the order, documentation of the purchase, such as sales receipt or packing slip, should accompany the order. Detailed receipts must be retained for all purchases made on credit cards and must list the individual items purchased. This documentation must be kept on file for reconciliation with the monthly credit card statement and purchasing log. If the employee does not have documentation of the transaction, they MUST contact the vendor to get a duplicate receipt. If the purchase cannot be documented, the employee will be responsible for paying for the purchase from his/her own personal funds.

3. **Enter the purchase information in the cardholder's purchasing log sheet**
   The Town Treasurer will verify the accuracy of the monthly billing statement in comparison to the purchase log sheet and credit card receipts. Any discrepancies in the monthly statement and the purchasing log should be noted in the purchasing log and reported to the Town Manager immediately.

4. **Returns, Purchases, & Disputed Items**

In most cases, disputes should be resolved directly between the cardholder and the vendor who supplied the goods and services.

D. Returning Items Guidelines:

If an item needs to be returned for any reason, the cardholder should send the item back to the vendor in the agreed upon manner.

1. The vendor should issue a credit for items that are returned. CASH REFUNDS ARE NOT PERMITTED.
2. The vendor should issue documentation of the return, such as a credit receipt. All documentation pertaining to returns must be kept on file for reconciliation with the monthly credit card statement.

If an issue with the vendor cannot be resolved, the cardholder will notify the Town Treasurer who will contact the card vendor and ask for an investigation of the dispute on the Town's behalf.

E. Business Meals

Business meals purchased with the Town credit card must be for a public purpose and only include attendees necessary to the business at hand. The purchases must be documented with the original receipt showing the following:

- Itemized cost, including tax and tip (tip not to exceed 20%)
- Name and location of restaurant
- Names of all people included in the meal purchase
- Reason for the meal expense

F. Travel Expenses

Credit cards may be used for travel-related expenses, in accordance with Section F of this section. Town credit cards may be used for fuel for approved vehicular trips, with amounts charged being deducted from the amount owed to the employee upon completion of the trip. Original receipts for all travel-related purchases must be attached to the purchasing log.

G. Lost or Stolen Credit Cards

The cardholder is responsible for the safety and security of the credit card. The cardholder shall notify the bank who issued the card, as well as the Town Manager and/or the Town Treasurer immediately if a credit card is lost or stolen.

H. Items Not Approved for Purchase Using a Credit Card

Town credit cards may not be used for the following purchases under any circumstance:

1. Personal Purchases
2. Cash Advances
3. Personal Services
4. Self-entertaining activities, including but not limited to movies, sporting events, etc.
5. Alcoholic beverages
6. Tips in excess of 20% on meal purchases
7. Meals for spouses, family members, or partners
8. Purchases made by anyone other than the authorized cardholder
9. Purchases that have not received the approval of the Town Manager

I. Cardholders Responsible for Credit Card Charges

Cardholders are personally responsible for any credit card charges which violate this policy and for any expenses that are not supported by a receipt for the purchase.

J. Improper Use of Credit Card

The Town Manager will investigate all reports of any misuse or personal use of the Town credit card. Failure to comply with applicable procedures shall result in the card being immediately and permanently canceled. Improper use of the credit card may result in immediate disciplinary action, up to and including termination.

11.3 Internet and Electronic Communications

A. Provision of the Internet

The Town of Lovettsville may provide employees with electronic, digital, and wire communications equipment for business purposes. The use of this equipment should not be for personal use. Messages received, sent, and stored on this equipment will be subject to monitoring from time to time and during this monitoring may be read for content. Employees should be aware that there are stored records of all communications. There should be no expectation of privacy in any communications received, sent, or stored on equipment or service provided by the Town of Lovettsville.

B. Employee Access

The Town of Lovettsville may provide unlimited access to the Internet and the World Wide Web to its employees as one of the many resources available to assist them in doing their jobs better and more efficiently. Therefore, the Town of Lovettsville may establish an Internet account that may be accessed by employees.

C. Passwords and E-mail Addresses

Employees may be provided with passwords and e-mail addresses to enable them to use the account; these addresses and passwords are not provided to make employees' usage confidential or private. E-mail records are business records of the Town of Lovettsville. The usage of the Internet is subject to the same code of conduct which applies to all other actions in the workplace and using the Town of Lovettsville's Internet account in a manner that violates any rules or regulations constitutes grounds for disciplinary action, up to and including discharge. The electronic use, transmission, and storage of messages, files, images, and sounds are subject to monitoring by the Town of Lovettsville. Employees must not share their passwords with any other individuals, including other employees or outsiders. Nor is it appropriate to attempt to subvert network security either by accessing the Internet without using a designated password or by seeking to discover other passwords to gain access. Employees are representatives of the Town of Lovettsville when using the Town of Lovettsville's Internet account. Accordingly, they are expected to act and to communicate professionally on the Internet, not to engage in any commercial or illegal activities, or to use the account for personal business.

D. Employer Access

The Town of Lovettsville may monitor internet usage from time to time, and employees found to be abusing usage or using the Internet inappropriately will be subject to disciplinary action.

11.4 Social Media Policy

To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, Town staff may participate in social media formats to reach a broader audience. The

Town encourages the use of social media to further the goals of the Town, where appropriate and with the proper computer security safeguards. The Town Council and the Town Manager have an overriding interest and expectation in deciding who may "speak" and what is "spoken" on behalf of the Town of Lovettsville on social media sites. More information can be found in the Town's Social Media Policy.

Breach of this policy by Town staff may result in disciplinary action as outlined by the Town of Lovettsville Employee Policy Manual. In the case of elected or appointed officials, Committee or Commission members, the Town Council may direct the Town Manager to remove the Member as an administrator, editor, or moderator. If an employee, elected or appointed official, or Committee or Commission member who is listed as an administrator, editor, or moderator on an official Town social media site is no longer employed by the Town or serving in office, that person must be immediately removed as an administrator, editor, or moderator on the social media site(s) in question.

11.5 Town Phones (land line)

The Town provides employees with telecommunications equipment (landlines) for business purposes. Excessive personal calls during the workday are discouraged as they can interfere with employee productivity and be distracting to others. The use of Town phones should be avoided for personal use. In no event shall Town phones be used to make personal long-distance calls, 900 number calls or any other type of personal call that results in a charge to the Town's telecommunications account. Messages received, sent, and stored on this equipment will be subject to monitoring from time to time. There should be no expectation of privacy in any communications received, sent, or stored on equipment provided by the Town.

11.6 Cellular Phone Use Policy

This policy outlines the use of personal cell phones and Mobile Internet Devices at work and the safe use of Town cell phones or Mobile Internet Devices by employees while driving.

A. Use of Personal Cellular Phones/Mobile Internet Devices

While at work, employees are expected to exercise the same discretion in using personal cellular phones and mobile Internet devices as is expected for the use of Town phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls on non-work time where possible and to ensure that friends and family members are aware of Town phone use policy. The Town will not be liable for the loss of personal cellular phones or mobile Internet devices brought into the workplace.

B. Personal Use of Town-Provided Cellular Phones/Mobile Internet Devices

Where job or business needs demand immediate access to an employee, the Town may issue a business cell phone or mobile Internet device to an employee for work-related communications. Employees in possession of Town equipment such as cellular phones or mobile Internet devices are expected to protect these devices from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce these devices for return or inspection.

C. Safety Issues for Cellular Phone and Mobile Internet Device Use

All employees are always expected to follow applicable state or federal laws or regulations regarding the use of cell phones or mobile Internet devices, whether hand-held or not. Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone or mobile Internet device for business use are expected to refrain from using their phone while driving. Use of a cell phone or mobile Internet device while driving is not required by the Town. Safety must come before all other concerns.

Employees who are charged with traffic violations resulting from the use of their phone or mobile Internet device while driving will be solely responsible for all liabilities that result from such actions.

D. Use of Personal Device for Town Business

Employees who use personal devices for official Town of Lovettsville business have no expectation of privacy or confidentiality in any information or communication created or stored on their personal device. Unless exempted by law, regulation, or protected as attorney-client privileged communication, all text messages, instant messages, or other forms of communication are considered public records subject to the Freedom of Information Act. Any employee shall forward those messages to their Town email account to allow for preservation in accordance with the Freedom of Information Act and Virginia law retention schedule.

E. Consent to Monitoring

Employees will be required to consent to the monitoring of communications sent, received, and stored on equipment provided by the Town of Lovettsville or an electronic, wire, or digital services provided by the Town of Lovettsville is a requirement for employment by the Town of Lovettsville.

12.0 EMPLOYEE CONDUCT

12.1 General Standards

Employees of the Town shall, at a minimum, abide by the standards of conduct listed below and shall always conduct themselves in a courteous and professional manner. Employees who fail to abide by these standards shall be subject to disciplinary action up to and including dismissal. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment; they are for the purpose of illustration only and are not intended to be all inclusive:

1. Not performing their duties in compliance with safety standards required by the Occupational Safety and Health Administration (OSHA).
2. Use any equipment or facilities owned by the Town while not performing assigned duties for the Town, unless specifically authorized by the Town Manager.
3. Use of language or gestures, which would reasonably be deemed offensive by the general public.
4. Dispense special favors or privileges to anyone or accept favors which might be construed by reasonable persons as having the potential to influence the performance of Town duties.
5. Make private promises of any kind binding upon the duties of the position assigned.

6. Solicit or accept anything of value in return for performing or refraining from performing an official act.
7. Use, possess, or be under the influence of any intoxicant (alcohol, drugs, or any other substance which could impair performance) while performing Town duties, nor while on Town property or in Town vehicles.
8. Conduct in such a way, whether during work hours or not, that brings disrepute to the Town. Doing so may subject the employee to disciplinary action, up to and including immediate termination.
9. Fraud, theft, or inappropriate removal or possession of Town property or data.
10. Insubordination or other disrespectful conduct.
11. Unauthorized absence during the workday.
12. Unsatisfactory performance or conduct.
13. Dishonesty, furtiveness, deception or any other less than candid behavior or response to supervisor inquires.
14. Stated refusal to perform assigned duties, flagrant violation of work rules and regulations, or serious malfeasance of work.
15. Rude, obnoxious, disdainful, or subversive behavior.
16. Improper use of leave privileges.
17. Failure to report for duty at the assigned time and place.
18. Failure to follow the chain of command to address work related issues.
19. Violation or breach of these Policies or any other policies or procedures of the Town.

12.2 Punctuality

It is the policy of the Town of Lovettsville to require employees to report to work punctually and to work all scheduled hours and any required overtime. Excessive tardiness and poor attendance disrupt workflow and customer service and shall not be tolerated. The Town expects employees to be at work and ready to perform their job responsibilities at the time of their appointed start time. Employees should account for travel and personal delays when preparing for the workday.

12.3 Dress and Grooming

The Town expects employees to always be well groomed, clean, and neat. Work attire should complement an environment that reflects an efficient, orderly, and professionally operated organization. For each location, the Town takes into consideration what is considered acceptable attire and grooming by the general public. Town Office staff shall not wear collarless shirts (for males) or other casual articles of clothing, unless specifically authorized by the Town Manager. The Town Manager has the authority to make the ultimate decision as to what is acceptable. Utilities staff must wear attire appropriate for their work duties that is discernably recognizable as Town of Lovettsville Utilities Department. Graphic shirts, torn/dirty pants, and non-hard sole, work boots are not permitted during scheduled work hours.

1. Proper work attire includes clothing that covers the back, shoulders, and midriff. For example, sleeveless blouses and T-shirts may be acceptable for certain positions, but tank tops, undershirts, and shorts are not.

2. Employees are expected to come to work with clean nails, teeth, hair, shoes, body, and clothes. Just as the cleanliness of Town property is of the utmost importance, so is each employee's personal appearance.

3. Hair. While employees may have a variety of hair styles and colors, extreme styles or colors are not acceptable.

    i. At all times an employee's hair must be kept neat and clean.

    ii. Beards. Facial hair must be trimmed and shaped.

4. Colognes/perfumes. Heavy use of colognes or perfumes is not acceptable. Employees should be considerate of the fact that co-workers and customers may have allergies to fragrances.

12.4 Smoking

Smoking is not permitted in any building or vehicle owned or controlled by the Town of Lovettsville.

13.0 CONFLICT OF INTEREST

Employees are expected to represent the Town in a positive and ethical manner. Thus, employees have an obligation to avoid conflicts of interest and to refer questions and concerns about potential conflicts to their supervisor or Town Manager. Employees shall not engage in, directly or indirectly, either on or off the job, any conduct, which is disloyal, disruptive or damaging to the Town.

Employees and their immediate family shall not accept gifts, except those of nominal value, or any special discount or loans from any person or firm doing or seeking to do business with the Town.

Town employees or agents are prohibited from participating in the selection, award, or administration of any third-party contract or sub agreement supported by Federal funds if a real or apparent conflict of interest would be involved. Town employees shall conduct themselves in accordance with the prescribed general standards of conduct and conflicts of interest pursuant to state code.

Any conflict or potential conflict of interest must be disclosed to the Town in accordance with the provision of the State and Local Government Conflict of Interests Act, Chapter 31 of Title 2.2 of the Code of Virginia. Failure to do so shall result in disciplinary action, up to and including termination.

13.1 Political Activity

1. An employee shall not be coerced to support a political activity, whether funds or time are involved.
2. An employee shall not engage in political activity on work premises during work hours.
3. An employee shall not use Town of Lovettsville-owned equipment, supplies or resources when engaged in political activities.
4. An employee shall not use, discriminate in favor of or against, any person or applicant for employment based on political activities.
5. An employee shall not use the employee’s title or position while engaging in political activity.

13.2 Nepotism Policy

In accordance with the Virginia State and Local Government Conflicts of Interest Act (§ 2.2- 3100 et seq.), no agent or employee of the Town of Lovettsville shall participate in a transaction in which they have a personal interest.

Personal interest includes any financial benefit or liability accruing to an individual or to a member of their immediate family. For the purposes of this policy, "immediate family" is defined as a spouse, child, parent, sibling, or any person residing in the same household.

Accordingly:

1. No individual shall participate in any decision involving the screening, hiring or reinstatement, transfer, supervision, evaluation, promotion, disciplinary action (including demotion or suspension), or setting salary or benefits of an immediate family member regardless of their application as an employee or contractor.
2. No individual shall be assigned or act as supervisor, sole evaluator, or decision maker with regards to any immediate family member.
3. Individuals who have a personal interest in such a matter must fully disclose the relationship and recuse themselves from any involvement in the decision-making process. Where the Town Manager determines that an individual has a duty to disclose and recuse but fails to do so, such an individual shall be subject to discipline, and the family member disqualified from consideration.
4. In cases where a familial relationship exists, the Town Manager shall ensure that appropriate supervisory separation and safeguards are in place to prevent conflicts of interest and maintain operational integrity.

14.0 DISCIPLINE

14.1 Employee Conduct

Town employees are expected to conduct themselves in a professional and courteous manner, as representatives of the Town of Lovettsville. Employees are expected to avoid any action, which might result in giving preferential treatment to any organization or person, losing independence or impartiality of action, or adversely affecting the integrity of the Town of Lovettsville.

14.2 Disciplinary Actions

If an employee's work performance or behavior is deemed unsatisfactory, the following kinds of disciplinary action may be taken, depending upon the circumstances: oral coaching/warning, written warning, suspension, demotion, or termination. Other types of discipline may be used in addition to those listed.

The following are examples of misconduct that may result in discipline. The list is not inclusive, and other conduct may be subject to disciplinary action:

1. Conviction of a felony or of a misdemeanor involving moral turpitude and other criminal acts such that continued performance of duties is compromised.
2. Willfully falsifying Town of Lovettsville records (including time records, leave records, job applications, or pay or reimbursement vouchers).
3. Gross negligence with Town of Lovettsville property or misuse of Town of Lovettsville property.
4. Violating any workplace rule.
5. Performing official duties in a rude and discourteous manner, threatening co-workers, or using physical violence while on duty.

6. Violating any lawful official regulation or order or willfully failing to obey a proper direction of the Town Manager.
7. Using or being impaired at work by intoxicants, drugs, or alcohol.
8. Grossly neglecting duty or continually being unable or unwilling to render satisfactory performance.
9. Taking property of the Town of Lovettsville for one's personal use, for sale to another, or for a gift to another.
10. Inducing, or attempting to induce, an officer or employee in the service of the Town of Lovettsville to commit an unlawful act or to act in violation of any lawful or official regulation or order.
11. Accepting a bribe, gift, token, money, or other thing of value intended as an inducement to perform or refrain from performing any official acts or engaging in any action of extortion or other means of obtaining money or other things of value through his/ her position in the Town of Lovettsville.
12. Failing to report for work or being absent without prior notice to the Town Manager.
13. Unsatisfactory attendance, excessive absences, or excessive tardiness.
14. Harassing other employees or the public.
15. Violating the Town of Lovettsville's drug free workplace rules.

14.3 Notification

Prior to imposing disciplinary action, including termination, the supervisor shall inform the employee of the reason for the discipline, and the employee shall have the right to comment on the discipline. However, the supervisor may have the employee removed from the workplace prior to giving an opportunity to comment if the employee's continued presence poses a safety danger or is disruptive to the workplace.

15.0 TERMINATION OF EMPLOYMENT

15.1 Notice and Exit Interview

The standard notice is at least two weeks in advance of the employee's exit or termination. At the time of notice, at the discretion of the Town Manager, there shall be an exit interview conducted by the Supervisor or Town Manager. The interview is held to learn more about the decision to exit/terminate employment and what the employee like/disliked about their job. The exit interview is intended to be a professional review that can improve the Town's organization and reduce employee turnover. It is expected that employees are honest and cordial in the exchange of feedback. Exit interviews can be conducted in person, over the phone, or through an online survey.

There are different reasons for exiting or terminating employment, including:

1. **Resignation**:
   To resign in good standing, an employee must give at least two weeks' advance notice. If special circumstances exist, the notice requirement may be waived by the Town Manager. Failure to give the required advance notice will result in forfeiture of compensation for accrued leave, other than compensatory leave for non-exempt employees. Failure to return to work at the expiration of an approved leave of absence shall be interpreted as a resignation.

2. **Reduction in Force**:
   The Town of Lovettsville reserves the right to dismiss/lay-off employees for lack of available work or funds. In such cases, the employees affected will be given a minimum of two weeks' advance notice.

If circumstances make advance notice impracticable, the employee shall be paid the equivalent of two weeks' pay.

3. **Termination for Inability to Perform**:
   An employee may be terminated if they become physically or mentally unable to perform the duties of the position. However, any such action shall be taken in a manner that complies with the requirements of the Americans with Disabilities Act (Title I).

16.0 ALCOHOL AND DRUG FREE WORKPLACE

16.1 Employee Responsibilities

1. No employee shall manufacture, dispense, possess, use, or distribute any controlled substance, medication, or alcohol.
2. Any employee convicted under a federal or state statute regulating controlled substances shall notify the Town Manager within five days after the conviction.
3. No employee shall consume alcoholic beverages immediately before work, during work hours, or while at work during breaks or lunches.
4. No employee shall be impaired by alcoholic beverages immediately before work, during work hours, or while at work during breaks or lunches.
5. No employee shall represent the Town of Lovettsville in an official capacity while impaired by alcohol, illegal drugs, or medication.
6. No employee, using medication that may impair performance, shall operate a motor vehicle or engage in safety sensitive functions while on duty for the Town of Lovettsville.
7. If an employee is using a prescription or non-prescription medication that may impair performance of duties; the employee shall report that fact to the Town Manager.
8. An employee who has reason to believe that the performance of another employee is impaired by alcohol, illegal drugs, and/or medication shall immediately notify the Town Manager.

16.2 Disciplinary Action

Illegal use or abuse of alcohol, controlled substances, and/or non-prescribed use of medication is a serious violation of the law and the Town's Alcohol and Drug Free Workplace. If there is proven evidence of such violation, appropriate employee disciplinary action will be taken, up to and including termination.

1. **Drug & Alcohol Testing**
   To achieve a drug-free workplace, employees may be required to participate in all the following alcohol and controlled substances testing:
   i. When an applicant for a position has been extended a conditional offer of employment but before beginning work.
   ii. When there is a reasonable suspicion to believe that the employee is in an impaired state.
   iii. When the employee has been involved in an on-duty accident or has endangered others in the workplace.
   iv. On a random basis.
   v. As a condition for return to duty after testing positive for controlled substances or alcohol.
   vi. As part of follow-up procedures to return-to-duty related drug or alcohol violations.

17.0 NO HARRASSMENT/NO DISCRIMINATION

The Town of Lovettsville will not tolerate any form of harassment or discrimination. In accordance with Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, our No-Harassment/No-Discrimination Policy prohibits harassment, discrimination or intimidation of others based on age, sex, color, race, creed, religion, national origin, ethnicity, pregnancy, childbirth, disability, political affiliation, marital status, military/veteran status, status in any other group protected by federal or local law or for any other reason.

17.1 Harassment

Harassment includes, but is not limited to, any form of verbal, non-verbal or physical conduct which may intimidate, ridicule, demean, or belittle a person because of their age, sex, color, race, creed, religion, national origin, ethnicity, disability, political affiliation, marital status, military/veteran status, or status in another group protected by federal, state or local law.

Sexual harassment includes:

- unwelcome sexual advances
- requests for sexual favors
- behavior, remarks, gestures, jokes or innuendos
- verbal, non-verbal, or physical conduct of a sexual nature
- Anything that intimidates, ridicules, demeans or belittles a person based on their gender; regardless of whether the remarks are sexually provocative or suggestive of sexual acts.

Harassment occurs when one or more of the following occurs:

- Submission to and/or tolerance of the unwelcome conduct is explicitly or implicitly made a term or condition of a person's employment.
- Submission to, tolerance of, and/or rejection of the unwelcome conduct is a basis for employment decisions.
- The unwelcome conduct substantially interferes with a person's work performance and creates an intimidating, hostile, or offensive work environment.

All employees are responsible for helping ensure that harassment and discrimination never occurs in the workplace. If an employee experiences any problem of this sort, becomes aware of any other employee experiencing a problem of this sort, or has knowledge of any form of harassment or discrimination, sexual or otherwise, the employee must immediately report it to the Town Manager. If the employee believes that it would be inappropriate to discuss the matter with the Town Manager, or the employee is uncomfortable discussing the matter with the Town Manager, the employee may elect to bypass the Manager and report the matter directly to the Mayor.

All claims of harassment or discrimination will be investigated thoroughly and promptly without consequence to the employee experiencing or reporting the conduct. The Town will endeavor to keep complaints, investigations, and resolutions confidential to the extent possible; however, we cannot compromise our obligation to investigate complaints. The employee who brought the complaint will be provided with information on the outcome of the investigation within the limits of confidentiality. A non-employee who subjects an employee to harassment in the workplace will be informed of the Town of Lovettsville's policy and appropriate actions will be taken to protect the employee from future harassing conduct.

17.2 Retaliation

Retaliation is illegal and contrary to the policy of the Town of Lovettsville. Employees who bring complaints of discrimination or who identify potential violations, witnesses interviewed during the investigation, and others who may have opposed discriminatory conduct are protected from retaliatory acts.

If an employee believes that they are being retaliated against, a written or verbal report shall be immediately made to the Town Manager. If employees believe that it would be inappropriate to discuss the matter with the Town Manager, or employees are uncomfortable discussing the matter with the Town Manager, employees may elect to bypass the Manager and report the matter directly to the Mayor. Those who are found to be acting in a retaliatory manner will be disciplined for such conduct.

18.0 CHAIN OF COMMAND

Employees should feel that they can discuss anything with supervisory personnel. Each Supervisor shall make themselves available to listen to employees.

At the same time, employees should recognize that differences of opinion will occur in the workplace. Employees will direct concerns, comments, criticisms, suggestions, etc., to their immediate Supervisor. Supervisors will receive, evaluate, and address issues that are brought to their attention.

If an employee feels that they have been dealt with unfairly (as opposed to a simple disagreement), they may, through their immediate Supervisor, request a meeting with the Town Manager.

Supervisors will schedule a meeting between the employee and the Town Manager to discuss the issues relating to the employee. Employees shall not go out of or "jump" the Town's chain-of-command unless specifically authorized to do so by the Town Manager. Employees shall not directly or indirectly discuss any employee matter or personnel issue with Town Council Members unless specifically authorized to do so, in writing, by the Town Manager. Town Council Members are requested to contact the Town Manager regarding any employment matter brought to their attention prior to discussing the matter with the employee.

The only exceptions to these prohibitions are:

1. If the employee has reason to believe that a crime or immediate threat to safety has been or will be committed.
2. If the employee believes a serious and material breach of these Policies has been or will be committed.
3. If the employee feels that they have been the victim of illegal discrimination, harassment, or retaliation in violation of this policy or believes that any other employee is a victim of such harassment, discrimination or retaliation.
4. If the employee has reported a serious and material breach of these Policies to the Town Manager, from whom they have not received a response from the Town Manager within 72 hours of reporting.
5. If an employee has evidence of criminal activity, material breach of Town policies, illegal discrimination, harassment, or retaliation to them or any other employee, it shall be brought to the attention of the Town Manager immediately. Disclosures protected under state and federal law.

Town of Lovettsville 2027 Legislative Priorities

Local Governance

1. **Transmission Lines**

   Summary: Valley Link, a joint venture of Dominion Energy, FirstEnergy Transmission, and Transource Energy, has proposed the "Valley North Project," a 260-mile, 765-kilovolt (kV) transmission line from Putnam County, West Virginia to Frederick County, Maryland, with the only two proposed routes from Jefferson County, West Virginia to Frederick County, Maryland traversing through and adversely impacting lands around the Town of Lovettsville and the viewsheds of the Short Hill mountains.

   Town of Lovettsville requests that, within their respective purview, county, regional, state, and federal elected officials and regulators (1) reconsider policies promoting and/or resulting in the increased energy demands, and (2) investigate and require alternative sources of energy generation and localized power solutions dedicated to serving the primary consumers of the additional electricity supply for which this project is being pursued; both of which are specifically attributed to the existing and expanding data center market.

   Position: State regulations on the size and scale of transmission lines to mitigate adverse impact to localities and require alternative methods of delivery such as underground transmission lines. Would support a state-wide moratorium on data centers to minimize the need for transmission lines.

2. **Virginia Cannabis Control Authority**

   Position: Allow for enhanced local regulatory authority of the cultivation, manufacturing, and wholesale/non-retail distribution of cannabis and cannabis related products.

   Position: Transfer authority for all retail sale regulations from the Virginia Cannabis Control Authority to localities.

3. **Jurisdiction Control of Speed Limits**

   Summary: The Town of Lovettsville is a major corridor for commuters between the boundaries of Loudoun County and the State of Maryland, which causes speeding traffic in the central business district and cut-through traffic along town wide roadways. Furthermore, Lovettsville has contacted the Virginia Department of Transportation repeatedly for implementation of traffic calming measures without resolve.

   Legislative Agenda Item Position: To maintain the safety of all residents in Town, Lovettsville requests amending State Code Section 46.2-1300 to give smaller municipalities, that do not maintain the street system, the authority to set jurisdiction Speed Limits by vote of the Council and Public Ordinance.

   "Powers of local authorities generally; erection of signs and markers; traffic speed, penalties: The Town Council requests changes to Section 46.2-1300, which authorizes municipalities that maintain local streets to regulate the operation of vehicles on the highways within their borders. Council requests that smaller municipalities, such as Lovettsville, that do not maintain the street system be allowed a larger role in setting speed limits and traffic control within the Town and that speed limits be based on factors

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beyond the prescribed traffic speed analysis to include existing and planned development patterns, pedestrian activity, or other matters affecting local health, safety, and welfare."

4. **Oppose Any Reduction of Local Land Use Authority:**

   Position: The Town Council opposes legislation that weakens local authority to plan and regulate land use, zoning, and property maintenance. This authority should remain with local governing bodies.

   The Town Council supports existing local authority to accept cash and in-kind proffers from developers to assist localities in financing the capital facilities and infrastructure needed to serve new development and opposes legislation to eliminate or restrict that authority.

   Localities must maintain control of local land use decisions. Neither the state nor the federal government should usurp or pre-empt a locality's authority to make such decisions; nor should they impose requirements that weaken planning and land use functions. This includes all types of housing including but not limited to short-term rentals.

5. **Accessory Dwelling Units (ADUs):**

   Position: Localities should retain local land use control when regulating accessory dwelling units.

6. **Local Authority for Religious and Nonprofit Housing Developments**:

   Position: The Town Council opposes the legislation that was included in SB388 (McPike) during the 2026 Session that bypasses essential local oversight, diminishes local authority to ensure safe and well-planned development, and allows projects that may strain public services.

7. **Wireless Communication Facility Placement**

   Position: The Town Council opposes any legislation that limits the Town's authority to regulate the placement of wireless communication facilities in Town right-of way and on Town-owned facilities, and rental and permit fees related to such equipment.

8. **Legal Notice Publication Summary**

   Summary: The Town budget includes approximately $8,000 a year for advertisements and public notices in newspapers. Today, the average consumer searches for information via the internet and social media. It is time for the General Assembly to update policies that meet the technological preferences or habits of constituents.

   Position: The Town requests legislation that would give localities the authority to post legal notices on websites as a substitute for publishing legal notices in print newspapers.

9. **Bills of Financial Impact to The Town**

Position: Reinstate the requirement that bills resulting in a net expenditure and/or net decrease in revenue for local governments be filed on or before the first day the legislature convenes.

10. Memorandums of Agreement with Loudoun County

Summary: The Town agrees with surrounding localities that alleviating burdens and service loopholes is necessary to ensure the quality of life for all residents. These burdens are often attributed to agreements and services for residents within incorporated Towns.

Position: The Town Council requests an amendment to the Code of Virginia (Sec. 15.2-3231) to remove the mandate for agreements between counties and incorporated towns to provide services to residents on equal parity with county residents.

11. Local Referenda, Land Use, and Revenue Authority Regarding Cannabis Retail Sales

Position: The Town Council supports a local referendum opt-out process, which is independent of any county referendum result or action. Town Council urges the Virginia General Assembly to authorize local governments - cities, towns, and counties - to regulate land use and zoning for the production, manufacturing, and distribution of wholesale and retail cannabis, hold a referendum on retail sales, and tax recreational cannabis retailers and wholesalers.

Marijuana Sales Tax; While legal, the Town Council supports the Commonwealth of Virginia centrally collecting taxes on marijuana sales and distributing the tax on a monthly basis to each jurisdiction.

12. Local Excise Taxes

Position: Town Council supports statewide authority for local governments to establish an excise tax on the sale of vaping products. VML also supports the statewide authority for local governments to establish an excise tax on the sale of cannabis products.

13. Designation of Public Highways for Golf Cart and Utility Vehicle Operation

Position: Add the Town of Lovettsville to Virginia Code Section § 46.2-916.2(C) as one of the listed Towns with the authority to allow golf cart and utility vehicle operation without an established Police Department.

14. Local Authority for Regulation of Short-Term Rentals:

Position: The Town Council requests the repeal of SB544 (Bagby) (Code of Virginia Section 15.2-983-D) that prevents localities from requiring a special exception, special use, or conditional use permit be obtained for the use of a residential dwelling as a short-term rental where the dwelling unit is also legally occupied by the property owner as their primary residence.

The Town Council requests the repeal of Code of Virginia Section 15.2-983-B(2) in order to require that all persons register short-term rentals within a locality. The Code currently provides a registration exemption

for individuals who are licensed by the Real Estate Board or a property owner who is represented by a real estate licensee.

15. Virginia ABC License/ Permit Process:

Position: The Town Council requests that local governments have a separate dedicated process that is consistent and streamlined for obtaining the necessary permits and licenses from Virginia ABC for Town operated community events.

16. Artificial Intelligence Freedom of Information Act (FOIA) Disclosure:

Position: The Town Council requests legislation that would require FOIA requests to include a certification that states the request is not AI generated and is being submitted by a resident of the Commonwealth of Virginia.

17. Aggregation of Freedom of Information Act (FOIA) Requests:

Position: The Town Council requests an amendment to allow localities to aggregate multiple FOIA requests submitted by the same individual, entity, or digital agent within a defined period of time for the purpose of determining billable thresholds.

Position: Virginia FOIA (Code of Virginia Section 2.2-3700, et al.) allows public bodies to charge actual, reasonable costs to access, duplicate, supply, or search for requested records that are estimated to exceed $200.

Fiscal Sustainability

18. Capital Funding: Capital and Infrastructure Improvements

Summary: The Town has approved priorities in its Transportation Master Plan and an Interconnectivity Project Plan which will enhance the lives of residents throughout the Town by connecting multi-modal transportation improvements and pedestrian infrastructure capital projects throughout the Town.

Position: Lovettsville requests continued state funding for increasing multi-modal transportation and infrastructure improvement priorities, including:

- North Berlin Turnpike Shared Use Path
- Berlin Turnpike and South Loudoun Street Intersection Improvements

19. Virginia Department of Transportation Cost Estimates

Summary: The Town Council supports state policy changes to mandate further refinement of VDOT cost estimates for transportation projects in an effort to improve accuracy. When there are excess funds on a specific project, allow those funds to be reallocated to other transportation projects more efficiently.

20. State Funding for School Resource Officers

Position: The Town Council supports legislation that would provide state funding for school resource officers at all public elementary, middle, and high schools.

21. Funding for Critical Community Infrastructure

Position: Set aside funding for critical community water and wastewater system improvements or repairs in towns under 3,500.

22. Business License Taxes:

Position: The Town Council opposes any legislation that would eliminate the BPOL tax, unless current revenue from the BPOL tax is replaced with new local revenue that is distributed directly to each locality based on point of sale. Further, the Town Council requests that if the BPOL tax is eliminated, localities be granted the authority to issue an annual license to businesses physically located within the locality for a nominal fee to recover administrative costs necessary for the collection of requisite information for other business processes and state mandated reporting.

23. Oppose Any Unfunded Mandates

Summary: Localities are the first point of contact for residential needs and services, and their budgets can be impacted by any sudden fluctuations in the economy or pressures from state and federal entities.

Position: The Town Council opposes any new state mandates that are not fully funded by the Commonwealth and opposes the shifting of fiscal responsibility from the state to localities for existing programs.

Position: Town Council supports legislation that decreases costs for administrative processes mandated by state programs.

24. State-mandated Tax Policy Changes and Local Revenues

Position: The Town agrees with surrounding localities that any reduction in local taxing authority could increase the burden of maintaining quality services to residents. Town Council understands the needs of their community as well as the burden of taxation on their constituents. The Commonwealth should refrain from encroaching upon the responsibility of local officials by imposing additional exemptions from locally generated revenues or imposing additional red tape that make it more difficult to raise revenue in their communities.

The Town Council opposes any reduction or narrowing of the taxing authority of local governments, including but not limited to business, professional and occupational license tax, transient occupancy taxes, and meals tax. Further, the General Assembly should not take action to restrict the use of current local revenue sources from fees or permits. Further, Town Council opposes any state-mandated exemptions to the local option sales tax unless the General Assembly can establish a viable revenue replacement to local governments.

25. Rights to Share Customer Account Information

Position: The Town agrees with surrounding localities that the sharing of contact information increases collaboration between localities for collection purposes and enhances efficiencies in service to residents. The Town Council opposes any legislation that would restrict the sharing of customer contact information, exclusive of consumption data, between governmental bodies for the purpose of tax collection.

26. Access to Broadband

Summary: The Town agrees that technological advancements are important to provide workplace options and reducing traffic on local and regional roads, increasing economic development, access to education, information sharing, and services to residents in all communities.

Position: The Town Council supports state efforts to bring broadband access to all communities in Virginia.

27. Refinement of VDOT Cost Estimates/ State Oversight

Position: The Town Council supports state policy changes to mandate further refinement of VDOT cost estimates for transportation projects in an effort to improve accuracy.

28. Expansion of Funding for Community Service Boards and Behavioral Health Authorities

Position: The Town Council supports increased state funding to build an improved network of community-based services that assist state hospitals with their vital mission. Funding should be incremental, sufficient, and sustainable.

29. Sales Tax for School Construction and Renovation

Position: The Town Council supports statewide authority for local governments to impose a one-cent sales tax to help raise critically needed funds for school construction and renovation.

30. Population Thresholds for Virginia Department of Transportation Services

Summary: Current Virginia law requires localities with a population in excess of 3,500 people be responsible for their own road maintenance and public safety. This trigger confers a disproportionate tax burden on localities that are at their maximum capacity.

Position: The Town of Lovettsville requests Virginia Department of Transportation (VDOT) support for road safety and maintenance to localities beyond the 3,500-population threshold.

Utilities

31. Mitigation of Lead and Copper in Drinking Water

Summary: As a result of the Environmental Protection Agency's recently revised Lead and Copper Rule, the Town Council urges the Commonwealth of Virginia to provide adequate funding including grants for any possible future lead surveys and abatement projects for water systems. If abatement work is required, the Town asks that the state adopt a realistic timeline for work to be completed. All private property lead abatement should be the responsibility of the property owner and not the water service provider.

Position: Town Council supports the availability of adequate funding for local governments and private property owners to compile with any future lead survey and abatement projects.

32. Water Quality Funding

Summary: The Town agrees with surrounding localities that all mandates from the state and federal government shall be fully funded. This includes any mandates for water quality capital improvements and sewage treatment plants in years that extend beyond ARPA funding.

Position: The Town Council urges the federal government and the Commonwealth of Virginia to provide adequate funding for localities to implement state and federally mandated capital improvements for sewage treatment plants, Total Maximum Daily Loads (TMDLs) requirements, and other storm water systems.

33. Municipal Utility Exemption

Summary: The Town Council urges the Commonwealth of Virginia to exempt municipal utility operations from state fines and penalties when water or wastewater plants experience significant treatment impacts that are outside of the control or authority of the municipality, so long as the locality is fully communicating with state regulatory agencies and working in good faith to rectify the situation.

Position: Town Council supports the ability to work in good faith and in full communication with state regulatory agencies to rectify any water treatment impacts outside of the control of the municipality while not incurring state fines and penalties.

34. Polyfluoroalkyl Substances (PFAS):

Position: In support of other Loudoun County Towns, the Town Council urges the Commonwealth of Virginia to not set a maximum containment level (MCL) for Polyfluoroalkyl Substances (PFAS) until sufficient study and research has been conducted and provide adequate funding to enable municipal water and wastewater systems to upgrade plants to meet State and Federal mandates.

35. **Treatment Plant Funding**: The Town Council supports the development of a state financing program that would equitably share water and sewer plant costs between the state and localities for upgrades, expansion, or to comply with new regulations.

Environmental Conservation

36. Tree Save Efforts

Summary: The Town realizes the importance of a healthy natural environment and aims to limit any impact to native trees in all areas of construction and development, to the extent feasible.

Position: Town Council supports efforts that would strengthen localities' ability to require private new construction projects to save existing native trees.

37. Continued Funding for Stormwater Local Assistance Fund

Position: Town Council urges the General Assembly to continue to fund the Stormwater Local Assistance Fund at $50 million, which provides grants to local governments to make improvements to better manage stormwater-related problems.

TO: **Mayor and Town Council**

FROM: **Sarah Moseley, CEED Coordinator**

DATE: **October 22, 2026**

SUBJECT: **2026 Lovettsville Oktoberfest Survey Feedback**

Purpose: To update Town Council on post-event feedback from the 2026 Lovettsville Oktoberfest attendee, vendor/entertainer, and Town business and civic organization surveys and to identify key considerations for planning the 2027 Lovettsville Oktoberfest.

Background: Lovettsville Oktoberfest was held on September 26, 2026. Following the event, the Town conducted three post-event surveys to gather feedback from attendees, festival vendors and entertainers, and Town businesses and civic organizations. The surveys were intended to identify successful elements of the 2026 event, areas for improvement, and considerations for future Oktoberfest planning.

A total of 143 people completed the 2026 Lovettsville Oktoberfest Attendee Feedback Survey, 8 Town businesses and civic organizations completed the Town Business and Civic Organization Survey, and 33 vendors and entertainers completed the Vendor and Entertainer Survey.

Discussion: Overall, feedback from the three surveys identified several successful aspects of the 2026 Oktoberfest, while also highlighting opportunities to improve the attendee experience and event operations for 2027.

Attendee Feedback: Attendee feedback was mixed regarding the revised festival footprint. The most frequently identified opportunities for improvement included:

- Restoring a larger central gathering area with additional covered seating and entertainment.
- Increasing German food, beverage, and grab-and-go options to reduce wait times and prevent food from selling out.
- Increasing the size and seating capacity of the Entertainment Tent.
- Improving the Wiener Dog Race location, spectator viewing, seating, and circulation.
- Increasing use of the Town Green for entertainment, activities, or gathering space.
- Improving parking, detour, shuttle, accessibility, and wayfinding information.
- Considering additional Friday/Saturday programming or extended festival activities.

Vendor and Entertainer Feedback: Vendor and entertainer feedback was overwhelmingly positive regarding the Town's communication, organization, Vendor Village location, and event-day support. The most frequently identified opportunities for improvement included:

- Improving advance parking and vehicle-access information.
- Providing clearer maps and detour routes.
- Ensuring consistent information among vendors, volunteers, law enforcement, and traffic-control personnel.
- Establishing inclement-weather/load-out procedures.

Town Business and Civic Organization Feedback: Business feedback was generally positive regarding the festival and the increased emphasis on directing attendees toward Town businesses. Businesses generally supported continuing the business-focused approach, including DORA participation, special menus and beverages, outdoor activities, Town marketing, and coordinated promotions. The most frequently identified opportunities for improvement included:

- Earlier business involvement in planning.
- Improved communication regarding road closures and parking impacts.
- Stronger wayfinding, additional activities and signage toward East Broad Way.
- Consideration of a business passport or similar program to encourage attendees to visit multiple Town businesses.
- Service-based businesses also noted that road closures and limited vehicle access can affect their ability to conduct normal operations during the festival.

Fiscal Impact: There is no fiscal impact associated with receiving the post-event survey results. Potential changes to the 2027 Lovettsville Oktoberfest, including additional tenting, seating, entertainment, food and beverage infrastructure, accessibility improvements, extended programming, transportation, or other operational changes, may have a fiscal impact.

Recommendation: Based on the recurring themes identified through the three post-event surveys, Town staff is supportive of several potential changes and enhancements for the 2027 Lovettsville Oktoberfest.

Town staff recommends that Town Council consider the following when providing direction for the 2027 Oktoberfest:

- **Festival Elements:** Retain the successful elements of the 2026 festival, including Vendor Village at Zoldos Square/the "Squirkle," the vendor load-in/load-out process, volunteer support, and the increased emphasis on supporting and driving festival attendees to Town businesses.
- **Festival Footprint:** Maintain the primary festival footprint within the Town's business core, while identifying opportunities to expand seating, activities, and

other complementary programming throughout the footprint. While attendee feedback included requests to return the primary Entertainment Tent and central festival gathering area to the Town Green, Town staff would not recommend relocating the heart of the festival to the Town Green. The Town Green is physically separated from the majority of Town businesses, and moving the primary entertainment and gathering area there could draw pedestrian traffic away from the business core. Town staff would, however, support exploring appropriate supplemental uses of the Town Green that enhance the festival without shifting the primary concentration of activity away from Town businesses.

- **Food/Beverage:** Increase food and beverage capacity, particularly authentic German and quick-service options, by considering the return of select traditional (former) Oktoberfest food vendors while continuing to prioritize Town restaurants, outdoor service opportunities, and participation in the DORA. This approach could help address attendee concerns regarding long wait times and food availability while maintaining the economic benefit to Town businesses experienced in 2026.

- **Entertainment/ Community Games:** Evaluate and expand the Entertainment Tent and Wiener Dog Race areas to provide additional seating, spectator capacity, visibility, and weather protection for attendees. Town staff supports maintaining these major attractions within or near the Town business core while identifying locations or configurations that can better accommodate festival attendance.

- **Traffic/ Parking:** Improve accessibility, parking, traffic, shuttle, and wayfinding information, including clearer public maps and signage, accessible parking locations and transportation information, and consistent traffic and event-access information for attendees, residents, businesses, vendors, volunteers, law enforcement, and event personnel.

- **Length:** Evaluate festival hours and programming, including opportunities to strengthen Friday evening activities and/or extend Saturday programming beyond the current festival hours, subject to budget, staffing, public safety, transportation, and other operational requirements.

Overall, Town staff supports building upon the successful 2026 festival model rather than substantially relocating or redesigning the festival footprint. The focus for 2027 would be to address the recurring concerns identified through the surveys, while preserving the increased visibility, foot traffic, and economic benefit provided to Town businesses and civic organizations through the 2026 configuration.

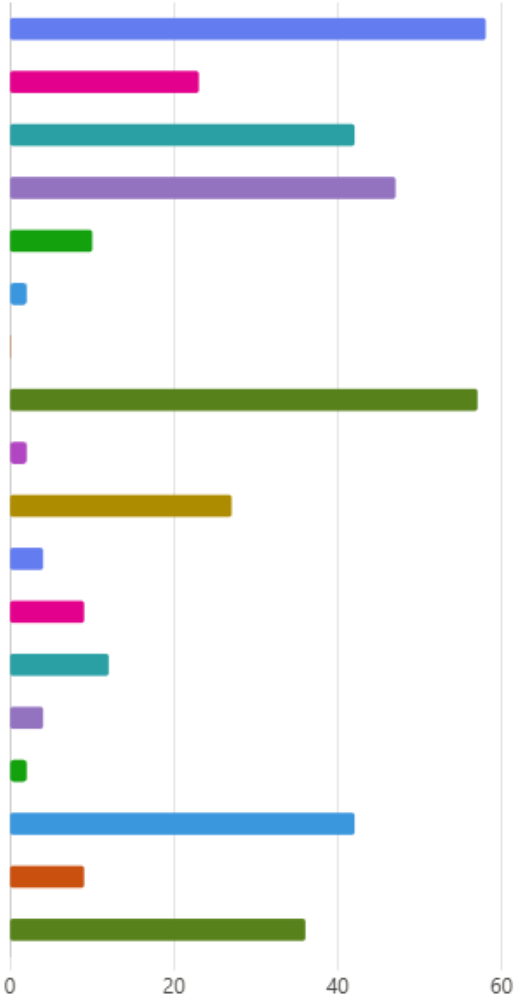
Attachments:
1) 2026 Lovettsville Oktoberfest Feedback Survey Feedback

2) 2026 Lovettsville Oktoberfest Town Businesses and Civic Organizations Survey Feedback
3) 2026 Lovettsville Oktoberfest Vendor Survey Feedback
4) Survey Based Considerations for the 2027 Lovettsville Oktoberfest

2026 Lovettsville Oktoberfest Feedback Survey Results

- 84% of those who took the survey have attended Lovettsville Oktoberfest before, 16% were first-time attendees.
- 78% new about this year's Oktoberfest because they have attended in the past, while 9% learned of the event by word of mouth, 5% by the event posters placed in businesses and community organizations, 4% via Facebook, 2% via Google ads, and 2% via Instagram.
- 98% attended Lovettsville Oktoberfest with at least one other person, 59% reported a party of 2–4 people, and 32% reported a party of 5–8 people. The most common party size was 2 people, representing 28% of respondents. Parties of 6 people were the second-largest individual category at 14%.
- The following businesses were visited during the festival:

1836 Kitchen & Taproom	58
7-Eleven	23
Back Street Brews Coffee & Tea House	42
Andy's Pizza and Subs	47
Daughter Thai	10
El Pitayo	2
EZ Tobacco	0
Lovettsville Co-op Market	57
Lovettsville Diner	2
Market Table Bistro	27
One Family Brewing	4
Rasco NY Pizza	9
Rodeo's Mexican Bar & Grill	12
Thai Love Bistro	4
Train to Mumbai	2
Twisted Cat	42
Virginia ABC Store	9
Willows Vintage Charm	36



- Attendees like the following the most about this year's Lovettsville Oktoberfest:



- Attendee demographics represented a broad range of ages, with the largest percentage of respondents at 29% between the ages of 41–50. This was followed by 22% ages 51–60, 22% ages 61 and older, 21% ages 31–40, 5% ages 21–30, and 1% ages 16–20. 66% are female, 32% are male, and 3% prefer not to say.

- Lovettsville Oktoberfest attracted both local residents and visitors from throughout the region and beyond. Of the 143 attendees who provided a zip code, 61% were from Lovettsville, while 39% traveled from outside the 20180 area. Respondents represented 35 different zip codes across six states—Virginia, Maryland, West Virginia, Pennsylvania, New Jersey, and South Carolina.

- What visitors would change about this year's Lovettsville Oktoberfest:

Responses
The detour completely was horrible. Why wasn't Town Center Avenue blocked off? This town can't get the simplest of details correct like a detour for just a few hours. This experience sucked as usual.
More winer races
More vendors close Main Street!
Nothing!
Nothing so far. Nice atmosphere and very easy parking at the park
Nothing
Better vendors
More days for the entertainment
Nothing.

Responses
More vendors down the side streets
add more
There are only bratwurst, we need the other wurst! Weirdest, etc... that’s what I always loved about Lovettsville’s. Thank you for the Munich beer on tap though! Oktoberfest.
Proximity of town merchandise to vendor village; have it closer by
Lower prices for food, too expensive for families to eat and the shuttle bus drop off was far from parking and it was too far to get to my car. It was a struggle for me.
Nothing
Nothing
Nothing
Lines for food are way too long. It’s unreasonable to stand in line for more than an hour. Also, by 12:30 some of the vendors were already out of food.
Last year was larger, more vendors, more food options. Like it more spread out.
Would like to be able to fill the steins with beer and walk wherever. 2025 was the best for that
Please bring music and some of the events back to the Greene and on that beautiful stage. Please have the dogs racing on the squirrel and not on hard pavement that hurts their paws.
Please bring music & some events back to the stage. Have the digs run on grass
Bring events back to the green
Ruritan club ran out of brats by 1pm. For an Oktoberfest, that's like an Italian restaurant running out of pasta. Also, need more vendors to keep pace with crowd to reduce lines. Where were the pretzels?!?!
Nothing
I missed the large tent with the performances. I think losing that took away from the atmosphere. I also missed at least one central spot for food and drinks.
More farm vendors!

Responses

O
There is never enough viewing stands for the wiener dog races. you need a huge TV screen showing the races and more stands. Need more vendors for food. lines were insanely long for staple German food like pretzels and brats. and why is the game club not participating?? i loved supporting them.
More German in a larger area
Hello! My wife and I tried to attend Oktoberfest today, but after driving around for a while, we gave up because we couldn’t find anywhere to park close enough to the event. I use a wheelchair, and we asked two people directing traffic about handicapped parking, but neither knew where to direct us. I also couldn’t find accessibility information in the town’s event post or festival map, including designated handicapped parking or whether the shuttles could accommodate a wheelchair. I appreciate the work that goes into organizing an event like this. We were looking forward to enjoying it together, and it was disappointing to leave without being able to participate. Clearly published accessibility information, parking signs, and staff who know where to direct visitors with disabilities would make a real difference. Please consider these improvements for future events. Thank you for listening. Kurt@Rosenkranz.us
Probably, everything? The re-organization of the fest was confusing. Food was sub-par. The beer was decentralized and varied in quality. The new layout was confusing and not nearly as fun of an atmosphere or German vibe as in the past. The events appeared poorly organized, the races were late, the stein competition was behind and slow. It seemed like everything was just much more poorly organized than the past. We've come for 5 years in a row and this was by far the most disappointing. If next year is the same, we won't be attending. It seems like it's just "any other Oktoberfest" and lacks the German charm and quality of years past. Really disappointing and hope you can restore some of the charm and quality of past years.
It’s too cramped and food lines were too long. It was a waste of our time.
Lines are kind of long
A lot. By mid day there was little to no German food. There were no plates of brats, cabbage, and potato salad. There were no German gifts/crafts. There were no nuts. The things we always looked forward to were non-existent. We traveled from Pa and were disappointed.
Where was the large tent on the green this year? Why were there no activities at the green stage. The tent with German music was too small and no one could sit

Responses
NA
Have nighttime event
More pretzels and more inventory in general
More food and beer vendors near the squrikle, the lines were too long
Keep kinderfest open
More seating
Bring it back to the green. This year was a bust. It rained and everyone went home. In the past everyone stayed under the tent and enjoyed the event even when it rained. We can go to the restaurants anytime. This change makes it no longer special. Why would you not use a huge space with a stage??? Disappointing.
Extra stands for brats, to enable reasonable lines. Enough pretzels and brats to last the entire day. BRING BACK the food/sweet treat vendors!
I'd like to see the food trucks come back. Also, lines for beers were roughly 30 mins every time.
It's been several years but I enjoyed it when everything was in the town green, it felt like more of a celebration then rather than having it spread out and having to hunt for beer and food. I wish the green was used for a large beer tent and food trucks again
Better street direction signs for drivers. More vendors for alcohol / German food.
More German food options ,same options at most restaurants
I prefer last year's format that was much more of an Oktoberfest celebration with the huge tent and music etc. than a town fair.
Put a main tent back on the green with entertainment on the stage. Food trucks and beer garden surrounding the green
Go back to the large tent on the town green. We lost the sense of community with having things split up and the town green is the perfect set up.
Lines for beer and food were way too long. Had to spend half my time waiting.
Food lines too long! Waited hour at Ruritan and brats were out. Had decent lamb sausage but bun was beat up. Beer long lines but moved quickly. Andys brat plate

Responses
were lacking in a real brat. Needed more sitting area for people to sit eat and drink at main tent!
Please bring back a main big tent on the town green with entertainment and beer there.
Move back to green and offer food trucks. The food lines were way to long due to lack of options.
I liked having everything more on the town green and I liked having food truck options in previous years
Have some vendors/activities at the Town Green. Have food truck options.
The location of wiener dog stadium. We passed by 4x and each time we could not see anything. There was no real way for people o get in/out of the stadium seats and it was too small.
Return the set up like last year. Did not like how spread out it was. The main tent was too small and not enough German food vendors.
Nothing, we thought it was perfect.
Close down Broad Way from 7-11 to Loudoun Street.
More German food and beer trucks
Wiener dog Stadium in the Squirkle and vendors surrounding it in the road. Biergarden in front of TH
We needed plastic bags when you purchased an item from the town and a bigger tent and more tables to sit at and more variety of food for German food that is in the past, it was much larger and had much more of a German feel
More food and beer options. Less lines
The lines for food/beer were WAY too long.
Thank you for putting on a great event! I loved the setup this year. A few suggestions to improve for next year would be to have viewing screens available for the races since it always hard to secure a seat and actually be able to see, more quick food options (2 vendors were out of brats when we stopped by), possibly offer pre-order food packs (family meal) for locals to skip the huge lines by ordering in advance. Additionally, we loved attending the festival all weekend and would love to see it both Sat/Sun next year. It seems like it could be done with minimal cost by spreading out

Responses

the entertainment over 2 days and it also offers vendors a change to recoup costs if there is unfavorable weather one of the days.
Nothing. It was great
Kinderfest was small. Carnival games would be fun. Cotton candy, kids-centered food. Maybe we just went the wrong restaurants but there wasn't a lot of German food. Seemed weird. Having the menu of each restaurant would have been helpful to pre-plan where to go.
Could not find food vendors/food trucks as in previous years. Everything was smashed together, not enough seating or room
would love to see the town green used again for more seating, more grab n' go food options (that aren't the town businesses) and a larger tent to gather under in event of bad weather (rain has happened during multiple Oktoberfest that I've attended, but it was great to have a large enough tent to accommodate many people)
We could not see the dog races since it was moved to a small area with limited seatings so very disappointed with that. The beer and brat lines were too long which is why we ate Mexican food and not German food. Also disappointing.
More food outside, maybe trucks?
No Friday night festivities outside of local businesses. And ending at 5 PM.
A larger tent is needed and a main gathering space possibly near town hall would be nice because it’s more central. We really missed having the town green as a hub. The wiener dog stadium was way too crammed and not central at all. I wished I knew in more detail where to get what foods. It was unfortunate that there was no stage with ongoing entertainment because when it rained everything else was cancelled. It felt very disjointed and hard to feel like a cohesive event. Also the microphone was unable to be heard for the distinguished citizens event at the breakfast, we wanted to hear the speeches and honor the people but no one could hear what was going on.
Complete lack of food. Bring back the food trucks and large tent on the green!
More pretzels and FRESH KETTLE CORN! While I understand prioritizing local restaurants, I preferred the food trucks and vendors
It was not great at all.
More vendors. Utilize the park and pavilion

Responses

Move the races and competitions the green. Not enough space for observers in front of town hall.
More Lovettsville Merch
Bring back the big tent with plenty of seating, food and music. There was not enough seating. There was not enough food. This was not Oktoberfest. Frankly, we don't need to visit a local business on Oktoberfest. That's not what it's about.
While I was happy to see the business included and thriving, I wish the main tent was not at a business. I was looking for more authentic German food, we were able to get 1 brat. I missed seeing those vendors. Someone in my party only went for German donuts, they were very disappointed. I didn't see many residents as volunteers. Vendor village, less politics and more vendor options. Would love to see the event back to when broad way was shut down.
Things open later
More authentic food, and more locations to purchase. The lines were crazy long at the tent and we didn’t feel like waiting
Make wiener dog stadium bigger, more seating. Always love the gigantic tent and beer garden on the big lawn better.
Better, more German food options. Not enough variety
I would incorporate the town green and bring back good, highly rated food trucks. I also think adding back the big beer garden tent and an additional beer garden would be good.
I did not like the layout compared to 2024. It was also disappointing that the Ruritan’s club ran out of some items around 1:00.
Music in front of Town Hall
Only the weather
Try to get more visibility for Market Table & Daughter Thai. Can't help but think the traffic on Main street. Missed the Sagerbund and offerings from the Game Club. Seemed everyone was just serving brats & burgers. Coop did a good job with their menu.
I preferred the other location back behind the shopping center and last year it was on Sunday too

Responses

I miss the big field and food tent in the past. This was very jam packed and not comfortable. The dog race area was so small too. I don't plan to return if it's like this again next year.
Stop the inappropriate jokes during the wiener dog races. It’s a family event.
Better signage for parking at the community park from the main road.
The wiener dog races were congested and hard to see. Wish there were more food options near where activities were happening... or maybe spread out activities down Broad St so it was near other restaurants.
Lots of places ran out of sausage and pretzels - not much you can do about high turnout! Good problem!
More food options. All the lines took about 40 minutes to order food. Lack of food vendors.
Food trucks needed, beer vendors needed. Local business can't accommodate everyone.
The layout was not good, there went as many vendors and no food options really
More German food options bc the local options couldn't keep up with demand
More beer/wine vendors. Waiting an hour is insanity
It needed a big tent like we always had previous years. If local businesses don’t like it on the town green, it can be set up behind the town hall like it used to be years ago
Prevent the rain
Add more food/food truck options. The food lines were long and vendors ran out of item earlier in the afternoon
Move back to town green
Increased knowledge for residents of the closed streets when they would not be able to exit their homes.
Move Tent to other side of Oktoberfest Way and make the tent bigger with lots more tables
Make it the whole weekend again

Responses

Nothing! It was well organized and easy to get around.
Nothing, because it was beyond an excellent and a monster noticeable improvement
Nothing!
More vendors
More vendors
I was disappointed with Oktoberfest this year. I've attended for over 20 years. I wish the town green was used as it has been in the past. And why would the festival end at 5:00pm on Saturday? It was always the most fun to meet friends on the green Saturday night and listen to bands. Plus no parking on both sides of the streets in the town green neighborhood?? No food trucks lining the town green? This was nothing like the Oktoberfest of the past
I preferred it on the main green where everything was centralized. There wasn't a lot of room to dance and enjoy the music. German food also ran out fast.
The were not good food vendors as there usually are. We town resents are familiar with local places, so having food trucks and tents offers a variety. It was very underwhelming this year, we didn’t stay long. The town green with the stage offers much better setting al layout
Utilize the Walker Pavillion in some form to generate revenue. Not clear on what that is, but surely there is something to be said for the calming environment it proved without all the vendors etc. I am confident that someone, perhaps a high-end contractor or some other vendor who wants circulation but appreciates the calmness it offers in its current setting, would pay top dollar for that space during a daylong event that draws this level of audience.
Vendor Village was super cramped-too many tents and not enough walking space. Weiner Dog stadium was cramped and did not give area for spectators to view unless you got a bleacher seat. Disappointed that there were not more food vendors
The Main tent (behind Andy's) could be bigger. Didn't accommodate as many persons/tables as in past years
Liked the years past where music and large tent were at the green.
No rain! :)
More food trucks are needed and more vendors. I would like to see additional beer stations as well

Responses

Open up the town green
I thought this year you all nailed it. I think you could add more vendors in the parking areas in front the businesses on 287of
While I understand the need to scale down and make everything closer, it seemed like everything was further apart. Recommendation, put everything in the square where the stage is and have your core vendors cart food to tents there. When it rained, we went under the Lions tent and they immediately took away tables and chairs which made us feel the need to leave. Make sure you have your vendors know the event is rain or shine and cannot leave until after the event is over. I love Oktoberfest and really want this event to do well as this is the reason we moved out to western Loudoun. Bring back the pretzel and root beer vendor! You need more authentic German food. Id be happy to join the committee to help.
The Oktoberfest has been improved by moving back towards its roots. I had been in attendance from 2001 onward. Since the post 2021 era, I travel from my new home in Charleston, SC, driving over 1,000 miles round trip in order to attend, though some years alternating with the Bluemont festival. Problems with 2026: Shoving off food vending to the restaurants is a huge mistake. It degrades both the festival and the restaurants. While it's nice to support local merchants, it was never apparent that they were suffering to begin with. 1836 for example, offered a very short and unremarkable fest menu that was missing many favorites. I could not order items that were favorites, and the food quality suffered by being "production lined" and having somewhat degraded quality. I shouldn't have to pay a cover charge to see the keg tapping. That belongs to the festival, not 1836. I come to go to the festival, not a restaurant. Some restaurants i attempted to enter were packed and no seating available. Had to leave. When vendors are available as in prior years, its outdoors and no seating limit. Allowing in all kinds of food vendors lets in a LOT more variety. This year? No currywurst to be found. The (Klingels?) fresh made donuts truck…nowhere to be found. Ruritan makes a nice effort but their bratwurst was flavorless. More vendors would have provided options. The most memorable and well handled years? 2016, 2017 come to mind. Please return to that configuration. The alte kamaeraden tent back in its original place behind the administration building The wiener dog stadium in front of it. All the crafts vendors are fine where they were this year. But remove the restaurant centric posture, bring the classic food vendors back in and have any food trucks or trailers line the road around the squircle. Hot donuts, currywurst and more brats vendors and beer vendors. Make it a festival again and not restaurant day. Move the keg tapping back to public ground. No one business should own that but the festival itself. Since covid, this festival has been mismanaged more often than not. Cowardice and incompetence ruled the day. 2020 being canceled was understandable but 2021s abbreviated posture was ridiculous when the Bluemont fest a week earlier was wide open. A year or two back you canceled completely because of some alleged vendor/management problem and couldn't figure out SIX MONTHS BEFOREHAND

Responses

how to remediate the matter despite decades of festival experience behind you. Fish and Game was sorely missed this year. Their food and parking efforts are always well appreciated and they need to be back in the game.
It would be nice to be able to fill a stein and walk around with it. It didn't seem like that was allowed. It was strange that certain places were serving beer that were not part of the DORA Sip and Stroll. There wasn't a super large amount of German offering for food outside of brats. 1836 had the best German food options that we found, but more would be better. German dessert especially. I see that One Family Brewing is on the list of businesses on the survey, but they weren't on the map, so we didn't know that they existed.
Bring back more vendors and food trucks. The main tent was too small.
It was unclear where you could take beer. Beer line was too long. Lines at food tents were too long. We left after an hour because we didn't want to spend all day waiting in line. More beer tents, more food tents in main area.
More German bands, more alcohol stations and food options so the lines aren't as long
Liked it much better when it was set up on the lawn.
I appreciate the hard work that goes into pulling this event together! However I didn't like the new format with everything scattered around town. I miss the huge beer tent where everyone can gather and listen to music. Really enjoy past years with the food trucks. Food we had at the beer house (1800 something) was awful! Just didn't feel the same this year and probably won't go again next year if it's the same. Also we really loved when the volksmarch was part of the event.
Better food options.
More sausage and pretzels. Also more room for the dachshund race
More variety in food, I grew up in Germany and it's not just all Bratwurst and Sauerkraut and schnitzel
Would like to see more vendors
The buses stop too early. We wanted to eat schnitzel at 5, but we're afraid we'd have to walk back to the community center.
The ground in the town square is very uneven and made it difficult to walk. I couldn't look around and look at the ground at the same time without stumbling. Add some food trucks, so you can grab and go not have to sit in a restaurant.

Responses

EVERYTHING! We missed the lay outs of the past. The food tent used to be a great place to sit and relax. The food lines this year weren’t even worth standing in and we miss the food trucks and vendors all over the streets. The area for the competition was too snug for people, dogs, and strollers. We've been going for years but probably won't be back if it's like this.
Move it back to town green.

2026 Lovettsville Oktoberfest Town Businesses and Civic Organizations Feedback Survey Results

Overall Feedback from Eight Town Businesses

- 30% used social media for promoting their business and Oktoberfest activities/specials, 26% used word of mouth, 13% used Town provided marketing, 9% used their business website, 9% used their business email, 2% used a flyer or poster, and 4% did not conduct any additional Oktoberfest marketing.
- 62% of the businesses participate in or provided information for Lovettsville Oktoberfest marketing coordinated by the Town of Lovettsville.
    - For those businesses that provided information for Lovettsville Oktoberfest marketing the following participated in content for social media, the map and Town events lineup, DORA, and promotions to be shared on Discover Lovettsville, VA.
- 30% found their marketing efforts effective for attracting new customers during Lovettsville Oktoberfest, while 25% said somewhat effective, and 37% stated not effective.
    - Feedback from Town businesses indicated that their marketing efforts, particularly social media promotion, the Oktoberfest map, and inclusion of individual business activities, were beneficial in increasing awareness and directing visitors to participating businesses. Several businesses supplemented the Town's efforts with their own social media, online promotions, partner cross-promotion, special menus, and onsite activities. Businesses also noted that the 2026 festival footprint being located closer to the Town's primary business areas contributed significantly to increased customer traffic.
    - Some businesses intentionally conducted limited independent marketing because their location naturally benefited from festival traffic or because road closures made normal business operations and appointments difficult during the event.
    - One business mentioned exploring a business passport or similar incentive program encouraging attendees to visit multiple Town businesses, and to consider opportunities to extend activities or attractions along East Broad Way to encourage visitors to explore additional areas of Town
    - It was noted to increase wayfinding signage and QR codes linking visitors to the festival map, business locations, and activities.
- 25% of businesses noticed an increase in customer engagement (e.g. social media interactions, website visits, inquiries) because of their marketing efforts, while 50% said maybe, and 25% did not notice a difference.

    - No business was able track where customers learned about their business or Oktoberfest promotions.
- Compared with a typical Friday and Saturday, 63% of businesses saw a significantly higher customer activity during Lovettsville Oktoberfest, while 13% saw a somewhat higher customer activity, 13% stated about the same, and 13% was unsure.
- Compared to the 2025 and 2026 Oktoberfest events, 38% of businesses saw a significantly higher sales this year compared with last year, 25% stated somewhat higher, 12% about the same, and 25% are unsure.
    - Those businesses that participated in the DORA indicated that they would participate in it again. One business that was not a DORA participant this year stated that they would be interested in learning more about obtaining the appropriate Virginia ABC License to be able to participate in the DORA next year.
- Business feedback indicates strong interest in participating in the 2027 Lovettsville Oktoberfest, with several businesses planning to maintain or expand their involvement. Businesses expressed interest in continuing special Oktoberfest menus and beverages, DORA participation, Vendor Village participation, outdoor activities, and closer coordination with the Town on event promotion. There was also interest in greater collaboration among Town businesses through ideas such as a business passport, coordinated competitions and activities at different locations, and cross-promotion designed to encourage attendees to explore more of Town.
    - One service-based business noted that participation/staying open remains challenging because road closures and limited access to their parking make it difficult to accommodate regularly scheduled clients during the festival.
- Business feedback on the 2026 Oktoberfest layout was generally positive, with several respondents reporting increased foot traffic and a strong festival atmosphere. Businesses located near the main festival footprint and along East Pennsylvania Avenue particularly benefited from their proximity to activities, with one respondent noting that this year was considerably busier than the previous several years.
    - The reduction in outside food vendors and food trucks was also viewed positively, driving more attendees to local restaurants.
    - Some businesses felt visitor traffic remained concentrated within the primary festival area and suggested extending booths, activities, signage, or other attractions toward East Broad Way to encourage attendees to explore more of Town. There was also interest in returning some festival activity to East Broad Way, particularly given the improved sidewalks.
- 75% of businesses were very satisfied were with the information and communication provided by the Town leading up to Lovettsville Oktoberfest, while 13% were neither satisfied or dissatisfied, and 12% were somewhat dissatisfied.

    - One business reported that a shared parking lot was used for festival-related purposes on Friday without sufficient advance notice. While the business had been informed about the Town Hall parking lot closure, it was not aware that its own shared parking area would also be affected. This created challenges in communicating accurate access and parking information to clients.
    - A second respondent noted that there was some confusion regarding Light Street operating as a two-way street during the event, indicating a need to ensure traffic information is clearly understood and consistently communicated among Town staff, businesses, and event personnel.
- Regarding how the Town can better promote and support businesses during future Oktoberfests was largely positive, with several respondents encouraging the Town to continue the 2026 approach of placing greater emphasis on local restaurants and businesses. Businesses appreciated being kept in the spotlight and felt the increased reliance on local restaurants for food helped direct festival spending into the Town's business community.
    - Suggestions for 2027 included expanding activities, vendor booths, and wayfinding signage toward East Broad Way to encourage attendees to explore more of Town and visit businesses outside the primary festival footprint. Respondents also emphasized the importance of earlier involvement and comprehensive communication so businesses can better plan their own activities and promotions.
    - Additional suggestions included evaluating the size of the Entertainment Tent to accommodate demand and exploring potential financial incentives or relief related to event-day costs, such as the suggestion of meals tax relief.
- Final comments from Town businesses reflected an overwhelmingly positive overall experience with the 2026 Lovettsville Oktoberfest. Respondents praised the energy of the festival, strong community participation, and the Town's efforts to incorporate and act upon feedback from the previous year. Several businesses expressed appreciation for the work involved in planning the event and enthusiasm for future Lovettsville Oktoberfests.
    - Businesses whose operations are not conducive to festival-day traffic noted that, while they actively promote and support Oktoberfest, road closures and access limitations prevent them from operating at normal capacity during the event.
- Overall, businesses expressed strong satisfaction with the direction of the 2026 Oktoberfest and appreciation for the Town's responsiveness to previous feedback. The comments support continuing the business-focused approach while exploring opportunities to increase capacity in high-demand areas and recognizing that service-based businesses may experience different impacts from the festival than restaurants and retail establishments.

2026 Lovettsville Oktoberfest Vendor Feedback Survey Results

Overall Feedback

- Across 24 responses 88% were Vendor Village vendors, 8% were entertainers and performers, and 4% were Kinderfest vendors.
- 88% of the vendors were very satisfied with the communications regarding the festival, and 12% were somewhat satisfied.
- 92% of vendors were satisfied with their assigned vendor location or performance area be that the layout of Vendor Village, Kinderfest or the Entertainment Tent, while 4% were somewhat satisfied, and 4% were somewhat dissatisfied.
- 83% of vendors felt that the overall experience of participating in the 2026 Lovettsville Oktoberfest was excellent, while 13% felt that it was good, and 4% felt that it was fair.
- Based on the vendor's experience this year's festival, 92% said that they would be interested in participating in the 2027 Lovettsville Oktoberfest, while 4% said maybe and 4% said no.
- Feedback regarding pre-event communication was overwhelmingly positive as vendors and entertainers consistently indicated that the information provided by the Town was detailed, timely, and helped them feel prepared to participate in Oktoberfest. Several respondents described the event as exceptionally organized, with comments such as *"one of the more organized events I have attended this year," "very detailed and timely,"* and *"perfectly executed."*
- Respondents particularly appreciated the detailed arrival instructions, information regarding road closures, and the presence of volunteers on event morning. Multiple participants specifically noted that onsite volunteers were extremely helpful in directing vendors and answering questions when additional assistance was needed.
- While overall communication received strong praise, several opportunities for improvement were identified, primarily related to parking, navigation, and load-in logistics:
    - Parking information: Several vendors and entertainers requested more detailed parking information in advance. One vendor was unaware that vehicles parked in the designated Vendor Parking area would not be able to leave until after the festival. Entertainers also recommended providing designated parking information for all performers, particularly those transporting instruments and equipment.
    - Maps and navigation: Some respondents found the morning road detours confusing. Suggestions included providing maps with clearly labeled street

names, identifying vendor entrances and parking areas, and adding directional signs or arrows along the arrival route.
    - Vendor load-in/unloading: One respondent suggested identifying the designated unloading area on a map before event day rather than providing the final unloading location upon arrival.
    - Traffic direction: One respondent suggested additional visible traffic direction at detours, either through directional signage or personnel actively directing vehicles.
    - Onsite support: The volunteers stationed throughout the event were repeatedly praised for being friendly, helpful, and effective in resolving navigation questions.
- Feedback regarding the arrival, check-in, setup/load-in, and breakdown/load-out process was exceptionally positive, with the large majority of respondents rating their experience a 5 – Excellent. Of the respondents who provided a numerical rating, approximately 82% gave the process a 5, with the remaining responses generally falling between 3.5 and 4. Overall, the average rating was approximately 4.8 out of 5.
- A recurring theme throughout the responses was the significant positive impact of the onsite volunteer support, by the Knights of Columbus. Vendors repeatedly praised volunteers for helping unload vehicles, set up and secure tents, transport materials, and assist with breakdown and loading at the end of the festival. Several vendors noted that this level of assistance was unusual compared with other events they attend and significantly reduced the stress associated with setup and breakdown. One vendor described the process as *"by far the best experience as a vendor in regards to the setup and breakdown,"* while another described the additional volunteer support as a *"game changer."* Another respondent specifically noted that the 2026 process was the most organized and efficient arrival, check-in, and load-in experience they had encountered at Lovettsville events, including previous Oktoberfests and Mayfest.
- Several aspects of the process received consistent praise:
    - Knights of Columbus assistance was a major success as they were repeatedly recognized for being proactive, friendly, and willing to assist with unloading, tent setup, securing equipment, breakdown, and reloading.
    - Vendor Village's consolidated layout improved efficiency. One respondent specifically noted that having vendors together in one area made arrival, setup, and breakdown smoother.
    - Ability to unload close to assigned locations was appreciated by vendors and entertainers.

    - Participants generally found the load-in procedures organized and easy to follow once they reached the correct entrance and understood the detour route.
- Entertainers who were able to park near the Entertainment Tent appreciated the convenience for transporting equipment and completing load-out.
- While the overall process was highly rated, the responses identified several areas that could be strengthened for 2027.
    - Inclement Weather & Load-Out: The rain and high winds near the end of the festival created the most significant challenges. One vendor reported having to completely pack merchandise and equipment before being able to retrieve their vehicle, resulting in items becoming wet. Another suggested that, given the deteriorating weather conditions, the Town consider opening vendor load-out routes earlier when conditions warrant.
    - There was also feedback that volunteers assisting with loading should receive guidance to allow vendors to direct how merchandise, equipment, and personal property are handled and loaded, particularly fragile or specialized items. While volunteer assistance was overwhelmingly praised, one vendor reported that volunteers began unloading merchandise and assembling a tent without first receiving permission, resulting in damaged merchandise and an improperly assembled canopy. This is an important operational distinction: volunteers should be available and proactive, but vendors should remain in control of how their property is handled.
    - Several comments reflected uncertainty regarding whether vendors could leave and re-enter designated vendor parking during the festival. One vendor received conflicting information about re-entry from law enforcement. Future instructions should clearly state whether vehicles may leave during the festival; whether re-entry is permitted; at what time vehicles may access the festival footprint for load-out; and who has final authority over vehicle access during road closures.
- Traffic & Detour Coordination: Although respondents generally felt the arrival process was successful, some continued to experience confusion with the detour route. One participant reached the correct entrance but was redirected elsewhere by law enforcement. This reinforces the need for all event partners to receive the same vendor arrival and access plan before the event.
- Entertainment/Sound Setup: One entertainment group identified a separate logistical challenge related to sound equipment. Because an adequately sized sound system was not available for their performance needs, band members had to arrive approximately 3½ hours before their scheduled performance to set up their own equipment before other stage activities began.

- Special Vendor Operations: The pony ride operation noted difficulty bringing replacement horses into the festival despite having developed an advance access plan. The respondent indicated that parking/traffic personnel either did not receive or did not follow that plan.
- The 2026 vendor and entertainer load-in process was one of the strongest operational successes identified in the post-event feedback, earning an average rating of approximately 4.8 out of 5. The consolidated Vendor Village layout and substantial volunteer presence contributed to a noticeably smoother setup process, with the Knights of Columbus receiving particularly strong praise.
- Feedback regarding the new 2026 Oktoberfest layout and festival footprint was overwhelmingly positive. While several respondents were first-time vendors and could not compare the layout with previous years, the majority of those who could make a comparison felt the new configuration was an improvement. Vendors particularly praised the creation of a concentrated Vendor Village at the Squirkle, the flatter setup area, proximity to other festival attractions, wider pedestrian aisles, and the ability for attendees to easily locate and browse all vendors in one area. Several vendors also reported strong customer traffic and increased sales, including respondents who described this year's sales as better than at previous Lovettsville events. One longtime attendee and vendor described the 2026 Oktoberfest as *"one of the best,"* noting that the layout maintained Lovettsville's small-town character while placing greater emphasis on Town businesses.
- Several common strengths emerged from the responses:
    - Vendor Village was well received. Vendors appreciated being grouped together in a recognizable destination rather than being dispersed throughout the festival.
    - Strong foot traffic and sales. Multiple respondents reported excellent traffic, a busy Vendor Village, and strong sales.
    - Improved accessibility for vendors. The flat Vendor Village location was preferred over the Town Green that requires navigating a hill during setup and breakdown.
    - Vendor spacing was appreciated. Respondents specifically mentioned the importance of leaving space between tents, particularly because of tent weights and windy conditions.
    - Wide customer aisles worked well. Vendors felt there was sufficient room for groups of attendees to comfortably move through Vendor Village.
    - Clearly marked vendor spaces helped with setup. The large space numbers and string lines used to establish vendor locations were specifically identified as helpful.
- Entertainment Tent location was viewed as an improvement. Entertainers and vendors appreciated its location and proximity to other festival activities.

- Although feedback was predominantly favorable, several suggestions were shared:
    - Maintain a strong visual connections, signage, programming, and pedestrian flow between the various festival areas will continue to be important.
    - Although current spacing received praise, vendors recommended continuing to provide adequate space between tents for movement, tent weights, merchandise, and weather-related safety.
    - The pony ride operator suggested placing the horses on the opposite side of the Kinderfest grass area, farther from amplified music and percussion, due to the animals' sensitivity to sound. Future layouts should consider noise levels when positioning animals and other sound-sensitive activities.
    - One respondent suggested adding a limited number of food vendors or food trucks to supplement Town restaurant offerings and reduce wait times. The same respondent suggested encouraging Town restaurants to consider outdoor food service or limited Oktoberfest menus to make food more readily accessible to festival attendees while continuing to direct spending toward local businesses.
    - While the Entertainment Tent location itself received positive feedback, performers again identified parking for band members as an area needing clearer advance planning.

Vendor Feedback Takeaways for Lovettsville Oktoberfest 2027

- Retain the successful 2026 festival footprint for 2027. Vendor Village at the Squirkle and the Entertainment Tent location received strong feedback for visibility, accessibility, organization, booth spacing, pedestrian flow, and proximity to festival activities. Vendors also reported strong attendance, engagement, and sales. Future planning should focus on refining the existing layout rather than making significant changes.
- Develop a consolidated Vendor & Entertainer "Know Before You Go" Event Access Plan for 2027. The plan should include a clearly labeled map showing detour and arrival routes, vendor and performer entrances, unloading areas, assigned locations, parking areas, vehicle re-entry restrictions, load-out procedures, and severe-weather contingencies. The same information should be distributed to vendors, entertainers, volunteers, LCSO, traffic-control personnel, and Town staff to ensure consistent event-day direction.
- Maintain the 2026 load-in/out volunteer support model while refining procedures, as volunteer assistance was one of the most frequently praised aspects of the event. However, volunteers should be reminded to obtain permission before unloading vehicles, handling merchandise, or assembling tents/equipment and to follow each vendor's direction when providing

assistance. Additional procedures should address inclement weather and potential early load-out when conditions warrant.

- Address specialized operational needs in advance. Entertainment requirements, including sound systems, microphones, inputs, setup times, stage transitions, equipment access, and performer parking — should be confirmed well before the event. Likewise, vendors requiring mid-event vehicle access, animal rotations, equipment changes, or other special accommodations should have an approved plan incorporated into the master event operations plan and communicated to personnel controlling access points.
- Make targeted refinements to the festival footprint. Maintain adequate booth spacing and wide pedestrian aisles, consider grouping similar vendor types where appropriate, strengthen pedestrian connections between Vendor Village, festival activities, and Town businesses, evaluate additional food accessibility, and position animals or other sound-sensitive activities farther from amplified entertainment when possible.

Vendors were asked if there was anything else they would like the Town of Lovettsville to know about your experience at the 2026 Lovettsville Oktoberfest?

Two days last year were exhausting, but it was nice to have an extra day of sales. It could have helped with sales this year to have Sunday as well since sales dropped off when the rain started on Saturday. Of course nobody knows what the weather will do when dates are set so far out, but I wouldn't mind it being 2 days again!
The parking logistics need to be reviewed.
I appreciate the communication and consideration of all vendors. The event went very well, in my opinion. I would love to participate next year!
I enjoyed the event, the entertainment was a lot of fun to listen to, and I thought the planned set-up worked well. The hours also worked well. Overall I had a good experience, even with the rain at the end. (Just reign in those "helpers" next time, please)

I appreciated the mayor stopping by to thanks the vendors for being there. I also appreciated we were told we could break down 30 min early when it started to rain at the end of the event.

I really appreciated the Mayor, Vice Mayor and every volunteer thanking me for participating in the event. I appreciated that the attendees were actually buying, I had my best event sales ever here. Will definitely come back for Mayfest and Oktoberfest 2027.

I would love to know about other events at the town. I really enjoyed meeting and talking to people at the event.

We were extremely pleased with virtually everything. The noon meal was especially good and enjoyable.

staff who put together the 2026 Oktoberfest did an outstanding job. Thank you for all of your hard work and effort in making it such a success.

I want to thank everyone who put in the hours of planning and day of activities to create such a great experience for both vendors and attndees!!

This was my first year participating and I can say it has been one of the best experiences Iv'e had as a vendor in the last 5 years of doing this.

Everyone was amazing, kind and extremely helpful. Having assistance to load/unload/setup was SO appreciated.

Sarah Moseley is an amazing organizer. She truly knows how to work with people and has a special way of making everyone feel like family. She is very engaging, caring, supportive, and welcoming. The other team members are also wonderful. Everyone is very kind, friendly, and family-oriented, which makes the event enjoyable and welcoming for everyone. If possible, I would also like to suggest extending the vendor time until 6:00 PM since it is a one-day event. If that is not possible, I completely understand. Thank you again for all that you do. God bless!

Oktoberfest really puts a positive note on the Town of Lovettsville and we enjoy being a part of that. It is nice to see locals and folks from DC, Maryland, etc. come

out for the event. It would be nice to see recycling containers at the event as there are a lot of beer/soda cans and bottled water that could be collected.
Thank you very much for having us. We had a blast and would love to participate for our 3rd time next year!
No, but we would like to thank you for allowing us to participate as a political candidate. We have no reason to participate next year in reference to Question 8.
It would be good if the people manning the traffic control points were knowledgeable of the Oktoberfest layout, and could tell in

Survey-Based Considerations for the 2027 Lovettsville Oktoberfest

The following considerations are presented for Town Council discussion and direction and are based solely on feedback received through the 2026 Lovettsville Oktoberfest Attendee, Vendor/Entertainer, and Town Business surveys. Rather, they summarize recurring themes, areas of consensus, and potential opportunities identified by survey respondents for consideration when planning the 2027 Lovettsville Oktoberfest.

Taken together, the three surveys provide different perspectives on the changes implemented in 2026. Vendors and Town businesses generally viewed many of the changes positively, particularly the Vendor Village location, vendor load-in/out procedures, volunteer support, increased business traffic, and greater emphasis on Town businesses.

Attendee feedback was more mixed regarding the festival footprint, with recurring concerns about the loss of a large central gathering area, the size of the Entertainment Tent, food and beverage availability, seating, Wiener Dog Race viewing, and the overall German Oktoberfest atmosphere.

These considerations reflect feedback received through the three post-event surveys and are presented for Town Council discussion and direction; they should not be interpreted as recommendations from Town staff.

1. Vendor Village at the Town Squirkle
Vendor Village was one of the most positively received elements of the 2026 footprint. Vendors cited the flat terrain, consolidated location, booth spacing, pedestrian aisles, visibility, and easier setup and breakdown as benefits. Several reported strong foot traffic and sales, and 92% indicated an interest in participating again in 2027.

Based on this feedback, Council may wish to consider retaining Vendor Village at the Town Squirkle, with potential refinements to booth spacing, signage, and signage in other festival areas.

2. Central Oktoberfest Gathering Area and Town Green
One of the most frequent themes in the attendee survey was a desire for a larger central gathering space with covered seating, German entertainment, food, and beverages. Numerous respondents specifically referenced the large tent and previous use of the Town Green.

Council may wish to consider whether the Town Green should again serve as a major component of the Oktoberfest footprint, potentially utilizing the existing stage and a larger covered tent with additional seating.

3. Food and Beverage Capacity

Food availability and wait times were among the most frequently cited concerns in the attendee survey. Respondents reported long lines, German food items selling out early, limited food variety, and insufficient grab-and-go options.

At the same time, the business survey suggests the 2026 emphasis on Town restaurants had a positive economic impact. Sixty-three percent of responding businesses reported significantly higher customer activity, with another 13% reporting somewhat higher activity. Additionally, 63% reported higher sales than in 2025.

Council may wish to consider how to balance continued support of Town restaurants with additional festival food capacity. Survey responses suggested a limited number of supplemental food vendors, particularly those offering authentic German foods, desserts, pretzels, sausages, and other quick-service options. Town restaurants could also be encouraged to consider outdoor service stations or abbreviated Oktoberfest menus where feasible.

4. German Heritage and Oktoberfest Traditions

A recurring theme among returning attendees was a desire for a stronger German identity and traditional Oktoberfest atmosphere. Respondents referenced German music, food, dancing, decorations, cultural programming, ceremonial activities, and traditional gathering spaces. This feedback may be particularly relevant given that 84% of attendee survey respondents had previously attended Lovettsville Oktoberfest.

Council may wish to consider the desired balance between the festival's evolving business-focused model and the German traditions and cultural elements that longtime attendees associate with Lovettsville Oktoberfest.

5. Wiener Dog Races

The Wiener Dog Races remain a popular Oktoberfest attraction; however, the 2026 location generated repeated attendee concerns regarding crowding, limited visibility, insufficient spectator seating, circulation, and the racing surface.

Council may wish to consider whether the races should be relocated or redesigned for 2027 to provide additional spectator capacity, improved circulation, and an appropriate racing surface. Survey respondents also suggested exploring a viewing screen or live video if physical sightlines remain limited.

6. Continued Emphasis on Town Businesses
Town businesses generally supported the increased emphasis placed on local businesses during the 2026 festival. Several reported increased customer activity and sales, and respondents appreciated being incorporated into Town marketing.

Survey feedback also identified opportunities to better connect businesses located outside the primary festival footprint. Ideas included a business passport, QR-code wayfinding, coordinated promotions and competitions, and additional activities or signage extending toward East Broad Way.

7. Accessibility
Attendee feedback identified a specific concern regarding accessible parking, wheelchair-accessible transportation, and the availability of accessibility information before and during the festival.

Based on this feedback, Council may wish to consider incorporating accessibility more prominently into future event planning and public information, including clearly identified accessible parking, shuttle accessibility, drop-off locations, accessible routes, seating, and restrooms. Consistent accessibility information could also be provided to volunteers, law enforcement, shuttle operators, and traffic-control personnel.

8. Parking, Traffic, Shuttle Service and Wayfinding
Parking, traffic, detours, and navigation were raised to varying degrees across all three surveys.

Potential improvements identified through the feedback included separate but coordinated maps for the general public, vendors/entertainers, and Town businesses/residents, with consistent information regarding street closures, detours, parking, shuttle stops, accessible parking, pedestrian routes, and festival entrances.

Vendor feedback also identified the potential benefit of a consolidated “Know Before You Go” Event Access Plan showing: Arrival Route → Entrance → Unloading Area → Assigned Location → Parking → Re-entry/Exit Restrictions → Load-Out Route.

9. Vendor Operations and Volunteer Support
Vendor operations were one of the strongest areas of positive feedback. The average rating for arrival, check-in, load-in, and load-out was approximately 4.8 out of 5, and the assistance provided by the Knights of Columbus received repeated praise.

Survey feedback supports preserving the elements of this model that worked well while addressing several operational concerns. These included establishing clearer inclement-

weather/load-out procedures, clarifying vehicle re-entry restrictions, coordinating special access requirements, and instructing volunteers to obtain vendor permission before handling merchandise, entering vehicles, or assembling tents and equipment.

10. Festival Hours and Friday/Saturday Programming
Several attendees expressed interest in later Saturday programming, additional Friday activities, or a return to a multi-day festival. Some vendors also expressed interest in additional selling opportunities, although feedback acknowledged that operating Vendor Village for two full days can be demanding.

Council may wish to consider several options, including maintaining the existing Vendor Village hours while extending entertainment, food/beverage service, and Town business programming later into Saturday, expanding Friday evening activities, or evaluating the feasibility of a broader multi-day model.

Any expansion would require additional consideration of staffing, public safety, budget, vendor participation, business participation, transportation, and other operational requirements.

11. Marketing and Regional Outreach
The attendee survey demonstrates a strong base of returning visitors: 84% had attended Oktoberfest previously, and 78% indicated they knew about the event because they had attended in the past. At the same time, 39% of respondents providing ZIP codes traveled from outside the 20180 area, with respondents representing 35 ZIP codes across six states.

Council may wish to consider whether future marketing should place additional emphasis on attracting new regional visitors while continuing to engage the festival's established audience. Feedback also supports clearly communicating what visitors can expect, including German entertainment and food, Vendor Village, Wiener Dog Races, Kinderfest, Town business activities, DORA, parking, shuttle service, and accessibility information.

TO: **Mayor and Town Council**

FROM: **Sarah Moseley, Community Engagement & Economic Development Coordinator (CEED)**

DATE: **November 12, 2026**

SUBJECT: **CEED Coordinator's Activity Report**

Purpose: Provide the Mayor and Town Council with an update on project activities from October 23 – November 12, 2026.

Town Events:
Love Winter Events: Town staff is moving forward with the approved Love Winter 2026 Event Plan and has begun outreach to participating organizations to confirm participation and coordinate event details.

Economic Development:
Launch Loudoun's Technical Services Pilot Program: Town staff shared information via email about Launch Loudoun's Technical Services Pilot Program with Town businesses and civic organizations. The program provides eligible small businesses and 501(c)(3) organizations with up to $2,500 in subsidized professional services in areas including Marketing & Sales, Finance & Accounting, Legal & Compliance, HR & Workforce, and Leadership & Strategy. Businesses and organizations were encouraged to review the program and take advantage of the available funding before the program concludes or funds are exhausted.

Dunkin'/Jimmy John's Opening: Town staff is scheduled to meet with the business owner on November 12 to discuss the anticipated opening at the beginning of December and opportunities for Town support and promotion.

Community Engagement:
Coffee with a Cop: Town staff supported and promoted two Coffee with a Cop events in partnership with the Loudoun County Sheriff's Office and local Town businesses. The first was held on October 20 at Back Street Brews, followed by a second event on October 30 at the Lovettsville Diner. These informal community engagement opportunities provided residents with a chance to meet and connect with local law enforcement while supporting Lovettsville businesses.

Grants:
FY27 RTOT Tourism Grant Program: Town staff is finalizing the required report outlining the achievements and outcomes associated with the Town's FY27 RTOT Tourism Grant

supporting the 2026 Lovettsville Oktoberfest. The final report will be submitted to Loudoun County by November 13, 2026.

Commerce & Business Development (CBD) Committee:
2027 Town Marketing Plan: The CBD Committee is discussing Town marketing and branding priorities for 2027.

Next Meeting November 19, 2026, at 7:00 p.m.

TO: **Mayor and Town Council**

FROM: **John Merrithew, Planning/Zoning Administrator**

DATE: **November 12, 2026**

SUBJECT: **Planning and Zoning Activity Report**

Purpose: Provide an update on recent zoning and development activity during October 2026.

Zoning Activity

Date	Address	Improvement
9/25/2026	14 William Albert Way	Home Occupation
10/2/2026	2 N Berlin Pike	Retail Fit Up Hobby Shop
10/6/2026	6 Locust Street	New SFD
10/7/2026	28 Rose Grove Court	New SFD
10/13/2026	3 Red Bud Lane	Accessory Structure
10/21/2026	42 N Berlin Pike	Fence
10/22/2026	39557 Schoene Farm Place	New SFD

Legislative Applications

LVCU 2026-0001, George Family Holdings, request for conditional use permit to operate a package and parcel service at 1 S. Loudoun Street. On October 7, 2026, the Planning Commission voted 4-0-3 to recommend approval subject to conditions. Town Council is anticipated to consider the conditional use permit at their November 12, 2026, meeting.

Active Site Plans/Subdivisions

LVSU 2022-0001, LVCD 2022-0001, Chestnut Vale. Permits have been issued for the initial residence/model home. Three additional permits are awaiting documentation from the applicant.

LVCD 2026-0001, One Family Brewing. Construction drawings have been submitted for utilities and roadways associated with the subdivision of the property into 3 residential lots and two commercial lots. The plans include a utility connection to West End Motors. Agency comments have been received and are being reviewed by staff.

Ordinance Amendments

LVZA 2026-0002, Marijuana Uses. Amendments to permit and regulate State-mandated marijuana uses in the Town. A Planning Commission Public Hearing was held on November

4, 2026. A recommendation will be presented to Town Council at their November 12, 2026, meeting.

Amendments to the Town Annexation Policy and Process. Revisions update the Town's annexation priorities, guiding principles, evaluation criteria, and submittal requirements. A Town Council Public Hearing is scheduled for November 12, 2026.

LVZA 2026-0001, Annexation Zoning Districts. Revisions to the Zoning Ordinance to add zoning district options that could apply to future annexed property. A Town Council Public Hearing is combined with the Public Hearing on the Annexation Policy and Process, scheduled for November 12, 2026.

Other Activities

Valley North Electrical Transmission Project. Valley Link Transmission Company LLC has scheduled a second round of public meetings and will present updated alignments. A meeting at the Lovettsville Game Protective Association is scheduled for November 12 between 4:00 and 7:00 PM. A link to the Valley Link website is provided here.

A6 LLC Property Annexation. The applicant has submitted the boundary line adjustment application. Review agency comments have been sent to the applicant. Applicant has not responded to comments.

Loudoun County Countywide Transportation Plan Amendments, CPAM-2026-0001. The Countywide Transportation Plan (CTP) amendments introduce the concept of social equity to the transportation planning process and update alignments and classifications primarily in eastern Loudoun. Berlin Turnpike, north and south of Town is being reclassified from major collector to minor arterial to align with the VDOT classification. Proposed policies would require turn lanes for all developments serving children, tourism, or large vehicles without having to meet VDOT warrants, and introduce context sensitive design and speed management concepts that use target speeds based on surrounding land use and activity rather than engineered design speeds.

TO: **Mayor and Town Council**

FROM: **Charles A. Mumaw, P.E. Capital Improvements Administrator**

DATE: **November 12, 2026**

SUBJECT: **Capital Projects Activity Report**

Purpose: Provide the Town Council with an update on project activity from September through October 2026.

Background/Discussion:

South Loudoun and South Locust Streetscapes Improvements: Right-of-way authorization has been received from VDOT. Kimley-Horn is completing plats, basic administrative reports (BAR's) and offer packages in coordination with the Town preparing the deeds. Plats are being finalized based on Dominion and Verizon easement needs and ROW acquisition will begin in earnest with offer letters in the fall of 2026. Final Plans are anticipated to be submitted at the end of October. 29 property owners will be impacted.

Quarter Branch Road Watermain replacement: Town staff and CTL Engineering, Inc. are coordinating with the Environmental Protection Agency to secure the grant. As soon as the EPA grant is secured, Town staff will post the IFB.

Second Elevated Water Tank: Town staff have signed a contract with CTL Engineering, Inc. to assist staff with the grant funding administration and application process associated with the EPA's Drinking Water State Revolving Fund. As a result of design being nearly completed and currently under review for approval by the Virginia Department of Health, the projected cost of the water tank is $2,392,400 which is $1,300,400 over the $1,092,000 of awarded EPA grant funding. Town Council approved a funding request to Loudoun County for the funding gap as part of Loudoun County's Fiscal Year 2026 Carryover Appropriation process per Town Council Resolution 2026-08-0005. The project design is anticipated to be approved in the next 60 days and the Invitation-for-Bid (IFB) prepared for publication upon the project being fully funded. Loudoun County Board of Supervisors are expected to take action on the carryover appropriation by the end of the 2026 calendar year.

Watermain Redundancy Project: J2 has finished the surveying task, provided a conceptual alignment, and have begun geotechnical surveys. J2 anticipates a 30% drawing with a more refined project cost in November 2026. One property owner will be impacted.

Light Street Alley Conveyance: Town staff are waiting on the property owner of 10 East Pennsylvania Avenue to sign the prepared documents. As soon as the property owners sign all documents, Town staff will record at the courthouse.

South Loudoun Street School Trail: J2 has been working on VDOT SME 30% design review comments. VDOT scope closing checklist and forms submitted September 21. J2 and Town staff held the scope closing meeting with VDOT on October 13, 2026. After the Design Public Hearing, J2 anticipates the 60% design plan submission in mid-November. One property owner will be impacted.

West Broad Way and North Berlin Turnpike Intersection: Kimley-Horn is addressing VDOT's 60% design review comments, preparing UT-9's, and planning a Utility Field Inspection (UFI) meeting to complete utility coordination and begin preparation of Plats. Kimley-Horn anticipates the 90% design plan submission in late October. 8 property owners will be impacted.

North Berlin Pike Shared Use Path: Kimley-Horn is addressing VDOT 60% Design Comments, preparing UT-9's and planning a UFI meeting to complete utility coordination and begin preparation of Plats. Kimley-Horn anticipates the 90% Design Plan Submission in early November 2026. 14 property owners will be impacted.

East Broad Way Sidewalk: J2 and Town staff received VDOT's internal coordination on the proposed approach of providing a 6-ft-wide sidewalk throughout the project on September 18. J2 is reviewing the impacts to the existing utility poles. J2 anticipates 60% design plan submission in mid-November 2026. One property owner will be impacted.

TO: **Mayor and Town Council**

FROM: **Kyle Bradshaw, Public Works Coordinator**

Bob Kowalski, Project Manager

DATE: **November 12, 2026**

SUBJECT: **Public Works Activity Report: October 2026**

Purpose: Provide the Town Council with an update on Public Works activity from October 2026.

Background/Discussion: Activities are moving forward with various Town improvements, cleanup, preparations for future Town events, and general maintenance and upkeep.

Town Center Well Improvements: Maintenance to the well has been completed and fencing installed. Input was received from the Infrastructure Committee to source Mapleleaf Viburnum, however, this variety proved difficult to source with no local nurseries carrying this variety. With guidance from the Infrastructure Committee, an alternative of Blackhaw Viburnum has been selected and sourcing is in progress. Mulching will commence after plantings are installed.

Landscaping Improvements/Brush Cleanups:
A landscaping plan has been produced for the new Town welcome sign and is being presented to the County for review. The County is currently reviewing, and a physical walkthrough is being scheduled for the coming weeks. Brush/hanging limb cleanup continues as issues occur. A local resident on Berlin Pike made note of ponding water at the beginning of their driveway as well as a backflowing storm drain/culvert. Public Works and Town Staff have looked into the issue and have concluded that this is VDOT territory. The Town Project Manager has submitted a VDOT request on behalf of the resident to try to garner a response and corrective action. VDOT has visited the area in question and is discussing solutions.

Town Lawns Maintenance Outsourcing/Insourcing: Town lawns have been recently aerated to aid in the appearance and overall health of these landscaped areas. The seasonal contract with the landscaper that has been mowing Town lawns has ended. The Public Works Coordinator has taken over the last mowings for the season to ensure proper lawn maintenance before more consistent frost sets in and grass growth

slows/stops. Pricing and quotes are being sourced to continue mowing contracts in the spring and warmer months.

General: Organization of the Quarter Branch Barn is an ongoing process including equipment, event items, and tools. Town staff have begun preparations for winter season upkeep of the Town's snow removal equipment including servicing equipment/plows and making the necessary repairs. Ice-melt has been sourced. More fire hydrants have been cleaned and re-painted. Maintenance, painting, storage solutions, and tool evaluations are being considered.

Administrative Building Renovation: After completion of the renovation activities, furniture has been moved into the space and the project is completed.

Street Sweeping: Notices and signage went out, and Town wide street sweeping took place on Thursday, October 22nd and Friday October 23rd. The dump truck was filled multiple times leading to more trips to an off-site dump. Due to the extra incurred time offsite, Thursday, October 29th was used to complete sweeping activities. The Street Sweeper collected over 28,960 lbs., or 14.48 tons, of debris.

Multiple vehicles and trailers were observed parked on roadways during sweeping activities. To ensure our community gains maximum benefit and cleaning from these activities in the future, residents are requested to please ensure all vehicles, trailers, and obstructions are removed from roadways.

Veterans Pavers: Veterans memorial pavers have concluded the engraving process and were installed on November 5th.

Flag/Decoration Change Over: American flags along associated streets have been taken down for the season to avoid damage and weather-related wear and tear. Seasonal decorations are scheduled to go up within the coming weeks.

Speed Sign: To bring awareness and a degree of traffic control following an incident on Hammond Drive, a speed tracking sign has been placed on Hammond Drive facing Eisentown Drive.

Sec 42-2 Definitions and Rules of Construction

Marijuana cultivation facility **means a facility licensed under the Cannabis Control Act Subtitle II (§ 4.1-600 et seq.) to cultivate, label, and package marijuana; to purchase or take possession of marijuana plants and seeds from other marijuana cultivation facilities; to transfer possession of and sell marijuana, immature marijuana plants, and marijuana seeds to retail marijuana stores; to transfer possession of marijuana, immature marijuana plants, and marijuana seeds to marijuana transporters; to transfer possession of and sell marijuana, marijuana plants, and marijuana seeds to other marijuana cultivation facilities; to transfer possession of and sell marijuana to marijuana processing facilities; and to transport marijuana, immature marijuana plants, and marijuana seeds from the marijuana cultivation facility's licensed premises to another licensed marijuana establishment.**

- ***Indoor cultivation*** **means the cultivation of marijuana by a marijuana cultivation facility licensee in a secure agricultural greenhouse, an enclosed structure that has transparent walls and roofing and is used for controlled-environment agriculture, provided that the secure agricultural greenhouse is surrounded by a privacy fence that is no less than eight feet tall and is subject to monitored ingress and egress.**

- ***Outdoor cultivation*** **means cultivation in an area exposed to natural sunlight and open to environmental conditions, including variable temperature, precipitation, and wind.**

Marijuana establishment **means a marijuana cultivation facility, marijuana microbusiness, marijuana delivery operator, marijuana testing facility, marijuana processing facility, marijuana transporter, retail marijuana store, or pharmaceutical processor or cannabis dispensing facility authorized to exercise dual-use privileges pursuant to § 4.1-1602.1 of the Cannabis Control Act Subtitle II (§ 4.1-600 et seq.)**

Marijuana paraphernalia **means all equipment, products, and materials of any kind that are either designed for use or are intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, strength testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing into the human body marijuana.**

Marijuana processing facility **means a facility licensed under Cannabis Control Act Subtitle II (§ 4.1-600 et seq.) to process, label, and package marijuana and marijuana products; to purchase or take possession of marijuana from a marijuana cultivation facility or another marijuana processing facility; to transfer possession of and sell marijuana and marijuana products to retail marijuana stores or other marijuana processing facilities; to transfer possession of marijuana and marijuana products to marijuana transporters; and to transport marijuana and marijuana products from the marijuana processing facility's licensed premises to another licensed marijuana establishment.**

- ***Processing*** **or** ***process*** **means the production of marijuana products or the blending, infusing, compounding, or other preparation of marijuana or marijuana products, including marijuana extraction or preparation by means of chemical synthesis. "Processing" or "process" does not include cultivation or testing.**

Marijuana products **means (i) products that are composed of marijuana and other ingredients and are intended for use or consumption, ointments, and tinctures or (ii) marijuana concentrate.**

Marijuana testing facility **means a facility licensed under Cannabis Control Act Subtitle II (§ 4.1-600 et seq.) to develop, research, transport, or test marijuana, marijuana products, and other substances.**

Marijuana transporter **means a facility licensed under Cannabis Control Act Subtitle II (§ 4.1-600 et seq.) to take possession of marijuana, marijuana products, immature marijuana plants, and marijuana seeds from a marijuana cultivation facility, a marijuana processing facility, a retail**

marijuana store, a microbusiness, or another marijuana transporter; to transfer possession of marijuana, marijuana products, immature marijuana plants, and marijuana seeds to a marijuana cultivation facility, marijuana processing facility, retail marijuana store, microbusiness, or another marijuana transporter; and to transport marijuana, marijuana products, immature marijuana plants, and marijuana seeds from one licensed establishment to another.

Marijuana delivery operator **means an entity licensed under Cannabis Control Act Subtitle II (§ 4.1-600 et seq.) to take possession of marijuana or marijuana products from a retail marijuana store or microbusiness and deliver such marijuana or marijuana products only in person to consumers at any residence, including a temporary residence, or business; however, a delivery operator licensee**

Marijuana microbusiness **means a facility licensed under Cannabis Control Act Subtitle II (§ 4.1-600 et seq.) to conduct any activities authorized for marijuana cultivation facilities pursuant to § 4.1-800, marijuana processing facilities pursuant to § 4.1-801, and retail marijuana stores pursuant to § 4.1-802, as determined by the Board**

Public place **means any place, building, or conveyance to which the public has, or is permitted to have, access, including restaurants, soda fountains, hotel dining areas, lobbies and corridors of hotels, and any park, place of public resort or amusement, highway, street, lane, or sidewalk adjoining any highway, street, or lane.**

Regulated hemp product **means a hemp product intended for smoking or an edible hemp product.**

Marijuana retail store **means a facility licensed under Cannabis Control Act Subtitle II (§ 4.1-600 et seq.) to purchase or take possession of marijuana, marijuana products, immature marijuana plants, or marijuana seeds from a marijuana cultivation facility or marijuana processing facility; to take possession of marijuana, marijuana products, immature marijuana plants, or marijuana seeds from a marijuana transporter; to sell marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds to consumers only in person on premises approved by the Board; to deliver marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds only in person to consumers; to transfer possession of marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds to marijuana delivery operators; and to transport marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, and marijuana seeds from the retail marijuana store's licensed premises to another retail marijuana store.**

- ***Sale*** **and** ***sell*** **includes soliciting or receiving an order; keeping, offering, or exposing for sale; peddling, exchanging, or bartering; or delivering other than gratuitously, by any means.**

Testing **or** ***test*** **means the research and analysis of marijuana, marijuana products, or other substances for contaminants, safety, or potency. "Testing" or "test" does not include cultivation or processing.**

Tetrahydrocannabinol **means any naturally occurring or synthetic tetrahydrocannabinol, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation and any preparation, mixture, or substance containing, or mixed or infused with, any detectable amount of tetrahydrocannabinol. For the purposes of this definition, "isomer" means the optical, position, and geometric isomers.**

Marijuana products **means (i) products that are composed of marijuana and other ingredients and are intended for use or consumption, ointments, and tinctures or (ii) marijuana concentrate.**

Canopy **means the space used by a licensee to produce flowering marijuana plants, including areas between plants, pathways, walkways, and empty space between rows that allow for airflow, light, growth, access for watering, trimming, and other activities associated with marijuana cultivation. "Canopy" does not include space used for mother plants, clones, immature or nonflowering plants, processing, drying, curing, trimming, storage, offices, hallways, work areas, or other administrative**

and nonproduction uses. If flowering marijuana plants are cultivated using a shelving or other layered system, the surface area of each level shall be included for purposes of calculating canopy.

***Cultivation* or *cultivate* means the planting, propagation, growing, harvesting, drying, curing, grading, trimming, packaging, or other similar manufacturing of marijuana for use or sale. "Cultivation" or "cultivate" does not include processing or testing.**

***Hemp product* means a product, including any raw materials from industrial hemp that are used for or added to a food or beverage, that (i) contains industrial hemp and has completed all stages of processing needed for the product and (ii) when offered for retail sale (a) contains a total tetrahydrocannabinol concentration of no greater than 0.3 percent and (b) contains no more than two milligrams of total tetrahydrocannabinol per package or an amount of cannabidiol that is no less than 25 times greater than the amount of total tetrahydrocannabinol per package.**

Sec 42-257 Purpose; Specific Requirements For All Commercial Uses

(b) Hours of operation.

(1) Except as noted below, all businesses located within the town limits shall close to the public not later than 12:00 midnight and shall not reopen earlier than 6:00 a.m. the following day.

(2) Any business located within 100 feet of the nearest property line of a residential use located within a residential district shall close to the public not later than 11:00 p.m. each day and shall not reopen earlier than 7:00 a.m. the following day.

(3) Marijuana retail stores and microbusinesses shall close to the public no later than 8:00 p.m. each day and shall not reopen earlier than 8:00 a.m. the following day.

(4) Hours of operation may be modified by the Town Council with a conditional use permit. Such application shall specifically justify the need for the modification to the satisfaction of the Town Council.

Sec 42-261 Requirements For Marijuana Establishments

The following uses, as defined in this Ordinance and as regulated by Title 4.1 of the Code of Virginia, 1950, as amended, shall be subject to the following standards:

(a) **General Requirements; Location and Distance Requirements; Signs and Advertising.**

(1) Marijuana establishments shall be permitted by conditional use permit in zoning districts identified in Section 42-151, Table 1, Uses by Zoning District.

(2) Absent a conflicting, more stringent requirement or standard in this Section 42-261, marijuana establishments shall comply with the specific requirements or standards for commercial uses as found in § 42-257 of this Ordinance and for the zoning district in which they are located.

(3) Any signs or advertising for marijuana establishments shall be subject to the restrictions as set forth in the Cannabis Control Act and Article 42-XI of this Ordinance.

(b) **Marijuana Retail Stores and Delivery Operators:**

(1) Pursuant to Code of Virginia Code 4.1-810 B.4 no retail marijuana store shall be located within 1,000 feet, or a greater minimum distance requirement as promulgated in the regulations adopted by the Board of Directors of the Virginia Cannabis Control

Authority, of another retail marijuana store or microbusiness, or any hospital, public, private, or parochial school or institution of higher education, or child day program.

(2) A retail marijuana store shall not include indoor or outdoor areas for consumption of marijuana products on site

(3) Pursuant to Virginia Code 4.1-810.B.3.c. a retail marijuana store shall not adversely affect real property values or substantially interfere with the usual quietude and tranquility of nearby residence or residential area

a. A retail marijuana store shall not permit delivery of marijuana products to any child day center, school, or government facility, hospital or any public gathering places, including sporting events, festivals, fairs, races, concerts, parks, and terminals of public transportation companies.

(c) Marijuana Cultivation Facilities:

(1) A marijuana cultivation establishment shall be limited to indoor cultivation and a total growing canopy of up to 15,000 square feet

(2) In addition to applicable conditional use permit information requirements and criteria of Section 42-33, a marijuana cultivation establishment shall address and be evaluated with the following:

a. **The impact on Town utilities including water demand and distribution network, and effect on wastewater collection and treatment operations**
b. **The effect of odors on neighboring properties**

(d) Marijuana Processing and Testing Establishments:

(1) Marijuana Processing and Testing Facilities Shall not include outdoor storage of chemicals or waste

(2) In addition to applicable conditional use permit information requirements and criteria of Section 42-33, a marijuana processing and testing establishment shall address and be evaluated with the following:

a. The impact on Town utilities including water demand and distribution, and effect on wastewater collection and treatment operations
b. The effect of odors on neighboring properties

(e) Marijuana Transporters:

(1) Marijuana Transporters may include a storage or warehouse facility with a gross floor area of up to 20,000 square feet

(2) Marijuana Transporters shall not include outdoor storage or storage of toxic or hazardous materials

(3) Marijuana Transporters shall not be accessed through residential streets

(f) Marijuana Microbusinesses providing any, or a combination of, cultivation, processing, and retail functions and uses shall be subject to the standards applicable to each function as separate uses, including the location and distance requirements. If there is a conflict between

the requirements and standards for a function or use, the more restrictive standards and requirements shall apply.

(1) **Pursuant to Virginia Code 4.1-810 B.4 No microbusinesses shall be located within 1,000 feet, or a greater minimum distance requirement as promulgated in the regulations adopted by the Board of Directors of the Virginia Cannabis Control Authority, of another retail marijuana store or microbusiness, or any hospital, public, private, or parochial school, or institution of higher education, or child day program**

(2) **A microbusiness shall not include indoor or outdoor areas for consumption of marijuana products on site**

(3) **Pursuant to Virginia Code 4.1-810.B.3.c. a microbusiness shall not adversely affect real property values or substantially interfere with the usual quietude and tranquility of nearby residence or residential area**

(4) **A microbusiness shall not permit delivery of marijuana products to the following facilities: any child day center, school, or government facility; hospital; any public gathering places, including sporting events, festivals, fairs, races, concerts, parks, and terminals of public transportation companies.**

(5) **In addition to applicable conditional use permit information requirements and criteria of Section 42-33, a marijuana processing and testing establishment shall address and be evaluated with the following:**

a. The impact on Town utilities including water demand and distribution, and effect on wastewater collection and treatment operations

b. The effect of odors on neighboring properties

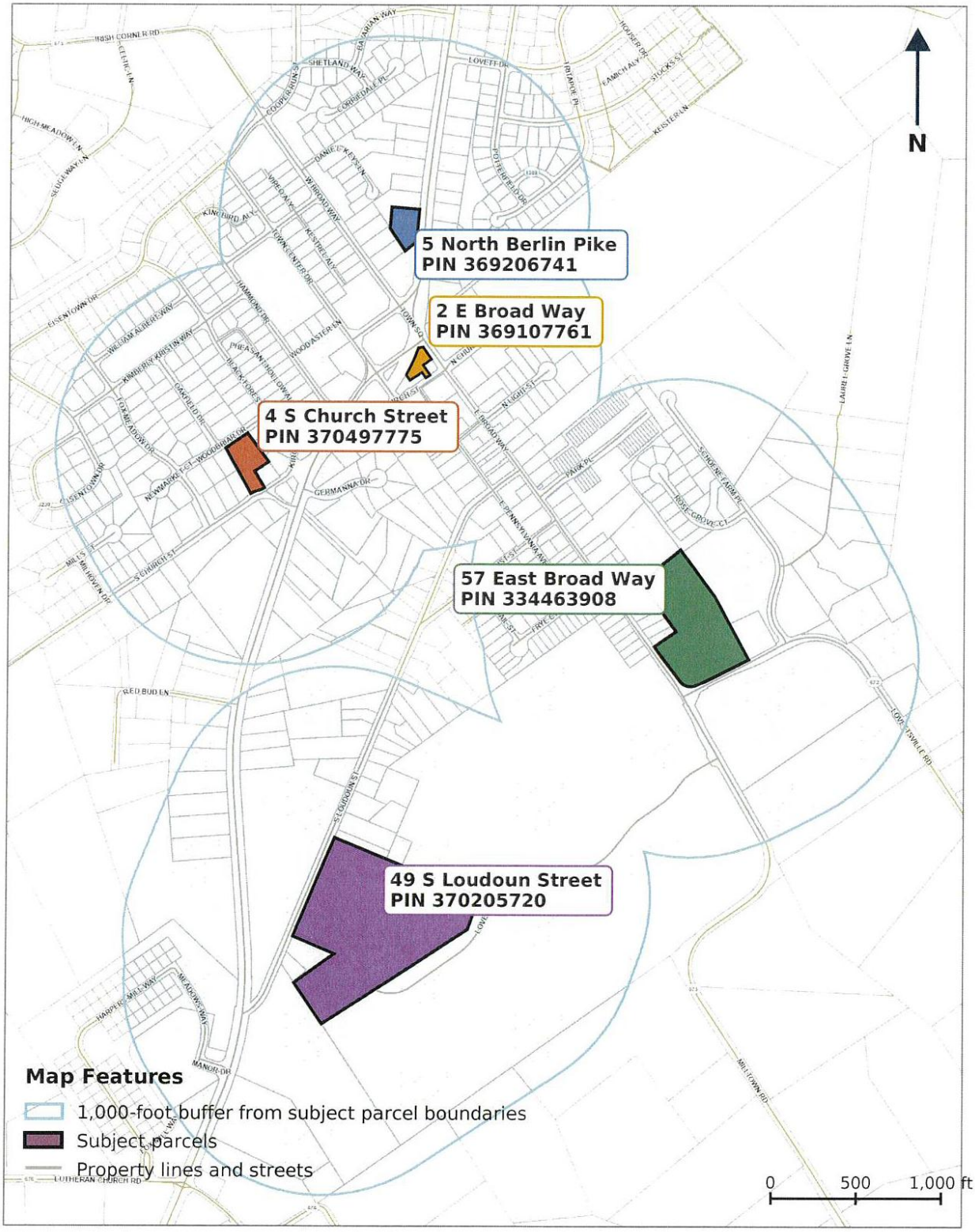
Use	Residential						Commercial/Light				Annexation		
P= Use permitted subject to zoning approval; C=conditional use permit required.	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Refer also to Section 42-147, Application of District Regulations													
The list of uses contained in this Chapter shall not be deemed to be an exhaustive list but is included for the purposes of clarity and emphasis, and to illustrate the characteristics of other uses that may be permitted or prohibited, as the case may be.													
Special Uses/Restrictions	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Bus shelter.	P	P	P	P	P	P	P	P	P	P	P	P	P
Construction or sales trailer, subject to 42-301	P	P	P	P	P	P	P	P	P	P	P	P	P
Any permitted use that exceeds the gross floor area or size limits permitted by the district.	C	C	C	C	C	C	C	C	C	C	C	C	C
Any permitted use storing herbicides, pesticides, fertilizers, fungicides, fuel, oils, lubricants, other toxic or hazardous materials on site in containers, each holding more than 10 gallons or 80 pounds dry weight.							C	C	C	C	C	C	C
Public sewer and water facility.	P	P	P	P	P	P	P	P	P	P	P	P	P
Agriculture	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Agriculture, including crop farm, horse farm, livestock farm, but excluding hog and poultry farm, commercial stockyard and feed lot; horticulture, including the growing of fruits, vegetables, flowers, or ornamental plants; forestry and viticulture.											P	P	P
Farm and garden store without outdoor storage.								C	C	P		P	P
Farm and garden store with outdoor storage.									C	C			
Farmers' Market.							C	C	C			P	P
Retail nurseries and greenhouses.									C			P	P
Wayside stand, when located on a parcel ten acres or greater, pursuant to section 42-300.												P	P
Production nursery and greenhouse. Not subject to Title 4.1.												C	C
Marijuana cultivation facility licensed by the Board of Directors of the Virginia Cannabis Control Authority and subject to Zoning Ordinance Section 42-261.												**C**	**C**
Marijuana microbusiness cultivating marijuana indoors or outdoors with an indoor canopy that does not exceed 5,000 square feet and an outdoor canopy that does not exceed 10,000 square feet licensed by the Board of Directors of the Virginia Cannabis Control Authority and subject to Zoning Ordinance Section 42-261.												**C**	**C**
Health Care	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Medical and health care facility and clinic, outpatient.							P	P	P	P			
Emergency care facility.							P	P	P				
Community Amenities/Civic Uses	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Cemetery, mausoleum or memorial park.											C	C	C
Church, synagogue, temple, or mosque.	C	C	C			C	P	P	P		C	C	C
Convention facility and center.										C			
Fraternal club, lodge, and community building for use by nonprofit organizations.	C	C	C				C	C	C	C			
Library, museum, and cultural facility.	C	C	C				C	P	P				
Theater or performing arts center.							C	C	C				
Government / Infrastructure	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Armory, National Guard or Reserve.										P			
Fire, rescue and police station.								P	P	P		P	P
Maintenance building and facility, governmental.										P			
Parking lot, public.								P	P				
Commuter parking lot with fewer than 50 spaces.									P			P	P
Commuter parking lot with greater than 50 spaces.									C			C	C
Post office.								P					
Public service agency office not otherwise listed.							P	P	P	C			
Transit agency and transportation service company.										C			
Wireless communications equipment such as antennas and satellite dishes attached to an unrelated structure.	C	C	C					C	C	C	C	C	C
Wireless, small cell facility subject to Section 42-305.	P	P	P			P	P	P	P	P	P	P	P
Wireless or wired communications facility including switching stations, monopoles, towers, and similar uses.								C	C	C	C	C	C

Industry/Employment	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Autobody repair.										P			
Blacksmith shop.										P		**P**	P
Welding or machine shop, excluding presses exceeding 40-ton rated capacity and drop hammers.										P			
Business incubator center, shared office space, and similar use.									C	P			
Bakery, production, shared kitchen, food commissary, catering service, or similar use.									C	P			
Contractors and construction services, including contractors in specialized trades.									C	P			
Fabric, quilting and upholstery supplies or services.								C	C	P			
Furniture and cabinet making shop.									C	P			
Liquefied petroleum gas distribution facility, subject to section 42-257(g).										C			
Manufacturing, processing, and production of goods, merchandise and equipment within a completely enclosed building containing not more than 10,000 square feet of gross floor area that does not include the manufacture or disposal of toxic or hazardous materials **or products licensed under Code of Virginia Title 4.1. Alcoholic Beverage and Cannabis Control.**										P			
Marijuana processing facility containing not more than 10,000 square feet of gross floor area and licensed by the Board of Directors of the Virginia Cannabis Control Authority and subject to Zoning Ordinance Section 42-261.										**C**			
Marijuana testing facility licensed by the Board of Directors of the Virginia Cannabis Control Authority and subject to Zoning Ordinance subject to Section 42-261.										**C**			
Marijuana transporter licensed by the Board of Directors of the Virginia Cannabis Control Authority and subject to Zoning Ordinance Section 42-261.										**C**			
Microbusiness licensed under under Code of Virginia Title 4.1. Alcoholic Beverage and Cannabis Control as a marijuana processing, testing, or transporter operation and subject to Zoning Ordinance Section 42-261.										**C**			
Mini-warehouses and self-storage.								C	C	P			
Office, administrative, business or professional.							P	P	P	P			
Professional office	C	C	C	C									
Publishing and printing establishment.									P	P			
Warehouse and wholesale trade use containing not more than 20,000 square feet of gross floor area **that does not include the storage of toxic or hazardous materials or products licensed under Code of Virginia Title 4.1. Alcoholic Beverage and Cannabis Control.**										P			
Wholesale food and beverage processing with up to 10,000 square feet of gross floor area that does not include the processing or storage of toxic or hazardous materials **or products licensed under Code of Virginia Title 4.1. Alcoholic Beverage and Cannabis Control.**										P			
Residential	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Accessory apartment or semi-independent dwelling unit, subject to Section 42-195.	C	C	C		C	C					**C**		C
Assisted living facility.				P		P							
Dwelling, single-family detached.	P	P	P	P	P	P					**P**		P
Dwelling, duplex, vertical.					P								
Dwelling, attached.				P									
Dwelling, multiple.				P									
Dwelling, semi-detached.				P									
Home occupation, subject to Section 42-199.	P	P	P	P	P	P					**P**		P
Large lot communities subject to Section 42-202.	C												
Limited Residential Lodging subject to Section 42-297(B).	P	P	P			P	P	P			**P**		P
Model home, subject to section 42-204.	P	P	P	P	P	P					**P**		P
Nursing home or extended care facility.				P									
Orphanage.											**C**		C

Retail Sales	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Antique store.							P	P	P	P			
Art gallery, arts and crafts studio, photography studio, or art or framing store.							P	P	P	P			
Automobile parts store.									C				
Automobile sales, used.									C	C			
Bakery, retail.							P	P	P	P			
Bookstore.							P	P	P				
Building materials store with outdoor storage and/or display.									C	C			
Building materials store without outdoor storage and/or display.									C	P			
Clothing and accessories store.							P	P	P				
Computer or electronics store.							P	P	P				
Convenience stores with fuel sales.									C				
Convenience stores without fuel sales.							P	P	P				
Fabric store.							P	P	P				
Florist.							P	P	P				
Furniture and appliance sales and/or service.							P	P	P	P			
General merchandise store not exceeding a gross floor area of 3500 square feet.							P	P	P				
General merchandise store exceeding a gross floor area of 3500 square feet up to a maximum of 6500 square feet.							C	C	P				
Gift shop or jewelry store.							P	P	P				
Grocery store.							P	P	P				
Hardware store.							C	C	P	P			
Hobby store.							P	P	P				
Marijuana Retail Sales licensed by the Board of Directors of the Virginia Cannabis Control Authority and subject to Section 42-261							**C**	**C**	**C**				
Marijuana delivery operator licensed by the Board of Directors of the Virginia Cannabis Control Authority and subject to Section 42-261.							**C**	**C**	**C**				
Microbusiness licensed by the Board of Directors of the Virginia Cannabis Control Authority as a marijuana retail sales operation and subject to Section 42-261.							**C**	**C**	**C**				
Music store.							P	P	P				
Office supply and stationary store.							P	P	P				
Pet supply store.							P	P	P				
Pharmacy without drive-through windows.							P	P	P				
Pharmacy, including drive-through window.							C	C	P				
Photographic equipment sales.							P	P	P				
Restaurant and catering service, including curb service but excluding drive-through windows and related facilities.							P	P	P	P		**P**	P
Specialty products store.							C	C	C				
Sporting goods and bicycle shop.							P	P	P				
Tack shop.							P	P	P			**P**	P
Temporary retail sales subject to Section 42-311.	P	P		P	P	P	P	P	P	P		**P**	P
Retail Services	**R-1**	**R-2**		**R-C**	**PIDD**	**T-C Res**	**T-C Core**	**C-1**	**C-2**	**CI-1**	**RA-1**	**CA-1**	CRA-1
Art foundry or continuous kiln.									C	P			
Automobile and vehicle repair, heavy.									C	P			
Automobile and vehicle repair, light with outdoor storage pursuant to Section 42-257.									C	C			
Automobile wash and detailing, full service.									C	C			
Bank and financial institution with not more than two drive-through windows.							C	C	C				
Banks and financial institutions without drive- through windows.							P	P	P				
Banquet/event facility.							C	C	P			**C**	C
Barber shop, beauty salon or nail salon.							P	P	P				
Bed and breakfast homestay, subject to Section 42-297.	C							P				**P**	P
Bed and breakfast inn, pursuant to Section 42- 297.								P	P			**C**	C
Country inn subject to Section 42-297.								P	P	P		**C**	C
Dry cleaner with customer drop-off and pick-up only, no onsite dry cleaning, and no drive-through facilities.							P	P	P				
Dry cleaner with onsite drycleaning or drive-through facilities.							C	C	C				
Fitness center.							P	P	P				
Funeral home.									P				
Microbrewery, cidery, distillery and winery.								C	C	P		**P**	P
Package and parcel service.							C	C	P	P			
Personal service not otherwise listed.							P	P	P				
Pet/animal daycare, kennels and boarding with outdoor pens or runs.										P			
Pet/animal grooming.								P	P	P			
Veterinary hospital and clinic with boarding limited to animals under care.								C	P	C			

Schools & Child Services	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Child care center, day care centers or nursery schools subject to Section 42-298.	C	C	C		C	C		P	P				
Childcare home, subject to section 42-298.	P	P	P					P			P		P
School: college and university without residential dormitories.	C	C	C					P	P	P			
School: college and university with residential dormitory.										C			
School: K-12	C	C	C				C	C	C			C	C
School: technical, trade, vocational or business.							P	P	P	P			
Sports and Athletic / Recreation	**R-1**	**R-2**	**R-3**	**R-C**	**PIDD**	**T-C Res**	**T-C Core**	**C-1**	**C-2**	**CI-1**	**RA-1**	**CA-1**	**CRA-1**
Camp, day and boarding.												C	C
Community center.	C											C	C
Country club.												C	C
Dance, martial arts, fitness, or similar personal or studio instruction.							P	P	P	P			
Golf course.													
Indoor recreational facilities, private containing not more than 10,000 square feet of gross floor area.							C	C	P	P			
Nature preserve, such as, but not limited to, wildlife sanctuary, conservation area, and game preserve.	P	P	P	P	P	P		P	P	P	P	P	P
Park, community, public or private.	C					C	C	C	C	C	C	C	C
Neighborhood park or Playground, public or private.	P	P	P	P	P	P	P	P	P		P	P	P
Playing field and court, lighted.	C	C									C	C	C
Recreational facility, outdoor, private, occupying an area of land not exceeding 10,000 square					P		C	C	P	P		C	C

42-151 Table 2 Marijuana Establishment School Buffer Map



TO: **Mayor and Town Council**

FROM: **John Merrithew, Town Planner/Zoning Administrator**

DATE: **November 12, 2026**

SUBJECT: **LVCU 2026-0001, George Family Holdings LLC**

Purpose: To consider an application for a conditional use permit submitted by George Family Holdings LLC of Lovettsville, Virginia, to operate a package and parcel service on the first floor of 1 South Loudoun Street.

Background: The property is situated at the corner of South Loudoun Street and Pennsylvania Avenue. The proposed business would occupy 1,600 square feet on the ground floor. Three residential apartments occupy the second and third floors of the building. The 0.37-acre parcel also contains a restaurant and a church in an adjacent building. The conditional use permit would apply only to 1 South Loudoun Street.

The building is located in the Lovettsville National Register Historic District and is identified as a contributing structure. The Colonial Revival building was constructed around 1900.

On October 7, 2026, the Planning Commission conducted a Public Hearing on the application. No public comments were received. The Commission voted to recommend approval, subject to conditions limiting hours of operation, the number of deliveries, truck size, and changes to the historic building.

Discussion: The Zoning Ordinance defines a package and parcel service as a facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck. This use includes express mail and other mail and package distribution facilities, including facilities operated by the U.S. Postal Service. In addition to package and parcel services, the business would sell related shipping and mailing products and provide printing, copying, fax, and notary services. Shared parking is available on the site and on an adjacent property on the west side of South Loudoun Street. Both properties are under the same ownership, and the owner has agreed in writing to allow the applicant to use the adjacent parking lot.

Land Use: The property is within the Central Business District (CBD) identified in the Comprehensive Plan (Plan). The Plan encourages the reuse of existing buildings and parcels in the historic downtown within one block of East Broad Way to retain the historic character and support small and start-up businesses. The C-1 zoning district implements the Plan's CBD policies by accommodating small, general commercial businesses to which the public requires direct and frequent access.

Zoning: The property and adjoining properties to the east and west are zoned C-1, Community Commercial. Properties to the south, across Pennsylvania Avenue, are zoned R-1, Residential. Properties to the north, across Broad Way, are zoned R-2, Residential, and C-1, Community Commercial.

Landscaping and Buffering: No additional landscaping is required because the proposed use would occupy an approved commercial space. The applicant indicates that no changes are planned to the building or property. The Planning Commission recommends requiring existing vegetation to be retained until removal is necessary due to disease or age, at which time the landscaping would be replaced by a similar, native canopy tree.

Parking: The Zoning Ordinance does not specify a parking requirement for a package and parcel service. A general retail use would require six to eight spaces. In the C-1 district, additional or new parking is not required when a commercial use occupies a space previously used for commercial purposes, provided the parcel is within 500 feet of a public parking lot or on-street parking spaces. This provision applies whether existing parking spaces are on the subject parcel or an adjacent parcel. The site qualifies for this provision. As noted above, the owner of the adjacent parking lot has agreed in writing to allow the applicant's business to share the parking spaces.

Signage: The applicant currently proposes to place the store's name on the door and install a projecting or hanging sign from the porch. Signage will require a separate sign permit.

Traffic: For traffic generation purposes, a package service is considered a general retail service. For a store of approximately 1,600 square feet, estimated traffic includes 70–100 customer trips and 2 to 4 vans collecting packages up to twice daily. Estimated customer trips during the morning and evening peak hours are 4 to 6 morning trips and 7 to 11 evening trips. Proposed business hours are 8:00 a.m. to 6:00 p.m., Monday through Saturday. Traffic associated with the proposed use is not expected to conflict with peak traffic at the adjacent restaurant or church.

Utilities: Utility demand would be limited to a bathroom and kitchenette for staff.

Economic Impact: The proposed business would offer a new type of service in the Town. Although FedEx and UPS deliver packages directly to residents, residents and businesses currently must travel to Purcellville or Leesburg to send or return packages unless they use the post office. The proposed service would offer a convenient local option and could reduce travel time and costs for residents and businesses.

Fiscal Impact: The fiscal impact is expected to be minimal, with a modest positive effect on Town revenues.

Recommendation: The Planning Commission voted 4-0-0-3 (Otterback, Brooks

Dumproff, and Corcoran absent) to recommend approval, subject to the attached conditions of approval, based on the following findings:

1. The business would provide a valuable service to businesses and residents in the Town and surrounding community.

2. The use would place minimal demands on utilities and government services.

3. Sufficient parking is available on the site and on the adjacent property to meet customer needs.

4. The use would complement other businesses and would be compatible with commercial uses on the property.

5. The use would retain a contributing historic structure in the Lovettsville National Register Historic District.

Draft Motions:

1.) I move to adopt Ordinance 2026-11-0002, approving LVCU 2026-0001, George Family Holdings LLC, subject to the conditions of approval included in Attachment 2.

Or

2.) I move an alternative motion.

Attachments:

1. Ordinance 2026-11-0002
2. Conditions of Approval dated 2026-11-12
3. Statement of Justification and Site Layout

Town Mayor
Christopher M. Hornbaker

TOWN OF Lovettsville VIRGINIA

Town Council
Vice Mayor Thomas Budnar
Council Member Ann Arena
Council Member David Earl
Council Member David Smith
Council Member Stuart Stahl

ORDINANCE NO: 2026-11-0002
APPROVAL OF LVCU 2026-0001, GEORGE FAMILY HOLDINGS LLC, TO PERMIT A PARCEL AND PACKAGE SERVICE IN THE C-1, COMMUNITY COMMERCIAL ZONING DISTRICT

MOTION:
SECOND:

WHEREAS, George Family Holdings LLC, t has filed an application under Section 42-33 of the Lovettsville Zoning Ordinance to permit a Parcel and Package Service use under the C-1, Community Commercial, zoning district, at 1 S Loudoun Street; and

WHEREAS, the C-1 zoning is consistent with the Comprehensive Plan Land Use Policies, which recommends businesses that serve the community, that help preserve existing buildings and align with the scale of the Central Business District; and

WHEREAS, the Planning Commission conducted a Public Hearing on October 7, 2026, following public notice as required by Section 42-34 of the Lovettsville Town Code and by Virginia Code Section 15.2 2204, and voted 4-0-0-3 to forward LVCU 2026-0001 to the Town Council with a recommendation of approval based on the findings noted in the Public Hearing staff report; and

WHEREAS, the Town Council conducted a Public Hearing on November 12, 2026, following public notice as required by Section 42-34 of the Lovettsville Code and Virginia Code Section 15.2-2204; and

WHEREAS, the Town Council has concluded that the proposed use is consistent with the Town Comprehensive Plan and good zoning practices generally; and

WHEREAS, the property is properly served by Town water and sewer utilities and street network; and

WHEREAS, the proposed conditional use is consistent with the surrounding properties.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lovettsville, Virginia that LVCU 2026-0001, permitting a parcel and package service in the C-1 Community Commercial zoning district is hereby approved subject to the conditions of approval attached hereto.

VOTE:
AYES:
NAYS:

PASSED this 12th day of November, 2026 _____
CHRISTOPHER M. HORNBAKER, MAYOR

ATTEST:

_____
ELIZABETH R. FONTAINE, TOWN CLERK

Attachment 1
2026-11-12

Conditions of Approval

1. Package company deliveries and pickups will be limited to two times per day.

2. Package company deliveries and pickups will be made in two-axle cargo vans or box trucks. Tractor trailers shall be prohibited from making pickups from or deliveries to the business.

3. The maximum package size accepted by the facility will be 100 pounds.

4. Retail sales will be limited to package and postal related materials and services such as photocopying, faxing, notary services.

5. Structural changes made to the building will be limited to those required to meet Building, Fire Code, or ADA requirements.

6. Trees on the property will be retained except if removal is required due to disease, damage, or public safety. Trees removed shall be replaced by a similar, native canopy tree offering the same mature canopy coverage.

7. Hours of operation shall be between 8:00 a.m. and 6:00 p.m

Attachment 2
Conditions of Approval
2026-11-12

1. Package company deliveries and pickups will be limited two times per day per company.

2. Package company deliveries and pickups will be made in two-axle cargo vans or box trucks. Tractor trailers shall be prohibited from making pickups from or deliveries to the business.

3. The maximum package size accepted by the facility will be 100 pounds.

4. Retail sales will be limited to package and postal related materials and services such as photocopying, faxing, notary services.

5. Structural changes made to the building will be limited to those required to meet Building, Fire Code, or ADA requirements.

6. Trees on the property will be retained except if removal is required due to disease, damage, or public safety. Trees removed shall be replaced by a similar, native canopy tree offering the same mature canopy coverage.

7. Hours of operation shall be between 8:00 a.m. and 6:00 p.m.

Attachment 3
Statement of Justification

Applicant: George Family Holdings LLC
Property Address: I S. Loudoun Street, Lovettsville, Virginia
Proposed Use: Package and Parcel Service

This application requests approval of a Conditional Use Permit to establish a mailing and shipping store at 1 S. Loudoun Street in the Town of Lovettsville.

The proposed business will provide essential mailing, shipping, packaging, mailbox rental, copying, printing, and related business services to residents, local businesses, farms, home-based businesses, and visitors. These services are currently limited within the Town, resulting in many residents traveling outside Lovettsville for routine shipping and mailing needs. The proposed business will fill this gap while strengthening the Town's downtown commercial district.

The proposed use is consistent with the goals of the Town of Lovettsville Comprehensive Plan by supporting a vibrant downtown, encouraging locally owned small businesses, providing convenient services to residents, and promoting economic vitality within the historic business district. The business will occupy an existing commercial storefront without expanding the building or significantly altering its exterior appearance, preserving the character of downtown Lovettsville.

The store's proposed operating hours will be:

- Monday through Saturday: 8:00 a.m. to 6:00 p.m.
- Sunday: Closed

The business will be operated by **one employee** and is expected to generate modest customer traffic. Based on the nature of similar independently owned mailing and shipping stores, customer volume is anticipated to average approximately **20 to 40 customers per day,** with seasonal increases during the holiday shipping season. Most customers are expected to spend **5** to **10** mim1tes inside the business completing their transactions before leaving.

Because the business will close at **6:00 p.m.,** it is not expected to conflict with the peak evening dining hours of the adjacent **Rodeo's Mexican Restaurant.** Customer demand for the two businesses is expected to occur at different times of the day, minimizing any overlap in parking demand or pedestrian activity.

Customer parking will be available in the public parking areas located **across the street** from the business, allowing convenient access without increasing on-site parking demand.

The business will receive routine deliveries only from standard parcel carriers such as **UPS,** FedEx, and the United States Postal Service, utilizing the same delivery vans and

medium-duty trucks that already service businesses throughout downtown Lovettsville. The business will not require tractor trailers, 18-wheelers, or other heavy commercial freight vehicles. The proposed use will not create excessive noise, odors, lighting, vibration, or other impacts on neighboring properties. Traffic generation is expected to be similar to other neighborhood retail and service businesses operating within the downtown commercial area.

Approval of this Conditional Use Permit will provide an important community service while supporting the Town's goals of encouraging local commerce, increasing pedestrian activity, and maintaining a healthy, walkable downtown business district. The proposed mailing and shipping store is compatible with surrounding commercial uses and will be a positive addition to the Town of Lovettsville.

Attachment 3
Site Photos



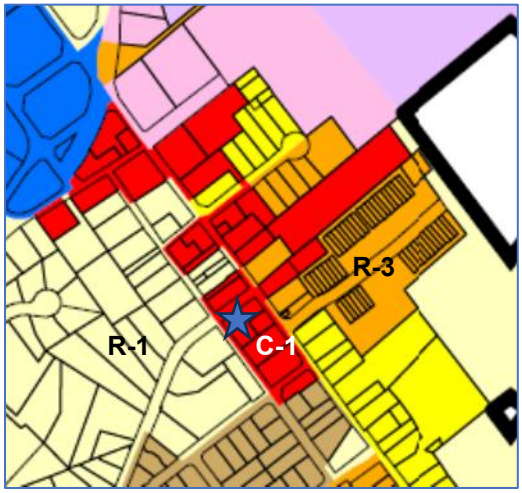






Attachment 4
Site Layout





Town Mayor
Christopher M. Hornbaker

TOWN OF Lovettsville VIRGINIA

Town Council
Vice Mayor Thomas Budnar
Council Member David Earl
Council Member David Smith
Council Member Ann Arena
Council Member Stuart Stahl

ORDINANCE NO. 2026-11-0001
Amendments to Annexation Policy and Process and LVZA 2026-0001, Amendments to Chapter 42, Zoning, Article 42-V, Establishment Of Districts And Uses, Article 42-VI, Residential Districts, Article VII, Commercial And Light Industrial Zoning Districts, And Article VIII-2, Additional Standards

MOTION:
SECOND:

WHEREAS, the proposed amendments were referred to the Planning Commission by the Town Council on June 25, 2026; and

WHEREAS, on August 12, 2026, after giving public notice in accordance with Section 42-34 of the Zoning Ordinance and § 15.2-2204 of the 1950 Code of Virginia, as amended, the Planning Commission conducted a Public Hearing on the proposed policy amendment and on LVZA 2026-0001; and

WHEREAS, on September 2, 2026, the Commission recommended approval of the revised policy and Zoning Ordinance amendment and forwarded the draft policy and ordinance amendment to the Town Council with a vote of 5-0-0-2 (Otterback, Brooks Dumproff, absent); and

WHEREAS, on November 12, 2026, after giving public notice in accordance with Section 42-34 of the Zoning Ordinance and § 15.2-2204 of the 1950 Code of Virginia, as amended, the Town Council conducted a Public Hearing on the proposed policy amendment and LVZA 2026-0001; and

WHEREAS, the Town Council has determined that the amendments will promote the health, safety, and welfare of the citizens of the Town and are consistent with good community development practices generally.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lovettsville, Virginia that:

SECTION 1: The Town of Lovettsville Annexation Policy and the Lovettsville Annexation Process are hereby amended as set forth in attachment 1, as amended by the Town Council.

SECTION 2: Chapter 42, Zoning, of the Code of the Town of Lovettsville is hereby amended as set forth in attachments 2 and 3, as amended by the Town Council.

SECTION 3: The Zoning Administrator and Town Attorney are hereby authorized to make corrections of misnumbering, grammatical errors or misspellings found in the said attachments without further action by the Town Council.

SECTION 4: This Ordinance shall become effective upon its adoption.

VOTE:
AYES:
NAYS:
ABSENT FOR VOTE:

PASSED this 12th day of November, 2026 _____
CHRISTOPHER M. HORNBAKER, MAYOR

ATTEST:

_____
ELIZABETH R. FONTAINE, TOWN CLERK

Town of Lovettsville Annexation Policy

ANNEXATION GOAL: To support and facilitate boundary line adjustments and annexation of sites or properties in support of economic development and revenue enhancement while avoiding large-scale residential annexation that **would push the town near or over the population that would require town maintenance of roads from the Commonwealth.**

LEGAL FOUNDATION

The Loudoun County General Plan **(Chapter 2, Land Use – The Towns and Joint Land Management Areas**) Subcategory **County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines** reads that "**the County and the incorporated Towns will explore entering into annexation agreements to facilitate the annexations of properties that are receiving Town sewer and water services and are compatible with Town comprehensive plans**.

Furthermore, the General Plan (**Chapter 2 – Towns and JLMAs** includes the Town of Lovettsville Area Policies adopted by the Town Council as specifically outlined in the Town's Comprehensive Plan.

In this regard, there is also specific language in the General Plan under the category Lovettsville Area Policies **stating** that **the County will cooperate with the Town of Lovettsville, pursuant to County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines, on boundary-line adjustments to resolve jurisdictional questions, to serve public and civic uses, and to support the Town of Lovettsville's economic goals and priorities**~~.~~

The General Plan (**Chapter 2 – Towns and JLMAs**) **includes Town of Lovettsville Area Policies stating that the County will cooperate with the Town of Lovettsville, pursuant to County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines on boundary-line adjustments to resolve jurisdictional questions, to serve public and civic uses, and to support the Town of Lovettsville's economic goals and priorities.**

The General Plan (Chapter 2 – County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines) states, Towns may proceed with annexations or with corporate boundary line adjustments irrespective of whether the Town has a Joint Land Management Area. The State Code provisions apply to annexations, and the County will work with each Town on an annexation pursuant to State requirements.

LOVETTSVILLE ANNEXATION POLICY

In conjunction with the County's General Plan and Section 15.2 of the Code of Virginia, the Town of Lovettsville has established an Annexation Policy in order to **consider**, under those circumstances outlined below, boundary line adjustments and/or annexation of property within the County consistent with Loudoun County's General Plan and the Town of Lovettsville Comprehensive Plan. The Town of Lovettsville Annexation Policy states:

Guiding Principles
The Town intends to approve for incorporation into the Town's limits only those properties with development related plans that are consistent with the Town's Comprehensive Plan **or other strategic plans**. The Town does not plan to arbitrarily pursue boundary line adjustments or annexation of properties from the County **if doing so would be** inconsistent in any way with **those plans**.

The Town's annexation priorities are to preserve Lovettsville's small-town character, minimize residential population growth, and encourage beneficial commercial annexations that strengthen the Town's long-term economic sustainability, while maintaining peaceful aesthetics and unobstructed view sheds of the surrounding area.

The Town supports annexation proposals that would expand employment, tourism, agricultural business, civic, and commercial opportunities while remaining compatible with the Town's traditional scale, rural setting, and infrastructure capacity, as detailed in the comprehensive plan. Residential annexations and higher density land uses should be avoided.

Residential annexations and higher density land uses should be avoided. However, when the Town Council determines that a proposal provides a substantial benefit that clearly advances the long-term interests, the proposal may be considered, but only if it would not increase the Town's population beyond the limit that would require the Town take responsibility for maintaining public roads. The terms and conditions of this Policy shall apply in the same way as other types of proposed developments.

The Town does, however, recognize the need to consider boundary line adjustments and annexations when a boundary line adjustment or voluntary settlement annexation of additional property from the County completes a project that is already consistent with the the Town's **Comprehensive Plan, or resolves a public health or public administration issue that cannot be resolved by other means.**

Under Traditional Annexation, the Town's intent is to only pursue annexation if the majority of affected property owners support the annexation.

Economic Development and Fiscal Benefit

The Town will **consider** opportunities to annex properties **that support economic growth and revenue expansion, and that are consistent with the land use and design objectives of the Comprehensive Plan**.

Subject to the remaining requirements of this Policy, the Town may give priority to annexations that:

- **support commercial, employment, tourism, agricultural, business, light-industrial, institutional, or civic uses consistent with the Comprehensive Plan;**
- **correct split parcels, irregular boundaries, or other jurisdictional conditions that impede logical development or public administration;42518**

- **allow completion of a project already substantially located within Town, where the project is otherwise consistent with the Comprehensive Plan;**
- **provide a clearly demonstrated public facility or infrastructure benefit; or**
- **address a documented public health or utility need that cannot reasonably be addressed through a service agreement without annexation.**

The Town Staff shall perform a financial analysis of all proposals of properties proposed to be incorporated into the Town and present their conclusions, findings and recommendations to the Town Council specifically outlining the costs the Town will incur to serve the site, as well as the financial or fiscal benefits, including all sources of revenue, that will accrue to the Town once the incorporation is complete. The financial analysis shall be an integral part of the Town's review and approval process.

Required Evaluation

Before authorizing an applicant-initiated annexation to proceed to final agreements, Town staff shall prepare a written evaluation addressing, at minimum:

- **Comprehensive Plan consistency and the intended Town zoning designation;**
- **existing and proposed land uses, density, intensity, design, open space, and phasing;**
- **water and sewer capacity, extension costs, and required upgrades;**

- **transportation, road-maintenance, traffic, pedestrian, bicycle, and access 56+impacts;**
- **stormwater, environmental, historic, viewshed, and agricultural impacts;**
- **emergency services, schools, parks, solid waste, snow removal, administrative services, and other service impacts, as applicable;**
- **population impact, including approved but unbuilt dwelling units and a reasonable buildout forecast;**
- **fiscal impact;**
- **the applicant's implementation schedule, financial readiness, and proposed security for required public improvements; and**
- **the legal instruments proposed to secure commitments relied upon by the Town.**

Applicant Agreements and Voluntary Commitments

As part of any proposed annexation or boundary line adjustment, the Town may request and the property owner(s) may voluntarily offer a written agreement or similar binding commitment identifying specific proposed land uses, development characteristics, design elements, operational limitations, infrastructure improvements, or other conditions associated with a landowner-initiated annexation request. The agreement shall include a schedule for initiating or completing necessary development applications or infrastructure plans.

Such agreements may be considered by the Town Council as part of its evaluation of whether the proposed annexation is consistent with the Town's comprehensive plan, infrastructure capacity, fiscal objectives, small-town character, and overall long-term interests of the Town. The Town shall complete or conditionally approve the associated land-use controls before, or concurrently with, final approval of the boundary change.

Any voluntary agreement accepted by the Town may be incorporated into the annexation approval and shall be enforceable by the Town through any lawful means available, including injunctive relief, specific performance, or other legal remedies authorized under Virginia law. The commitments shall bind successors and assigns.

The purpose of such agreements is to ensure that the development proposals presented in support of the annexation remain substantially consistent with the representations, commitments, and public benefits relied on by the Town Council

in approving the annexation request and necessary implementation actions are initiated in a timely manner.

Residential Buildout

It is **not** the intent of this Annexation Policy, through boundary line adjustments or annexation to exceed the **population** limit that has been **specified in this policy**.

A boundary line adjustment or **voluntary agreement** annexation of proposed residential property shall be considered on a case by case basis. The terms and conditions of this Policy shall apply in the same way as other types of proposed developments.

Utilities Services

Water and sewer service provided by the Town shall be required of all incorporated properties. The cost of extending and installing water and sewer services to the annexed property shall be borne by the applicant. Annexing a property shall be considered only if there is adequate water and sewer capacity and service can be provided consistent with Town policies and the Water and Sewer Master Plan

Incorporating a property into the Town shall be contingent on an agreement and commitments provided by the property owner(s) ensuring timely construction of utilities and initiation of the necessary land use applications.

It is contemplated that properties in the County adjacent and contiguous to the Town may face in the future failing septic systems and or contaminated or dried up wells. The County and/or Commonwealth may approach the Town to consider providing water and/or sewer service to these properties. A **Water and Sewer Agreement** may suffice if the Town choses to provide water and/or sewer service to these properties. The full cost of providing such service shall be borne by the property owners, Commonwealth, and/or the County. In its sole discretion, the Town may consider adjusting the boundary line of the Town or annexing those properties into the Town in order to provide water and sewer services. The property owners or the County shall be fully responsible for the cost of providing such services.

LOVETTSVILLE ANNEXATION PROCESS

The Town of Lovettsville Process for Annexation, Appendix A, **will be** approved by the Town upon approval of this **annexation** policy, **to** regulate the processing of all boundary line adjustments and **voluntary agreement** annexations in the Town. All applications for either a boundary line adjustment or annexation shall be considered under the terms and conditions set forth in the **Lovettsville Process for Annexation**. The **Lovettsville**

Process of Annexation has been determined to be in accordance with Loudoun County's General Plan guidelines and the Code of Virginia which regulates boundary line adjustments and annexation of properties amongst jurisdictions.

LOVETTSVILLE ANNEXATION MAP

Appendix B to this policy is **the Comprehensive Plan Land Use Plan** as amended from time to time identifying those sites or properties located outside the Town corporate limits that are contiguous to the Town and may be considered for **annexation and** future development.

Town of Lovettsville
Process for Annexation

Without limiting or amending the statutory processes identified in Section 15.2 of the Code of Virginia by which Boundary Line Adjustment or annexations may occur, the following describes the process by which the Town of Lovettsville will accept, review, and act upon applications for Boundary Line Adjustments and **Voluntary Settlement of** Annexation.

Process Required for an Application for Boundary Line Adjustment or Voluntary Settlement of Annexation

(A) Application Submission

Applications for Annexation to adjust the jurisdictional boundary line between the Town of Lovettsville and Loudoun County will be submitted to the Town for processing. Applications must include an application fee (to be determined) in addition to the necessary documentation materials. The following **documentation** materials are required:

- A plat of the proposed boundary line adjustment showing both details of the proposed boundary line adjustment and the proposed boundary line adjustment in the context of the surrounding properties. The plat **will** include the following information for the subject property and surrounding properties: zoning designation, existing use, parcel identification number, natural features, existing streets and driveways, and ownership information. This plat must be submitted in both digital and paper forms.

- A description of the proposed project, including a development **concept** plan showing, (i) proposed land uses; (ii) the general location of proposed structures; (iii) a vehicular and pedestrian circulation plan; (iv) open space; (v) minimum and maximum proposed densities for each use; (vi) proposed Town zoning district(s); (vii) special amenities; (viii) existing site features such as floodplain, steep slopes, and tree cover; and (ix) detailed site plan showing how the property will be served by water and sewer by the town and how it will it be connected to the existing lines in the town. **A concept plan submitted at the initial application stage is not, by itself, binding. However, before final annexation approval, the material portions relied upon by the Town must be incorporated into the legally enforceable Applicant Agreement or zoning district.**

- A statement of justification, describing how the subject property is eligible for incorporation into the Town boundary under the specific section of the Code of Virginia and how the proposed development will benefit the Town. The Statement of Justification **will** include a description of how the proposed development meets goals of the Town's Comprehensive Plan, and a proposed planned land use designation. The Statement of Justification should also describe how the land is planned and zoned under Loudoun County's plans and ordinances.

- A traffic evaluation describing the capacity of **all** roads **that will serve or be impacted by the future development**, providing an estimate of existing **and projected** traffic volumes and providing an estimate of the traffic generated by potential future land uses.

(B) Notification of Town Council by Town Manager
Upon receipt of an application for annexation the Town Manager **will** notify the Town Council.

(C) Notification of County Administrator by Town Manager
The Town Manager **will** notify the County Administrator, and/or designee, of receipt of the application and schedule a meeting with staffs of both Town and County to brief the County on the application.

(D) Application Review by Staff.
Once the Zoning Administrator receives a complete application for a Boundary line adjustment or **voluntary settlement of** annexation, the staff **will** distribute the application for review and comment to Loudoun County and VDOT staff. The Town **will** undertake a comprehensive review of the application for its impact on: (a) water and sanitary sewer capacity and infrastructure, (b) storm water **management**, (c) emergency services, (d) recreational facilities, (e) tax revenues, (f) schools, (g) transportation infrastructure, (h) population growth impact, (i) trash collection, snow removal, and other Town services, and will evaluate whether the proposal furthers goals set forth in the Town's Comprehensive Plan. Staff **will** assemble the comments and questions from the various referral agencies and send the comments and questions to the applicant to allow the applicant to modify **the proposal** as needed.

(E) Meeting between Town and County Staff
Once the applicant finalizes **its** application based on agency comments, the Town Staff will meet and discuss the application with the Loudoun County Administrator, County Attorney, and/or County Staff. Based on these discussions, and once the County Attorney and Staff complete their initial review and issues written comments on the application, Town Staff will develop a Staff Report for Town Council and the Planning Commission. The Staff Report shall include a recommendation to either approve or deny the application.

(F) Scheduling of the Joint Town Council/Planning Commission Public Hearing
The Town Clerk shall schedule a Public Hearing for the purpose of informing the public of the anticipated application and proposed land development. The public must be notified that an application for a boundary line adjustment or annexation has been filed with the Town, and that the public is invited to attend a community briefing on the application. The public shall be notified by (a) sending a letter by certified mail, return receipt requested, at least 15 days and no more than 30 days prior to the briefing to each property owner adjacent to the land proposed for annexation and, if one or more of the adjoining properties belongs to a Homeowners' Association, then the town must **also** (b) place a notice on the Town

Information Sign that (iii) states, "Proposed Annexation – Community Meeting on [Date] - Call [phone number] for information," and (c) **publish** an advertisement in a newspaper of general circulation in the Town that is authorized by the Loudoun County Circuit Court to publish legal notices, which advertisement shall state the date, time, and location of the community briefing, and shall describe the property proposed for annexation by address, location, and parcel identification number. Said advertisement shall first appear in the newspaper at least seven days prior to the community briefing.

(G) Joint Town Council/Planning Commission Public Hearing.
Staff shall brief Town Council and Planning Commission on the application, the issues that have been identified by the various referral agencies and the corrections made by the applicant as applicable, the additional information needed to fully evaluate the application, and Staff's recommendation based on the information and referrals available.

(H) Selection of Process.
At a regularly scheduled meeting of the Planning Commission and at least 15 Days following the Public Hearing, the Planning Commission will recommend approval or denial of the application to the Town Council. At a regularly scheduled meeting of the Town Council following the Planning Commission vote, the Town Council will vote to either deny the application, or to proceed with the application by way of (i) Boundary Line Adjustment, (ii) Voluntary Settlement of Annexation, or (iii) Traditional Annexation.

If the Method Selected is Boundary Line Adjustment under Va. Code section 15.2-3106, the following shall apply:

1. **Staff drafts a Boundary Line Adjustment Agreement. Town Staff in turn, will work jointly with the County of Loudoun to prepare a Boundary Line Adjustment Agreement for public hearing**. **Town Staff will also prepare an Applicant Agreement, which will detail specific proposed land uses, development characteristics, design elements, operational limitations, infrastructure improvements, or other conditions associated with the annexation request,** and any and all agreements deemed necessary by the town, that is conditioned upon incorporation of the property into the Town limits. Any application that requires new or upgraded infrastructure necessary to serve the annexed property must state the property owner's willingness to bond, pay for and construct any new or upgraded Infrastructure improvements in conjunction with the **Town's** Water and Sewer Master Plan, as well as the property owner's willingness to pay their quarterly Utility Bills (and Special Tax District Fee, if applicable) in order to maintain the new or upgraded infrastructure.

2. **The Town Council will hold at least one duly advertised public hearing** on the proposed Agreement**s**. Notice of the proposed Agreement**s** shall be served upon the owners of all parcels proposed to be incorporated into the Town limits **and to owners of adjoining and immediately adjacent properties**. One notice sent by first class

mail to the last known address of the owners of such parcels as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that affidavits are signed by each local governing body that such mailings have been made.

3. **The Town Council will vote to either approve or deny the Applicant Agreement and any other agreements** associated with the proposed annexation. This vote will occur concurrently with a vote to approve or deny the **Boundary Line Adjustment Agreement**. The Town Council will vote to either deny or approve the **Boundary Line Adjustment Agreement** conditioned on approval of the **Applicant Agreement and other associated agreements**. Under no conditions shall the **Boundary Line Adjustment Agreement** be approved without approval and concurrence of all parties to the **Applicant Agreement and other associated agreements**.

4. If the **Boundary Line Adjustment** Agreement is approved by both jurisdictions, the Town will coordinate with Loudoun County to petition, in accordance with all statutory requirements, the Loudoun County Circuit Court for approval of the Agreement.

5. **Any property hereafter incorporated into the Town through boundary line adjustment shall be zoned either the RA-1, Residential Annexation District, or the CA-1, Commercial Annexation District, without further action by the Town Council. The Town Council may, through approval of a zoning map amendment processed concurrently with the annexation, establish a Planned Development (PD) Zoning District specific to the uses and concept plan approved with the annexation. The zoning designation shall remain in effect until amended in accordance with Chapter 42, Zoning, Section 42-34.**

6. After the property is brought into the Town's jurisdictional limits, the Town Council will prepare an amendment to the Comprehensive Plan that assigns a planned land use designation to the newly incorporated property, and will refer such amendment to the Planning Commission for public hearing and recommendation, all pursuant to Va. Code Section 15.2-2229, as amended.

If the Method Selected is Voluntary Settlement of Annexation under Va. Code section 15.2-3400 et seq., the following process shall apply:

1. Staff drafts a Voluntary Settlement of Annexation Agreement **between the Town and the County**. Town Staff in turn, will work with the County of Loudoun to prepare a Voluntary Settlement of Annexation Agreement for public hearing. The agreement may address any or all of the matters identified in Va. Code section 15.2-3400 1 and 2. Town Staff will also prepare an **Applicant Agreement** that is conditioned upon incorporation of the property into the Town limits, which will detail **specific proposed land uses, development characteristics, design elements, operational limitations, infrastructure improvements, or other conditions associated with the annexation request**. Any application that requires new or upgraded infrastructure necessary to serve the annexed property must state the property owner's willingness

to bond, pay for and construct any new or upgraded Infrastructure improvements in conjunction with the Towns Water and Sewer Master Plan, as well as the property owner's willingness to pay their quarterly Utility Bills (and Special Tax District Fee, if applicable) in order to maintain the new or upgraded infrastructure.

2. The Town Council will hold at least one duly advertised public hearing on the proposed Agreement**s**. Notice of the proposed Agreement**s** shall be served upon the owners of all parcels proposed to be incorporated into the Town limits **and to owners of adjoining and immediately adjacent properties**. One notice sent by first class mail to the last known address of the owners of such parcels as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that affidavits are signed by each local governing body **stating** that such mailings have been made.

3. The Town Council will vote to either conditionally approve or deny the **Applicant Agreement** associated with the proposed annexation. This vote will occur concurrently with a vote to submit the Voluntary Settlement of Annexation Agreement to the Commission on Local Government for its review in accordance with the requirements of section 15.2-3400. The Town Council will vote to either deny or approve the Voluntary Settlement of Annexation Agreement conditioned on approval of the **Applicant Agreement**.

4. If the **Voluntary Settlement of Annexation** Agreement is conditionally approved by both jurisdictions, the Town will coordinate with Loudoun County to present the proposed Voluntary Settlement Agreement to the Commission on Local Government (COLG) pursuant to Va. Code section 15.2-3400.

5. Upon receipt of the Commission report, the Town and County shall approve either the original or a modified agreement in accordance with the requirements of Va. Code section 15.2-3400 by ordinance passed by the recorded affirmative vote of a majority of members of each governing body. The Town shall hold a public hearing noticed in accordance with Va. Code section 15.2-3400 prior to final approval of an agreement modified in any substantive manner after the receipt of the COLG recommendations.

6. Following approval of the Voluntary Settlement Agreement, the Town Council and County Board of Supervisors shall petition the Loudoun County Circuit Court for an order approving the proposed settlement by a special court appointed pursuant to Va. Code section 15.2-3000 et seq.

7. **Any property hereafter incorporated into the Town through voluntary settlement of annexation shall be zoned either the RA-1, Residential Annexation District, or the CA-1, Commercial Annexation District, without further action by the Town Council. The Town Council may, through approval of a zoning map amendment processed concurrently with the annexation, establish a Planned Development (PD) Zoning District specific to the uses and concept plan approved with the annexation. The zoning designation shall remain in effect until amended in accordance with Chapter 42, Zoning, Section 42-34.**

8. After the property is brought into the Town's jurisdictional limits, the Town Council will prepare an amendment to the Comprehensive Plan that assigns a planned land use designation to the newly incorporated property, and will refer such amendment to the Planning Commission for public hearing and recommendation, all pursuant to Va. Code Section 15.2-2229, as amended.

Town-Initiated, Traditional Annexation, shall be processed in accord with Va. Code section 15.2-3200 et seq.

1. **Pursuant to Section 42-150 of the Zoning Ordinance, upon approval of a Town-initiated traditional annexation, the property will automatically be zoned to the CRA-1, Commercial And Residential Annexation Zoning District without further action by the Town Council**. ~~**If the owner of property that has been incorporated into the Town limits seeks a rezoning of the property within 12 months of its incorporation, the Town will utilize the materials and referrals submitted in the application process to the greatest extent possible in its review of the rezoning application.**~~

2. After the property is brought into the Town's jurisdictional limits, the Town will prepare an amendment to the Comprehensive Plan that assigns a planned land use designation to the newly-incorporated property, and will refer such amendment to the Planning Commission for public hearing and recommendation, all pursuant to Va. Code § 15.2-2229, as amended.

Administration

1. **Following the Incorporation of additional territory within the Town boundaries by any of the foregoing methods, the property shall then become subject to all applicable ordinances and policies of the Town.**

2. After the boundary change becomes effective, Town staff shall ensure that required ordinances, agreements, proffers, covenants, easements, maps, and other recordable instruments are recorded or maintained as required.

Fees and Cost Reimbursement

Applicants are responsible for the base fee and must provide a deposit of $3,000 to reimburse Town costs incurred for advertising, and other public notifications, and consultant, engineering or Town Attorney review costs. If actual costs differ from amount deposited, the excess shall be paid by the applicant to the Town or difference refunded to the applicant, as applicable.

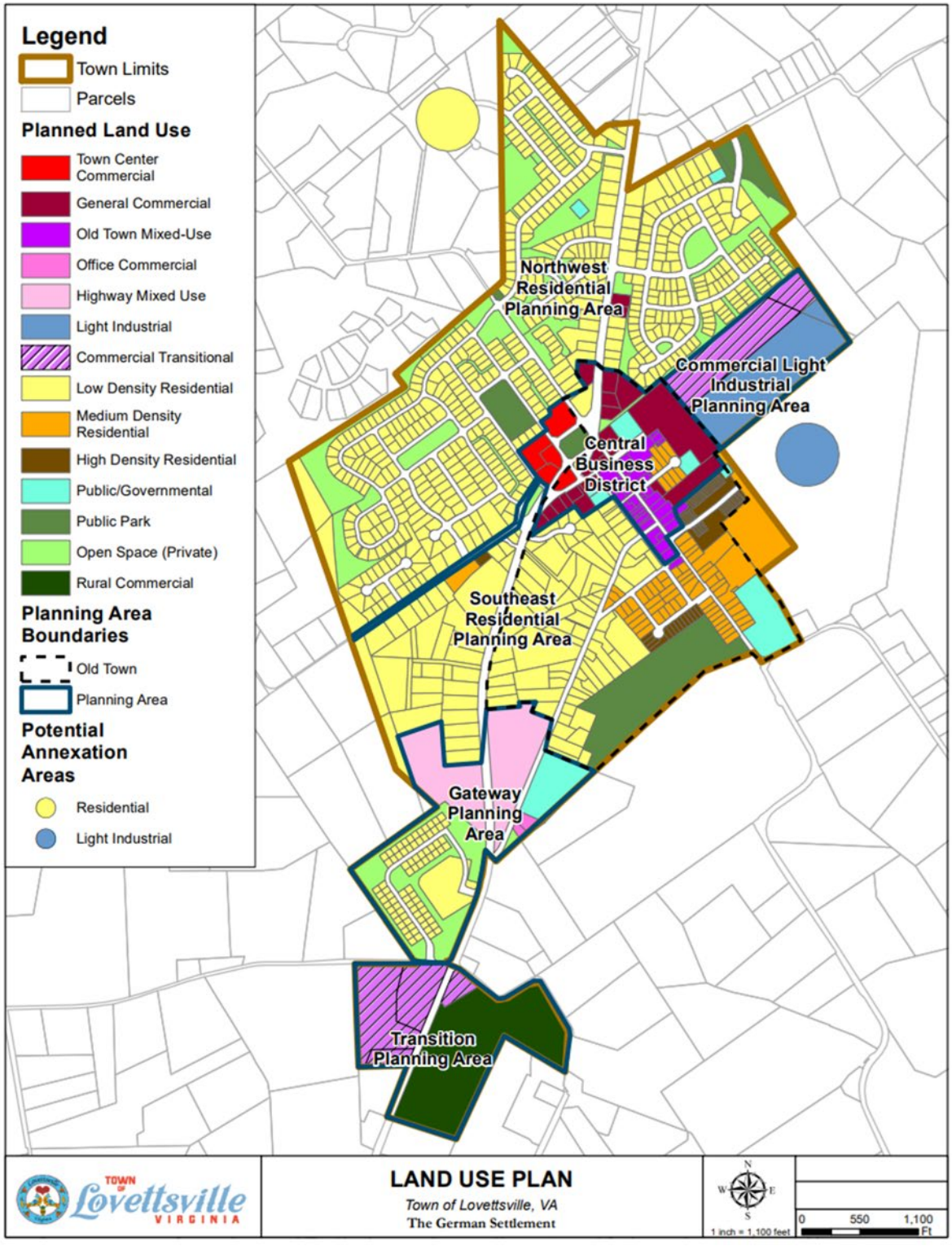
Definitions: For purposes of this procedure and the corresponding Annexation Policy approved by the Town Council,[1] the following terms shall have the meanings ascribed below:

Boundary Line Adjustment: A change in the Town's municipal boundaries by agreement of the Town Council and Loudoun County Board of Supervisors in accordance with the requirements of Va. Code section 15.2-3106 et seq.

Voluntary Settlement of Annexation: The incorporation of land into the municipal boundaries of the Town by agreement of the Town Council and Loudoun County Board of Supervisors that may address any or all of the topics as provided by Va. Code section 15.2-3400.

Traditional Annexation: The incorporation of land into the municipal boundaries of the Town by judicial process initiated by the Town or the owners of the majority of the property to be incorporated in accordance with the provisions of Va. Code section 15.2-3200 et seq.

[1] The methods for changing municipal boundaries recommended for adoption into the policy and this procedure are not those exclusively available under the Code of Virginia. See Subtitle III (Boundary Adjustments and Changes of Status of Counties, Cities and Towns) of Title 15.2, Va. Code Ann.


Legend
Town Limits
Parcels
Planned Land Use
Town Center Commercial
General Commercial
Old Town Mixed-Use
Office Commercial
Highway Mixed Use
Light Industrial
Commercial Transitional
Low Density Residential
Medium Density Residential
High Density Residential
Public/Governmental
Public Park
Open Space (Private)
Rural Commercial
Planning Area Boundaries
Old Town
Planning Area
Potential Annexation Areas
Residential
Light Industrial
Northwest Residential Planning Area
Commercial Light Industrial Planning Area
Central Business District
Southeast Residential Planning Area
Gateway Planning Area
Transition Planning Area
TOWN OF Lovettsville VIRGINIA
LAND USE PLAN
Town of Lovettsville, VA
The German Settlement
N
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1 inch = 1,100 feet
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LVZA 2026-0001, Amendments to Chapter 42, Zoning Ordinance

Sec 42-150 Annexed Territory

Any property hereafter annexed to the Town or incorporated through a boundary line adjustment shall be automatically zoned either the RA-1 Residential Annexation District or the CA-1 Commercial Annexation District, unless the Town Council, through approval of a zoning map amendment, establishes a Planned Development (PD) District specific to the uses and concept plan approved with the application. The zoning designation shall remain in effect until amended in accordance with Section 42-34.

Sec 42-155 Planned Development District (PD)

(a) *Purpose*. A Planned Development (PD) District may be applied to land rezoned for the specific uses and design approved through a zoning map amendment. The district provides a land use approach that achieves development projects offering greater public benefits than could be achieved through conventional zoning, minimizes potential conflicts among land uses, and protects natural, environmental, and historic

(b) *Applicability.* A PD District shall apply only to property specifically identified in the adopting ordinance and shall be depicted on the Zoning Map by the zoning map amendment case number. Each PD District constitutes a separate zoning district whose regulations are established by the adopting ordinance and approved plans, regulations, and standards.

(c) *Establishment of District*. The Town Council may establish a PD District upon making the following findings:

- **(1) The development is consistent with the Comprehensive Plan;**
- **(2) The development satisfies the criteria of Section 42-34.**
- **(3) Adequate public facilities are available or will be provided; and**
- **(4) The development promotes the public health, safety, convenience, and general welfare.**

(d) *District Regulations*. The regulations governing each Planned Development District shall be established in the ordinance approving the district and may include, but are not limited to:

- **(1) permitted or prohibited uses;**
- **(2) accessory uses;**
- **(3) density;**
- **(4) floor area;**
- **(5) building height;**

(6) setbacks;
(7) lot coverage;
(8) parking requirements;
(9) landscaping;
(10) buffering;
(11) open space;
(12) architectural standards;
(13) transportation improvements;
(14) utility improvements;
(15) environmental protection measures;
(16) other conditions of approval

(e) *Applicable Standards*. Unless specifically modified by the approving ordinance, all applicable provisions of the Zoning Ordinance shall remain in effect.

(f) *Development Compliance*. Development shall occur only in conformance with the approved concept development plan, regulations, and standards, which by incorporation into the adopting ordinance, shall become part of the zoning regulations governing the property.

(g) *PD District Components*. A PD Zoning District shall include the following elements:

(1) A Purpose Statement that specifically address the following:
- **a. How the PD Zoning District conforms with the Comprehensive Plan; and**
- **b. A summary of benefits that will be achieved with the proposed PD District.**

(2) Development Standards with the following required elements:
- **a. Minimum and maximum number of dwelling units by dwelling unit type;**
- **b. Minimum and maximum nonresidential floor area;**
- **c. Minimums and maximums for the following dimensional standards:**
  - **i. Lot size, width, and depth;**
  - **ii. Front, side, and rear yard;**
  - **iii. Lot coverage; and**
  - **iv. Building height; and**
- **d. The uses permitted within the PD District designated as Permitted or Conditional Uses. Uses not listed are not permitted in the PD District;**
- **e. Minimum area of open space;**
- **f. Standards for roads, sidewalks, and trails;**
- **g. Building design standards; and**
- **h. The type and timing of on-site amenities to be provided.**

(3) A Concept Development Plan containing:

- **a. A land use plan detailing the location of structures and uses to be developed on site and within each structure;**
- **b. A phasing plan, if more than 1 phase is contemplated;**
- **c. Location of roads, alleys, parking and loading areas;**
- **d. Location of all pedestrian and bicycle facilities;**
- **e. Location of open space including buffer; landscaped areas; active and passive recreation areas; and conservation areas; and**
- **f. Location of required public facilities and utilities.**

(h) *PD District Amendments*. Any amendment to a PD District shall be processed in accordance with Section 42-34.

Sec 42-233 CRA-1 Commercial And Residential Annexation District

(a) Purpose. **This district is intended to apply to property currently zoned CRA-1, or hereafter incorporated into the Town by Traditional Annexation per the Town Annexation Process and is not intended to be applied to a voluntary settlement of annexation or boundary line adjustment.** It is intended to be compatible with the Loudoun County Zoning Ordinance so that territory brought into the corporate limits of the Town possesses the development rights similar to the rights it possessed as unincorporated land located outside the limits of the Town. This district is the Town's lowest-density zoning district and is intended for commercial, institutional, low-density residential and other such uses as may be compatible with the low-density character of properties located outside the limits of the Town.

(b) Permitted and Conditional Uses. Refer to Section 42-151, Table 1, Uses by Zoning District Conditional Uses may be permitted with a conditional use permit.

(c) Lot requirements.

(1) Size: 12,000 square feet minimum, exclusive of floodplain and wetlands.

(2) Width: The minimum lot width measured at the front setback line shall be 80 feet.

(3) Front yard: Main structures shall be located not less than 25 feet from any street right-of-way, provided that the maximum setback requirement shall not apply to fire, rescue and police stations. Detached private garages shall be setback at least 20 feet from the building line of the main structure.

(4) Side yards: The minimum total width of the side yards for each main structure shall be 25 feet, with a minimum setback of ten feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.

(5) Rear yard: Main structures shall have a minimum rear setback of 25 feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.

(6) Modifications of required yards: Building restriction lines, setbacks and yard requirements may be reduced by the Town Council in conjunction with a conditional use permit. Such application shall specifically outline the lot size, lot width and yard standards and define the need. Permitted uses, conditionally permitted uses and maximum lot yield or maximum residential density shall not be modified by this provision.

(7) Length/width ratio: 3.0:1 maximum.

(8) Minimum open space area: A minimum of 45 percent of the site area shall be provided in open space. For the purpose of calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplains, slopes greater than 25 percent and wetlands. Additional open space shall be provided in a sufficient amount that the maximum lot yield or maximum residential density is not exceeded based on the overall area of the parcel(s) to be subdivided or developed, excluding floodplains, public roads dedications and private access and alleyway easements, slopes greater than 25 percent and jurisdictional wetlands. Open space shall be preserved by means of a permanent open space easement or similar legal instrument acceptable to the Town Council.

(9) Lot coverage: Lot coverage by all buildings on a lot shall not exceed 30 percent of the total lot area.

(10) Building height: 35 feet maximum for all main buildings and structures, including buildings and structures accessory thereto. No accessory structure shall exceed the height of the principal structure.

(11) Maximum lot yield: For any residential subdivision or development involving the construction of single-family detached dwellings, the maximum lot yield within the CRA-1 District shall be one dwelling unit per five acres.

(e) Utility requirements. All public utilities located within the CRA-1 district shall be located underground and shall be designed pursuant to Article VI of chapter 30, required installation of public improvements, section 30-157, public utilities installation standards.

(f) Applicants should also refer to Section 42-257, Purpose, Specific Requirements for All Districts, for additional location, hours of operation and wellhead protection standards for commercial uses.

Sec 42-240 RA-1 Residential Annexation District-1

(a) Purpose. This district is intended to regulate and administer land which hereafter is incorporated into the Town limits by Voluntary Settlement of Annexation or Boundary Line Adjustment and by development agreement and voluntary commitments, approved for residential development. It is intended that territory brought into the corporate limits of the Town possesses the residential development

rights similar to the rights it possessed as unincorporated land located outside the limits of the Town.

(b) Permitted and Conditional Uses. Refer to Section 42-151, Table 1, Uses by Zoning District.

(c) Lot requirements.

(1) **Size: 12,000 square feet minimum, exclusive of floodplain and wetlands.**

(2) **Width: The minimum lot width measured at the front setback line shall be 80 feet.**

(3) **Front yard: Main structures shall be located not less than 25 feet from any street right-of-way, provided that the maximum setback requirement shall not apply to fire, rescue and police stations. Detached private garages shall be setback at least 20 feet from the building line of the main structure.**

(4) **Side yards: The minimum total width of the side yards for each main structure shall be 25 feet, with a minimum setback of ten feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.**

(5) **Rear yard: Main structures shall have a minimum rear setback of 25 feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.**

(6) **Modifications of required yards: Building restriction lines, setbacks and yard requirements may be reduced by the Town Council in conjunction with a conditional use permit. Such application shall specifically outline the lot size, lot width and yard standards and define the need. Permitted uses, conditionally permitted uses and maximum lot yield or maximum residential density shall not be modified by this provision.**

(7) **Minimum open space area: A minimum of 45 percent of the site area shall be provided in open space. For the purpose of calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplains, slopes greater than 25 percent and wetlands. Additional open space shall be provided in a sufficient amount that the maximum lot yield or maximum residential density is not exceeded based on the overall area of the parcel(s) to be subdivided or developed, excluding floodplains, public roads dedications and private access and alleyway easements, slopes greater than 25 percent and jurisdictional wetlands. Open space shall be preserved by means of a permanent open space easement or similar legal instrument acceptable to the Town Council.**

(8) **Lot coverage: Lot coverage by all buildings on a lot shall not exceed 30 percent of the total lot area.**

(9) **Building height: 35 feet maximum for all main buildings and structures, including buildings and structures accessory thereto. No accessory structure shall exceed the height of the principal structure.**

(10) **Maximum lot yield: For any residential subdivision or development involving the construction of single-family detached dwellings, the maximum lot yield within the RA-1 District shall be one dwelling unit per five acres.**

(d) Utility requirements. All public utilities located within the RA-1 district shall be located underground and shall be designed pursuant to Article VI of chapter 30, required installation of public improvements, section 30-157, public utilities installation standards.

Sec 42-261 CA-1 Commercial Annexation District

(a) Purpose. This district is intended for use in regulating and administering land which has been incorporated into the Town limits by Voluntary Settlement of Annexation or Boundary Line Adjustment, and by development agreement and voluntary commitments, approved for commercial development. It is intended to be compatible with the Loudoun County Zoning Ordinance so that territory brought into the corporate limits of the Town possesses the commercial development rights similar to the rights it possessed as unincorporated land located outside the limits of the Town.

(b) Permitted and Conditional Uses. Refer to Section 42-151, Table 1, Uses by Zoning District.

(c) Lot requirements.

(1) **Size: 12,000 square feet minimum, exclusive of floodplain and wetlands.**

(2) **Width: The minimum lot width measured at the front setback line shall be 80 feet.**

(3) **Front yard: Main structures shall be located not less than 25 feet from any street right-of-way, provided that the maximum setback requirement shall not apply to fire, rescue and police stations. Detached private garages shall be setback at least 20 feet from the building line of the main structure.**

(4) **Side yards: The minimum total width of the side yards for each main structure shall be 25 feet, with a minimum setback of ten feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.**

(5) **Rear yard: Main structures shall have a minimum rear setback of 25 feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.**

(6) **Modifications of required yards: Building restriction lines, setbacks and yard requirements may be reduced by the Town Council in conjunction with a**

conditional use permit. Such application shall specifically outline the lot size, lot width and yard standards and define the need. Permitted uses, conditionally permitted uses and maximum lot yield or maximum residential density shall not be modified by this provision.

(7) **Minimum open space area: A minimum of 45 percent of the site area shall be provided in open space. For the purpose of calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplains, slopes greater than 25 percent and wetlands. Open space shall be preserved by means of a permanent open space easement or similar legal instrument acceptable to the Town Council.**

(8) **Lot coverage: Lot coverage by all buildings on a lot shall not exceed 30 percent of the total lot area.**

(9) **Building height: 35 feet maximum for all main buildings and structures, including buildings and structures accessory thereto. No accessory structure shall exceed the height of the principal structure.**

(d) Utility requirements. All public utilities located within the CA-1 district shall be located underground and shall be designed pursuant to Article VI of chapter 30, required installation of public improvements, section 30-157, public utilities installation standards.

(e) Applicants should also refer to Section 42-257, Purpose, Specific Requirements for All Districts, for additional location, hours of operation and wellhead protection standards for commercial uses.

Sec 42-304 Solar Photovoltaic (PV) And Micro Wind Turbine (MWT) Systems

(c) Permitted Zoning Districts.

a. Building-mounted PV systems are permitted in all zoning districts as an accessory use to any permitted principal use on the same lot provided they generate electricity for a use on the same property rather than for commercial or utility generation purposes. Such systems may allow customers to receive a credit for surplus electricity.
b. Ground-mounted PV systems shall be limited to the CI-1 Commercial And Limited Industrial/Flex District provided they generate electricity for a use on the same property rather than for commercial or utility generation purposes. Such systems may allow customers to receive a credit for surplus electricity.
c. MWT systems shall be permitted only in the CRA-1, Commercial Residential Annexation**, RA-1, Residential Annexation, and CA-1, Commercial Annexation districts,** and the CI-1, Commercial Limited Industrial/Flex, zoning districts and provided they generate electricity only for a use on the same property rather than for commercial or utility generation purposes. Such systems may allow customers to receive a credit for surplus electricity.

Town of Lovettsville Annexation Policy

Amended 2026-11-12

ANNEXATION GOAL: To support and facilitate boundary line adjustments and annexation of sites or properties in support of economic development and revenue enhancement while avoiding large-scale residential annexation that ~~**would exceed the limits of development incorporated as a policy in the Town's Comprehensive Plan.**~~ **would push the town near or over the population that would require town maintenance of roads from the Commonwealth.**

LEGAL FOUNDATION

The Loudoun County General Plan **(Chapter 2, Land Use – The Towns and Joint Land Management Areas)**~~**(Chapter 9 – The Towns)**~~ Subcategory **County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines** ~~**Growth Management Policies**~~ reads that "**the County and the incorporated Towns will explore entering into annexation agreements to facilitate the annexations of properties that are receiving Town sewer and water services and are compatible with Town comprehensive plans** ~~**the County will coordinate with the Towns on development issues in order to promote fiscally balanced growth that will not unduly strain County or Town resources including County and Town budgets, the natural environment, public facilities, and utilities**~~".

Furthermore, the General Plan (**Chapter 2 – Towns and JLMAs** ~~**Chapter 9 – The Towns**~~) includes the Town of Lovettsville Area Policies adopted by the Town Council as specifically outlined in the Town's Comprehensive Plan.

In this regard, there is also specific language in the General Plan under the category Lovettsville Area Policies **stating** that **the County will cooperate with the Town of Lovettsville, pursuant to County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines, on boundary-line adjustments to resolve jurisdictional questions, to serve public and civic uses, and to support the Town of Lovettsville's economic goals and priorities**~~**".**~~

~~**And**~~, The General Plan (**Chapter 2 – Towns and JLMAs** ~~**Chapter 11 – Implementation**~~) **includes** ~~**the**~~ **Town of Lovettsville Area Policies stating that the County will cooperate with the Town of Lovettsville, pursuant to County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines on boundary-line adjustments to resolve jurisdictional questions, to serve public and civic uses, and to support the Town of Lovettsville's economic goals and priorities.** ~~**specifically states, "All Towns may proceed with annexations or with corporate boundary line adjustments irrespective of whether the Town has a Joint Land Management Area. In cases where there is a need to make a minor adjustment to a**~~

~~**corporate boundary, the town and County may process a corporate boundary line adjustment pursuant to the State Code provisions. For incorporation of property which is more expansive in size or will have broader jurisdictional and land use implications for the Towns as well as the County, an annexation proceeding is appropriate. The State Code provisions apply to annexations, and the County will work with each Town on an annexation pursuant to State requirements."**~~

The General Plan (Chapter 2 – County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines) states, Towns may proceed with annexations or with corporate boundary line adjustments irrespective of whether the Town has a Joint Land Management Area. The State Code provisions apply to annexations, and the County will work with each Town on an annexation pursuant to State requirements.

LOVETTSVILLE ANNEXATION POLICY

In conjunction with the County's General Plan and Section 15.2 of the Code of Virginia, the Town of Lovettsville has established an Annexation Policy in order to ~~pursue~~ **consider**, under those circumstances outlined below, boundary line adjustments and/or annexation of property within the County consistent with Loudoun County's General Plan and the Town of Lovettsville Comprehensive Plan. The Town of Lovettsville Annexation Policy states:

Guiding Principles

~~It is the intent of the Town to approve~~ **The Town intends to approve for incorporation into the Town's limits only those properties** ~~only~~ with development related plans ~~for incorporation into the Town's limits~~ that are consistent with the ~~**other chapters of the**~~ Town's Comprehensive Plan **or other strategic plans**. The Town does not plan to arbitrarily pursue boundary line adjustments or annexation of properties from the County **if doing so would be** ~~which are~~ inconsistent in any way with the ~~**other chapters of the**~~ Town's Comprehensive Plan **or other strategic plans**.

The Town's annexation priorities are to preserve Lovettsville's small-town character, minimize residential population growth, and encourage beneficial commercial annexations that strengthen the Town's long-term economic sustainability, while maintaining peaceful aesthetics and unobstructed view sheds of the surrounding area.

The Town supports annexation proposals that would expand employment, tourism, agricultural business, civic, and commercial opportunities while remaining compatible with the Town's traditional scale, rural setting, and infrastructure

capacity, as detailed in the comprehensive plan. Residential annexations and higher density land uses should be avoided.

Residential annexations and higher density land uses ~~shall~~ should be avoided. However, when ~~except in circumstances where~~ the Town Council determines that a proposal provides a substantial benefit that clearly advances the long-term interests, the proposal may be considered, but only if it would not increase the Town's population beyond the limit that would require the Town take responsibility for maintaining public roads. ~~while remaining under the projected population that would require the Town maintenance of roads from the Commonwealth.~~ The terms and conditions of this Policy shall apply in the same way as other types of proposed developments.

The Town does, however, recognize the need to consider boundary line adjustments and annexations **~~in the future in those cases where it is necessary to enable the development of certain existing Town properties, consistent with the other chapters of the Town's Comprehensive Plan. In other words, where~~** when a boundary line adjustment or voluntary settlement annexation of additional property from the County completes a project that is already consistent with the other chapters of the Town's **Comprehensive Plan, resolves a public health or public administration issue that cannot be resolved by other means.**

Under Traditional Annexation, the Town's intent is to only pursue annexation if the majority of affected property owners support the annexation.

Economic Development and Fiscal Benefit

The Town will **consider** **~~seek~~** opportunities to annex properties **that** **~~to~~** **support economic growth and revenue expansion**, **and that are consistent with the land use and design objectives of the Comprehensive Plan**.
~~allow for further commercial, light-industrial, and office developments in support of economic growth and revenue expansion~~.

Subject to the remaining requirements of this Policy, the Town may give priority to annexations that:

- **support commercial, employment, tourism, agricultural business, light-industrial, institutional, or civic uses consistent with the Comprehensive Plan;**
- **correct split parcels, irregular boundaries, or other jurisdictional conditions that impede logical development or public administration;**

- **allow completion of a project already substantially located within Town, where the project is otherwise consistent with the Comprehensive Plan;**
- **provide a clearly demonstrated public facility or infrastructure benefit; or**
- **address a documented public health or utility need that cannot reasonably be addressed through a service agreement without annexation.**

The Town Staff shall perform a financial analysis of all proposals of properties proposed to be incorporated into the Town and present their conclusions, findings and recommendations to the Town Council specifically outlining the costs the Town will incur to serve the site, as well as the financial or fiscal benefits, including all sources of revenue, that will accrue to the Town once the incorporation is complete. The financial analysis shall be an integral part of the Town's review and approval process.

Required Evaluation

Before authorizing an applicant-initiated annexation to proceed to final agreements, Town staff shall prepare a written evaluation addressing, at minimum:

- **Comprehensive Plan consistency and the intended Town zoning designation;**
- **existing and proposed land uses, density, intensity, design, open space, and phasing;**
- **water and sewer capacity, extension costs, and required upgrades;**
- **transportation, road-maintenance, traffic, pedestrian, bicycle, and access impacts;**
- **stormwater, environmental, historic, viewshed, and agricultural impacts;**
- **emergency services, schools, parks, solid waste, snow removal, administrative services, and other service impacts, as applicable;**
- **population impact, including approved but unbuilt dwelling units and a reasonable buildout forecast;**
- **fiscal impact;**
- **the applicant's implementation schedule, financial readiness, and proposed security for required public improvements; and**
- **the legal instruments proposed to secure commitments relied upon by the Town.**

~~Development~~ Applicant Agreements and Voluntary Commitments

As part of any proposed annexation or boundary line adjustment, the Town may request and the property owner(s) may voluntarily offer a written agreement or similar binding commitment identifying specific proposed land uses, development

characteristics, design elements, operational limitations, infrastructure improvements, or other conditions associated with a landowner-initiated annexation request. The agreement shall include a schedule for initiating or completing necessary development applications or infrastructure plans.

Such agreements may be considered by the Town Council as part of its evaluation of whether the proposed annexation is consistent with the Town's comprehensive plan, infrastructure capacity, fiscal objectives, small-town character, and overall long-term interests of the Town. The Town shall complete or conditionally approve the associated land-use controls before, or concurrently with, final approval of the boundary change.

Any voluntary agreement accepted by the Town may be incorporated into the annexation approval and shall be enforceable by the Town through any lawful means available, including injunctive relief, specific performance, or other legal remedies authorized under Virginia law. The commitments shall bind successors and assigns.

The purpose of such agreements is to ensure that the development proposals presented in support of the annexation remain substantially consistent with the representations, commitments, and public benefits relied on by the Town Council in approving the annexation request and necessary implementation actions are initiated in a timely manner.

Residential Buildout

It is **not** the intent of this Annexation Policy, ~~**neither**~~ through boundary line adjustments or annexation to exceed the ~~**maximum**~~ **population** limit~~**s of buildout**~~ that has been **specified in this policy** ~~**calculated and incorporated as a Policy in the other chapters of the Town's Comprehensive Plan**~~.

~~**Efforts by the Town to consider boundary line adjustments or annexation of properties shall not be limited only to those contiguous sites identified in the Economic Development section of the Comprehensive Plan. It may be deemed to be in the Town's best interest to consider sites that may include a residential component as part of a proposed mixed use or conceptual development plan on an individual parcel in the Town or contiguous to the Town.**~~

~~**Consideration of**~~ **A B**oundary line adjustment or **voluntary agreement** annexation of proposed residential property shall be considered on a case by case basis. ~~**If considered,**~~

The terms and conditions of this Policy shall apply in the same way as other types of proposed developments.

Utilities Services

Water and sewer service provided by the Town shall be required of all incorporated properties. The cost of extending and installing water and sewer services to the annexed property shall be borne by the applicant. Annexing a property shall be considered only if there is adequate water and sewer capacity and service can be provided consistent with Town policies and the Water and Sewer Master Plan identified in the Plan. ~~**In all cases where the Town intends to adjust a boundary line or annex property into the Town, water and sewer service shall be provided by the Town and shall follow the Town's Water and Sewer Master Plan (to be developed). The cost of extending and installing Water and Sewer services to the boundary line or annexed property shall be borne by the applicant. Under no circumstances shall the Town be required to provide water and sewer service to the property unless**~~

Incorporating a property into the Town shall be contingent on an agreement and commitments provided by the property owner(s) ensuring timely construction of utilities and initiation of the necessary land use applications.

It is contemplated that properties in the County adjacent and contiguous to the Town may face in the future failing septic systems and or contaminated or dried up wells. The County and/or Commonwealth may approach the Town to consider providing water and/or sewer service to these properties. A Water and Sewer Agreement may suffice if the Town choses to provide water and/or sewer service to these properties. The full cost of providing such service shall be borne by the property owners, Commonwealth, and/or the County. In its sole discretion, the Town may consider adjusting the boundary line of the Town or annexing those properties into the Town in order to provide water and sewer services. ~~**to the property. Under this scenario,**~~ The property owners or the County shall be fully responsible for the cost of providing such services.

LOVETTSVILLE ANNEXATION PROCESS

~~**There will be a process,**~~ **The** Town of Lovettsville Process for Annexation, Appendix A, **will be** approved by the Town upon approval of this **annexation** policy, ~~**that will**~~ **to** regulate the processing of all ~~**applications and submissions for**~~ boundary line adjustments and **voluntary agreement** annexations in the Town. All applications for either a boundary line adjustment or annexation shall be considered under the terms and conditions set forth in the Lovettsville Process for Annexation. The Lovettsville Process of Annexation has been determined to be in accordance with Loudoun County's General

Plan guidelines and the Code of Virginia which regulates boundary line adjustments and annexation of properties amongst jurisdictions.

LOVETTSVILLE ANNEXATION MAP

Appendix B to this policy is **the Comprehensive Plan Land Use Plan** ~~**a Land Use Map/Outlying Properties**~~ as amended from time to time identifying those sites or properties located outside the Town corporate limits that are contiguous to the Town and may be considered for **annexation and** future development.

Town of Lovettsville
Process for Annexation

Without limiting or amending the statutory processes identified in Section 15.2 of the Code of Virginia by which Boundary Line Adjustment or annexations may occur, the following describes the process by which the Town of Lovettsville will accept, review, and act upon applications for Boundary Line Adjustments and **Voluntary Settlement of** Annexation.

Process Required for an Application for Boundary Line Adjustment or Voluntary Settlement ofAnnexation

1. Application Submission
   Applications for Annexation to adjust the jurisdictional boundary line between the Town of Lovettsville and Loudoun County will be submitted to the Town for processing. Applications must include an application fee (to be determined) in addition to the necessary documentation materials. The following ~~**application**~~ **documentation** materials are required:

   - A plat of the proposed boundary line adjustment showing both details of the proposed boundary line adjustment and the proposed boundary line adjustment in the context of the surrounding properties. The plat ~~**shall**~~ **will** include the following information for the subject property and surrounding properties: zoning designation, existing use, parcel identification number, natural features, existing streets and driveways, and ownership information. This plat must be submitted in both digital and paper forms.

   - A description of the proposed project, including a ~~**concept**~~ development **concept** plan showing, (i) proposed land uses; (ii) the general location of proposed structures; (iii) a vehicular and pedestrian circulation plan; (iv) open space; (v) minimum and maximum proposed densities for each use; (vi) proposed Town zoning district(s); (vii) special amenities; (viii) existing site features such as floodplain, steep slopes, and tree cover; and (ix) detailed site plan showing how the property will be served by water and sewer by the town and how it will it be connected to the existing lines in the town. ~~**At the application stage the development plan of the proposed project shall not be binding on either the applicant or the Town.**~~ **A concept plan submitted at the initial application stage is not, by itself, binding. Before final annexation approval, the material portions relied upon by the Town must be incorporated into the legally enforceable Applicant Agreement or zoning district.**

   - A statement of justification, describing how the subject property is eligible for incorporation into the Town boundary under the specific section of the Code of Virginia and how the proposed development will benefit the Town. The Statement of Justification ~~**should**~~ **will** include a description of how the

proposed development meets goals of the Town's Comprehensive Plan, and a proposed planned land use designation. The Statement of Justification should also describe how the land is planned and zoned under Loudoun County's plans and ordinances.

- A traffic evaluation describing the capacity of **all** ~~**surrounding**~~ roads **that will serve or be impacted by the future development**, providing an estimate of existing **and projected** traffic volumes ~~**(using available data to the greatest extent possible)**~~, and providing an estimate of the traffic generated by potential future land uses.

- ~~**Applicant is required to reimburse the town for the cost of required legal, fiscal, and engineering reviews.**~~

2. Notification of Town Council by Town Manager
   Upon receipt of an application for annexation the Town Manager ~~**shall**~~ **will** notify the Town Council.

3. Notification of County Administrator by Town Manager
   The Town Manager ~~**shall**~~ **will** notify the County Administrator, and/or designee, of receipt of the application and schedule a meeting with staffs of both Town and County to brief the County on the application.

4. Application Review by Staff.
   Once the Zoning Administrator receives a complete application for a Boundary line adjustment or **voluntary settlement of** annexation, the staff ~~**shall**~~ **will** distribute the application for review and comment to Loudoun County and VDOT staff. The Town ~~**shall**~~ **will** undertake a comprehensive review of the application for its impact on: (a) water and sanitary sewer capacity and infrastructure, (b) storm water **management**, (c) emergency services, (d) recreational facilities, (e) tax revenues, (f) schools, (g) transportation infrastructure, (h) population growth impact, (i) trash collection, snow removal, and other Town services, and will evaluate whether the proposal furthers goals set forth in the Town's Comprehensive Plan. Staff ~~**shall**~~ **will** assemble the comments and questions from the various referral agencies and send the comments and questions to the applicant to allow the applicant to modify **the proposal** as needed.

5. Meeting between Town and County Staff
   Once the applicant finalizes ~~**their**~~ **its** application based on agency comments, the Town Staff will meet and discuss the application with the Loudoun County Administrator, County Attorney, and/or County Staff. Based on these discussions, and once the County Attorney and Staff complete their initial review and issues written comments on the application, Town Staff will develop a Staff Report for Town Council and the Planning Commission. The Staff Report shall include a recommendation to either approve or deny the application.

6. Scheduling of the Joint Town Council/Planning Commission Public Hearing

The Town Clerk shall schedule a Public Hearing for the purpose of informing the public of the anticipated application and proposed land development. The public must be notified that an application for a boundary line adjustment or annexation has been filed with the Town, and that the public is invited to attend a community briefing on the application. The public shall be notified by (a) sending a letter by certified mail, return receipt requested, at least 15 days and no more than 30 days prior to the briefing to each property owner adjacent to the land proposed for annexation and, if one or more of the adjoining properties belongs to a Homeowners' Association, then ~~**also**~~ the town must **also** (b) place a notice on the Town Information Sign that (iii) states, "Proposed Annexation – Community Meeting on [Date] - Call [phone number] for information," and (c) ~~**publishing**~~ **publish** an advertisement in a newspaper of general circulation in the Town that is authorized by the Loudoun County Circuit Court to publish legal notices, which advertisement shall state the date, time, and location of the community briefing, and shall describe the property proposed for annexation by address, location, and parcel identification number. Said advertisement shall first appear in the newspaper at least seven days prior to the community briefing.

7. Joint Town Council/Planning Commission Public Hearing.
   Staff shall brief Town Council and Planning Commission on the application, the issues that have been identified by the various referral agencies and the corrections made by the applicant as applicable, the additional information needed to fully evaluate the application, and Staff's recommendation based on the information and referrals available.

8. Selection of Process.
   At a regularly scheduled meeting of the Planning Commission and at least 15 Days following the Public Hearing, the Planning Commission will recommend approval or denial of the application to the Town Council. At a regularly scheduled meeting of the Town Council following the Planning Commission vote, the Town Council will vote to either deny the application, or to proceed with the application by way of (i) Boundary Line Adjustment, (ii) Voluntary Settlement of Annexation, or (iii) Traditional Annexation.

If the Method Selected is Boundary Line Adjustment under Va. Code section 15.2-3106, the following shall apply:

1. Staff drafts a Boundary Line Adjustment Agreement. Town Staff in turn, will work jointly with the County of Loudoun to prepare a Boundary Line Adjustment Agreement for public hearing. Town Staff will also prepare an ~~**Water and Sewer Agreement**~~ ~~**Development**~~ **Applicant Agreement**, **which will detail specific proposed land uses, development characteristics, design elements, operational limitations, infrastructure improvements, or other conditions associated with the annexation request,** and any and all agreements deemed necessary by the town, that is conditioned upon incorporation of the property into the Town limits, ~~**which will detail the minimum and maximum water usage by the annexed property**~~. Any application

that requires new or upgraded infrastructure necessary to serve the annexed property must state the property owner's willingness to bond, pay for and construct any new or upgraded Infrastructure improvements in conjunction with the **Town's** Water and Sewer Master Plan, as well as the property owner's willingness to pay their quarterly Utility Bills (and Special Tax District Fee, if applicable) in order to maintain the new or upgraded infrastructure.

2. **The Town Council will hold at least one duly advertised public hearing** on the proposed Agreement**s**. Notice of the proposed Agreement**s** shall be served upon the owners of all parcels proposed to be incorporated into the Town limits **and to owners of adjoining and immediately adjacent properties**. One notice sent by first class mail to the last known address of the owners of such parcels as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that affidavits are signed by each local governing body that such mailings have been made.

3. **The Town Council will vote to either approve or deny the ~~Water and Sewer Development~~ Applicant Agreement and any other agreements** associated with the proposed annexation. This vote will occur concurrently with a vote to approve or deny the Boundary Line Adjustment Agreement. The Town Council will vote to either deny or approve the Boundary Line Adjustment Agreement conditioned on approval of the **~~Water and Sewer Agreement~~ ~~Development~~ Applicant Agreement** and other associated agreements. Under no conditions shall the Boundary Line Adjustment Agreement be approved without approval and concurrence of all parties to the ~~Water and Sewer~~ **~~Development~~ Applicant** Agreement and other associated agreements.

4. If the **Boundary Line Adjustment** Agreement is approved by both jurisdictions, the Town will coordinate with Loudoun County to petition, in accordance with all statutory requirements, the Loudoun County Circuit Court for approval of the Agreement.

5. ~~**If the property owner that has been incorporated through either a boundary line adjustment or annexation seeks a rezoning of the property within 12 months of its incorporation, the Town, to expedite the application, will utilize the materials and referrals submitted in the application process to the greatest extent possible in its review of the rezoning application.**~~

5. **Any property hereafter incorporated into the Town through boundary line adjustment shall be zoned either the RA-1, Residential Annexation District, or the CA-1, Commercial Annexation District, without further action by the Town Council. The Town Council may, through approval of a zoning map amendment processed concurrently with the annexation, establish a Planned Development (PD) Zoning District specific to the uses and concept plan approved with the annexation. The zoning designation shall remain in effect until amended in accordance with Chapter 42, Zoning, Section 42-34.**

6. After the property is brought into the Town's jurisdictional limits, the Town Council will prepare an amendment to the Comprehensive Plan that assigns a planned land use designation to the newly incorporated property, and will refer such amendment to the

Planning Commission for public hearing and recommendation, all pursuant to Va. Code Section 15.2-2229, as amended.

If the Method Selected is Voluntary Settlement of Annexation under Va. Code section 15.2-3400 et seq., the following process shall apply:

1. Staff drafts a Voluntary Settlement of Annexation Agreement **between the Town and the County;** ~~AND an **Water/Sewer Agreement**~~. Town Staff in turn, will work with the County of Loudoun to prepare a Voluntary Settlement of Annexation Agreement for public hearing. The agreement may address any or all of the matters identified in Va. Code section 15.2-3400 1 and 2. Town Staff will also prepare an ~~**Water and Sewer Agreement**~~ ~~**Development**~~ **Applicant Agreement** that is conditioned upon incorporation of the property into the Town limits, which will detail **specific proposed land uses, development characteristics, design elements, operational limitations, infrastructure improvements, or other conditions associated with the annexation request** ~~the minimum and maximum water usage by the annexed property~~. Any application that requires new or upgraded infrastructure necessary to serve the annexed property must state the property owner's willingness to bond, pay for and construct any new or upgraded Infrastructure improvements in conjunction with the Towns Water and Sewer Master Plan, as well as the property owner's willingness to pay their quarterly Utility Bills (and Special Tax District Fee, if applicable) in order to maintain the new or upgraded infrastructure.

2. The Town Council will hold at least one duly advertised public hearing on the proposed Agreement**s**. Notice of the proposed Agreement**s** shall be served upon the owners of all parcels proposed to be incorporated into the Town limits **and to owners of adjoining and immediately adjacent properties**. One notice sent by first class mail to the last known address of the owners of such parcels as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that affidavits are signed by each local governing body **stating** that such mailings have been made.

3. The Town Council will vote to either conditionally approve or deny the ~~**Water and Sewer Agreement**~~ ~~**Development**~~ **Applicant Agreement** associated with the proposed annexation. This vote will occur concurrently with a vote to submit the Voluntary Settlement of Annexation Agreement to the Commission on Local Government for its review in accordance with the requirements of section 15.2-3400. The Town Council will vote to either deny or approve the Voluntary Settlement of Annexation Agreement conditioned on approval of the **Water and** ~~**Sewer Agreement Development**~~ **Applicant Agreement**. ~~**Under no conditions shall the Voluntary Settlement of Annexation Agreement be approved without approval and concurrence of all parties to the Water and Sewer Agreement Development Agreement.**~~

4. If the **Voluntary Settlement of Annexation** Agreement is conditionally approved by both jurisdictions, the Town will coordinate with Loudoun County to present the

proposed Voluntary Settlement Agreement to the Commission on Local Government (COLG) pursuant to Va. Code section 15.2-3400.

5. Upon receipt of the Commission report, the Town and County shall approve either the original or a modified agreement in accordance with the requirements of Va. Code section 15.2-3400 by ordinance passed by the recorded affirmative vote of a majority of members of each governing body. The Town shall hold a public hearing noticed in accordance with Va. Code section 15.2-3400 prior to final approval of an agreement modified in any substantive manner after the receipt of the COLG recommendations.

6. Following approval of the Voluntary Settlement Agreement, the Town Council and County Board of Supervisors shall petition the Loudoun County Circuit Court for an order approving the proposed settlement by a special court appointed pursuant to Va. Code section 15.2-3000 et seq.

~~**7. If the property owner that has been incorporated through either a boundary line adjustment or annexation seeks a rezoning of the property within 12 months of its incorporation, the Town, in order to expedite the application, will utilize the materials and referrals submitted in the application process to the greatest extent possible in its review of the rezoning application.**~~

7. **Any property hereafter incorporated into the Town through voluntary settlement of annexation shall be zoned either the RA-1, Residential Annexation District, or the CA-1, Commercial Annexation District, without further action by the Town Council. The Town Council may, through approval of a zoning map amendment processed concurrently with the annexation, establish a Planned Development (PD) Zoning District specific to the uses and concept plan approved with the annexation. The zoning designation shall remain in effect until amended in accordance with Chapter 42, Zoning, Section 42-34.**

8. After the property is brought into the Town's jurisdictional limits, the Town Council will prepare an amendment to the Comprehensive Plan that assigns a planned land use designation to the newly incorporated property, and will refer such amendment to the Planning Commission for public hearing and recommendation, all pursuant to Va. Code Section 15.2-2229, as amended.

Town-Initiated, Traditional Annexation, shall be processed in accord with Va. Code section 15.2-3200 et seq.~~**, where the Town Initiates the Annexation, the following process shall apply:**~~

~~**1. The Town will meet with the property owners to inform them of the Town's intent to annex the property.**~~

~~**2. The Town shall notify Loudoun County of its intention to file an annexation lawsuit.**~~

~~3. The Town shall create a metes and bounds or other reasonably certain description of the territory it seeks to annex.~~

~~4. The Town shall notify the State Commission on Local Government ("COLG") of its intention to file an annexation lawsuit. The Town will follow the procedures outlined by the COLG in order to proceed with annexation. The Town may be required by COLG to submit a list of persons providing witness testimony by a certain date. The COLG will hold a public hearing pursuant to advertised notice. The COLG will investigate and analyze the proposed annexation, then produces a report within 6 months that is admissible as evidence before a Special Court.~~

~~5. The Town shall adopt an Annexation Ordinance containing a metes and bounds of the property to be annexed, after conducting a public hearing that is properly advertised in accordance with law.~~

~~6. The Town shall serve the Annexation Ordinance on the County.~~

~~7. The Special Court appointed by the Loudoun County Circuit Court conducts an evidentiary hearing. The Town shall carry the burden of proof to convince the Special Court. The Special Court must grant the Annexation if the Court determines that the annexation is "necessary" and "expedient," which involves consideration of the following criteria (summarized from Va. Code section 15.2-3209):~~

~~a) the need for urban services in the area proposed to be annexed;~~
~~b) the current relative level of services in the town and county;~~
~~c) compliance of the respective jurisdictions with state laws and policies;~~
~~d) natural boundaries that may exist between the jurisdictions;~~
~~e) any arbitrary refusal of either jurisdiction to enter into cooperative agreements regarding joint activities that would have benefited the citizens of both political jurisdictions;~~
~~f) the need for a town to expand its tax base;~~
~~g) the need for a town to acquire land for industrial or commercial use together with the adverse effect on the County of losing such land area, and;~~
~~h) the adverse impact on agricultural operations~~

1. **Pursuant to Section 42-150 of the Zoning Ordinance, upon approval of a Town-initiated traditional annexation, the property will automatically be zoned to the CRA-1, Commercial And Residential Annexation Zoning District without further action by the Town Council**. ~~If the owner of property that has been incorporated into the Town limits seeks a rezoning of the property within 12 months of its incorporation, the Town will utilize the materials and referrals submitted in the application process to the greatest extent possible in its review of the rezoning application.~~

2. After the property is brought into the Town's jurisdictional limits, the Town will prepare an amendment to the Comprehensive Plan that assigns a planned land use designation to the newly-incorporated property, and will refer such amendment to the

Planning Commission for public hearing and recommendation, all pursuant to Va. Code § 15.2-2229, as amended.

Administration

1. **Following the Incorporation of additional territory within the Town boundaries by any of the foregoing methods, the property shall then become subject to all applicable ordinances and policies of the Town.**

2. After the boundary change becomes effective, Town staff shall ensure that required ordinances, agreements, proffers, covenants, easements, maps, and other recordable instruments are recorded or maintained as required.

Fees and Cost Reimbursement

Applicants are responsible for the base fee and must provide a deposit of $3,000 to reimburse Town costs incurred for advertising, and other public notifications, and consultant, engineering or Town Attorney review costs. If actual costs differ from amount deposited, the excess shall be paid by the applicant to the Town or difference refunded to the applicant, as applicable.

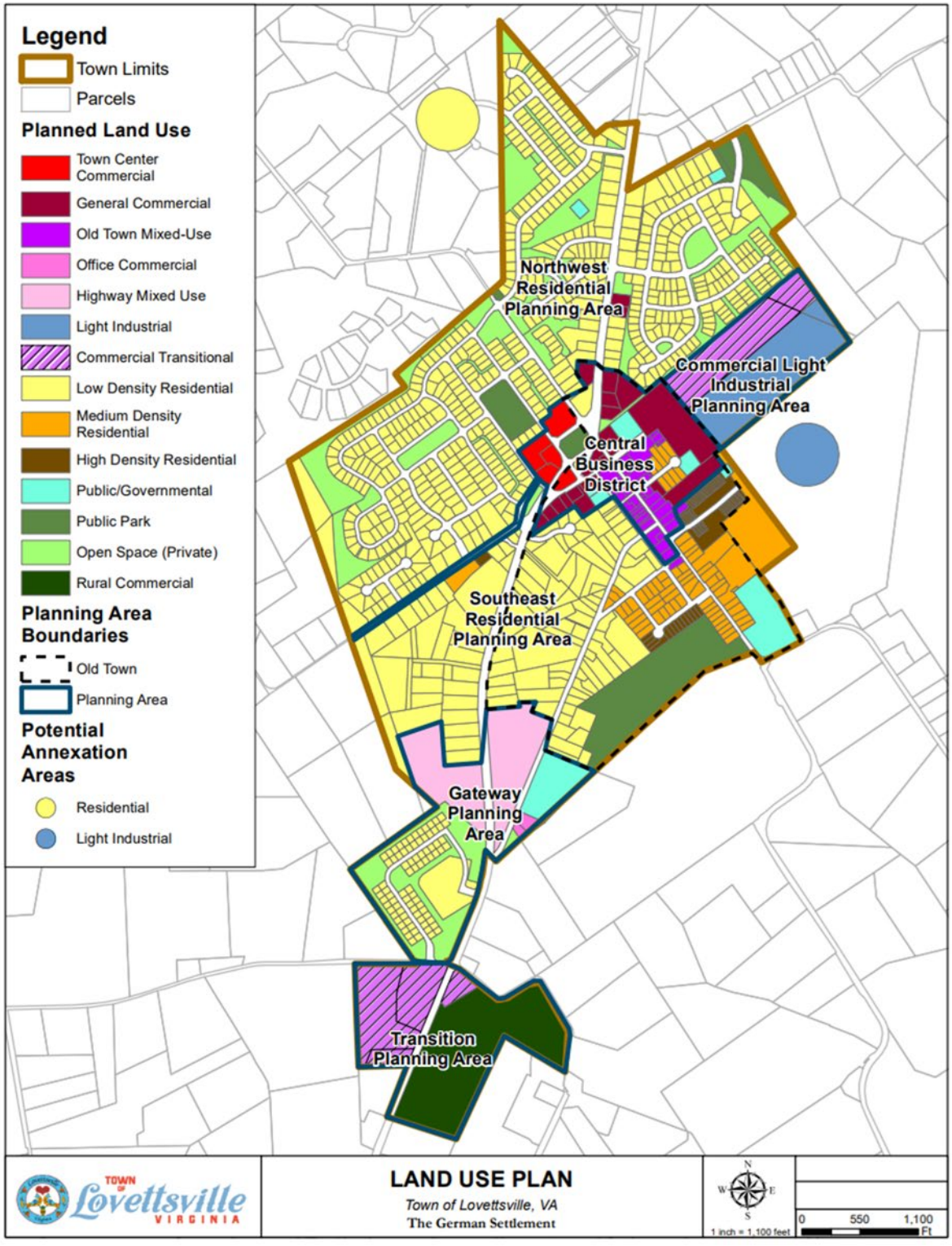
Definitions: For purposes of this procedure and the corresponding Annexation Policy approved by the Town Council,[1] the following terms shall have the meanings ascribed below:

Boundary Line Adjustment: A change in the Town's municipal boundaries by agreement of the Town Council and Loudoun County Board of Supervisors in accordance with the requirements of Va. Code section 15.2-3106 et seq.

Voluntary Settlement of Annexation: The incorporation of land into the municipal boundaries of the Town by agreement of the Town Council and Loudoun County Board of Supervisors that may address any or all of the topics as provided by Va. Code section 15.2-3400.

Traditional Annexation: The incorporation of land into the municipal boundaries of the Town by judicial process initiated by the Town or the owners of the majority of the property to be incorporated in accordance with the provisions of Va. Code section 15.2-3200 et seq.

[1] The methods for changing municipal boundaries recommended for adoption into the policy and this procedure are not those exclusively available under the Code of Virginia. See Subtitle III (Boundary Adjustments and Changes of Status of Counties, Cities and Towns) of Title 15.2, Va. Code Ann.


Legend
Town Limits
Parcels
Planned Land Use
Town Center Commercial
General Commercial
Old Town Mixed-Use
Office Commercial
Highway Mixed Use
Light Industrial
Commercial Transitional
Low Density Residential
Medium Density Residential
High Density Residential
Public/Governmental
Public Park
Open Space (Private)
Rural Commercial
Planning Area Boundaries
Old Town
Planning Area
Potential Annexation Areas
Residential
Light Industrial
Northwest Residential Planning Area
Commercial Light Industrial Planning Area
Central Business District
Southeast Residential Planning Area
Gateway Planning Area
Transition Planning Area
Town of Lovettsville Virginia
LAND USE PLAN
Town of Lovettsville, VA
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Sec 42-150 Annexed Territory

~~**Any properties which may be hereafter annexed to the town or incorporated by boundary line adjustment shall be automatically zoned CRA-1 commercial and residential annexation district without any further action. This zoning designation shall be effective upon the date the boundary line adjustment or annexation is finally approved by a court of competent jurisdiction, and shall continue until otherwise classified by the town council in accordance with section 42-34 of this chapter.**~~

Any property hereafter annexed to the Town or incorporated through a boundary line adjustment shall be automatically zoned either the RA-1 Residential Annexation District or the CA-1 Commercial Annexation District, unless the Town Council, through approval of a zoning map amendment, establishes a Planned Development (PD) District specific to the uses and concept plan approved with the application. The zoning designation shall remain in effect until amended in accordance with Section 42-34.

[New] Sec 42-155 Planned Development District (PD)

(a) ***Purpose*. A Planned Development (PD) District may be applied to land rezoned for the specific uses and design approved through a zoning map amendment. The district provides a land use approach that achieves development projects offering greater public benefits than could be achieved through conventional zoning, minimizes potential conflicts among land uses, and protects natural, environmental, and historic**

(b) ***Applicability.* A PD District shall apply only to property specifically identified in the adopting ordinance and shall be depicted on the Zoning Map by the zoning map amendment case number. Each PD District constitutes a separate zoning district whose regulations are established by the adopting ordinance and approved plans, regulations, and standards.**

(c) ***Establishment of District*. The Town Council may establish a PD District upon making the following findings:**
   (1) **The development is consistent with the Comprehensive Plan;**
   (2) **The development satisfies the criteria of Section 42-34.**
   (3) **Adequate public facilities are available or will be provided; and**
   (4) **The development promotes the public health, safety, convenience, and general welfare.**

(d) ***District Regulations*. The regulations governing each Planned Development District shall be established in the ordinance approving the district and may include, but are not limited to:**
   (1) **permitted or prohibited uses;**
   (2) **accessory uses;**
   (3) **density;**
   (4) **floor area;**
   (5) **building height;**
   (6) **setbacks;**
   (7) **lot coverage;**
   (8) **parking requirements;**
   (9) **landscaping;**

(10)buffering;
(11)open space;
(12)architectural standards;
(13)transportation improvements;
(14)utility improvements;
(15)environmental protection measures;
(16)other conditions of approval

(e) *Applicable Standards*. Unless specifically modified by the approving ordinance, all applicable provisions of the Zoning Ordinance shall remain in effect.

(f) *Development Compliance*. Development shall occur only in conformance with the approved concept development plan, regulations, and standards, which by incorporation into the adopting ordinance, shall become part of the zoning regulations governing the property.

(g) *PD District Components*. A PD Zoning District shall include the following elements:

(1) A Purpose Statement that specifically address the following:
a. How the PD Zoning District conforms with the Comprehensive Plan; and
b. A summary of benefits that will be achieved with the proposed PD District.

(2) Development Standards with the following required elements:
a. Minimum and maximum number of dwelling units by dwelling unit type;
b. Minimum and maximum nonresidential floor area;
c. Minimums and maximums for the following dimensional standards:
i. Lot size, width, and depth;
ii. Front, side, and rear yard;
iii. Lot coverage; and
iv. Building height; and
d. The uses permitted within the PD District designated as Permitted or Conditional Uses. Uses not listed are not permitted in the PD District;
e. Minimum area of open space;
f. Standards for roads, sidewalks, and trails;
g. Building design standards; and
h. The type and timing of on-site amenities to be provided.

(3) A Concept Development Plan containing:
a. A land use plan detailing the location of structures and uses to be developed on site and within each structure;
b. A phasing plan, if more than 1 phase is contemplated;
c. Location of roads, alleys, parking and loading areas;
d. Location of all pedestrian and bicycle facilities;
e. Location of open space including buffer; landscaped areas; active and passive recreation areas; and conservation areas; and
f. Location of required public facilities and utilities.

(h) *PD District Amendments*. Any amendment to a PD District shall be processed in accordance with Section 42-34.

Sec 42-233 CRA-1 Commercial And Residential Annexation District

(a) Purpose. ~~**This district is established and intended for use in regulating and administering land which may hereafter be incorporated into the Town limits by annexation or boundary line adjustment.**~~ **This district is intended to apply to property currently zoned CRA-1, or hereafter incorporated into the Town by Traditional Annexation per the Town Annexation Process and is not intended to be applied to a voluntary settlement of annexation or boundary line adjustment.** It is intended to be compatible with the Loudoun County Zoning Ordinance so that territory brought into the corporate limits of the Town possesses the development rights similar to the rights it possessed as unincorporated land located outside the limits of the Town. This district is the Town's lowest-density zoning district and is intended for commercial, institutional, low-density residential and other such uses as may be compatible with the low-density character of properties located outside the limits of the Town.

(b) Permitted and Conditional Uses. Refer to Section 42-151, Table 1, Uses by Zoning District Conditional Uses may be permitted with a conditional use permit.

(c) Lot requirements.
  (1) Size: 12,000 square feet minimum, exclusive of floodplain and wetlands.
  (2) Width: The minimum lot width measured at the front setback line shall be 80 feet.
  (3) Front yard: Main structures shall be located not less than 25 feet from any street right-of-way, provided that the maximum setback requirement shall not apply to fire, rescue and police stations. Detached private garages shall be setback at least 20 feet from the building line of the main structure.
  (4) Side yards: The minimum total width of the side yards for each main structure shall be 25 feet, with a minimum setback of ten feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.
  (5) Rear yard: Main structures shall have a minimum rear setback of 25 feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.
  (6) Modifications of required yards: Building restriction lines, setbacks and yard requirements may be reduced by the Town Council in conjunction with a conditional use permit. Such application shall specifically outline the lot size, lot width and yard standards and define the need. Permitted uses, conditionally permitted uses and maximum lot yield or maximum residential density shall not be modified by this provision.
  (7) Length/width ratio: 3.0:1 maximum.
  (8) Minimum open space area: A minimum of 45 percent of the site area shall be provided in open space. For the purpose of calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplains, slopes greater than 25 percent and wetlands. Additional open space shall be provided in a sufficient amount that the maximum lot yield or maximum residential density is not exceeded based on the overall area of the parcel(s) to be subdivided or developed, excluding floodplains, public roads dedications and private access and alleyway easements, slopes greater than 25 percent and jurisdictional wetlands. Open space shall be preserved by means of a permanent open space easement or similar legal instrument acceptable to the Town Council.
  (9) Lot coverage: Lot coverage by all buildings on a lot shall not exceed 30 percent of the total lot area.

(10) Building height: 35 feet maximum for all main buildings and structures, including buildings and structures accessory thereto. No accessory structure shall exceed the height of the principal structure.

(11) Maximum lot yield: For any residential subdivision or development involving the construction of single-family detached dwellings, the maximum lot yield within the CRA-1 District shall be one dwelling unit per five acres.

(e) Utility requirements. All public utilities located within the CRA-1 district shall be located underground and shall be designed pursuant to Article VI of chapter 30, required installation of public improvements, section 30-157, public utilities installation standards.

(f) Applicants should also refer to Section 42-257, Purpose, Specific Requirements for All Districts, for additional location, hours of operation and wellhead protection standards for commercial uses.

Sec 42-240 RA-1 Residential Annexation District-1

(a) Purpose. This district is intended to regulate and administer land which hereafter is incorporated into the Town limits by Voluntary Settlement of Annexation or Boundary Line Adjustment and by development agreement and voluntary commitments, approved for residential development. It is intended that territory brought into the corporate limits of the Town possesses the residential development rights similar to the rights it possessed as unincorporated land located outside the limits of the Town. This district is intended for low-density residential development and related uses as may be compatible with the low-density character of properties located outside the limits of the Town.

(b) Permitted and Conditional Uses. Refer to Section 42-151, Table 1, Uses by Zoning District.

(c) Lot requirements.

(1) Size: 12,000 square feet minimum, exclusive of floodplain and wetlands.

(2) Width: The minimum lot width measured at the front setback line shall be 80 feet.

(3) Front yard: Main structures shall be located not less than 25 feet from any street right-of-way, provided that the maximum setback requirement shall not apply to fire, rescue and police stations. Detached private garages shall be setback at least 20 feet from the building line of the main structure.

(4) Side yards: The minimum total width of the side yards for each main structure shall be 25 feet, with a minimum setback of ten feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.

(5) Rear yard: Main structures shall have a minimum rear setback of 25 feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.

(6) Modifications of required yards: Building restriction lines, setbacks and yard requirements may be reduced by the Town Council in conjunction with a conditional use permit. Such application shall specifically outline the lot size, lot width and yard standards and define the need. Permitted uses, conditionally permitted uses and maximum lot yield or maximum residential density shall not be modified by this provision.

(7) Minimum open space area: A minimum of 45 percent of the site area shall be provided in open space. For the purpose of calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplains, slopes greater than 25 percent and wetlands. Additional open

space shall be provided in a sufficient amount that the maximum lot yield or maximum residential density is not exceeded based on the overall area of the parcel(s) to be subdivided or developed, excluding floodplains, public roads dedications and private access and alleyway easements, slopes greater than 25 percent and jurisdictional wetlands. Open space shall be preserved by means of a permanent open space easement or similar legal instrument acceptable to the Town Council.

(8) **Lot coverage: Lot coverage by all buildings on a lot shall not exceed 30 percent of the total lot area.**

(9) **Building height: 35 feet maximum for all main buildings and structures, including buildings and structures accessory thereto. No accessory structure shall exceed the height of the principal structure.**

(10) **Maximum lot yield: For any residential subdivision or development involving the construction of single-family detached dwellings, the maximum lot yield within the RA-1 District shall be one dwelling unit per five acres.**

(d) Utility requirements. All public utilities located within the RA-1 district shall be located underground and shall be designed pursuant to Article VI of chapter 30, required installation of public improvements, section 30-157, public utilities installation standards.

Sec 42-261 CA-1 Commercial Annexation District

(a) Purpose. This district is intended for use in regulating and administering land which has been incorporated into the Town limits by Voluntary Settlement of Annexation or Boundary Line Adjustment, and by development agreement and voluntary commitments, approved for commercial development. It is intended to be compatible with the Loudoun County Zoning Ordinance so that territory brought into the corporate limits of the Town possesses the commercial development rights similar to the rights it possessed as unincorporated land located outside the limits of the Town. This district is intended for commercial, institutional, and other such uses as may be compatible with the low-density character of properties located outside the limits of the Town.

(b) Permitted and Conditional Uses. Refer to Section 42-151, Table 1, Uses by Zoning District.

(c) Lot requirements.

(1) **Size: 12,000 square feet minimum, exclusive of floodplain and wetlands.**

(2) **Width: The minimum lot width measured at the front setback line shall be 80 feet.**

(3) **Front yard: Main structures shall be located not less than 25 feet from any street right-of-way, provided that the maximum setback requirement shall not apply to fire, rescue and police stations. Detached private garages shall be setback at least 20 feet from the building line of the main structure.**

(4) **Side yards: The minimum total width of the side yards for each main structure shall be 25 feet, with a minimum setback of ten feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.**

(5) **Rear yard: Main structures shall have a minimum rear setback of 25 feet. Accessory structures not exceeding 15 feet in height may be located not less than five feet from a side or rear property line.**

(6) **Modifications of required yards: Building restriction lines, setbacks and yard requirements may be reduced by the Town Council in conjunction with a conditional use permit. Such application shall specifically outline the lot size, lot width and yard**

standards and define the need. Permitted uses, conditionally permitted uses and maximum lot yield or maximum residential density shall not be modified by this provision.

(7) **Minimum open space area: A minimum of 45 percent of the site area shall be provided in open space. For the purpose of calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplains, slopes greater than 25 percent and wetlands. Open space shall be preserved by means of a permanent open space easement or similar legal instrument acceptable to the Town Council.**

(8) **Lot coverage: Lot coverage by all buildings on a lot shall not exceed 30 percent of the total lot area.**

(9) **Building height: 35 feet maximum for all main buildings and structures, including buildings and structures accessory thereto. No accessory structure shall exceed the height of the principal structure.**

(d) Utility requirements. All public utilities located within the CA-1 district shall be located underground and shall be designed pursuant to Article VI of chapter 30, required installation of public improvements, section 30-157, public utilities installation standards.

(e) Applicants should also refer to Section 42-257, Purpose, Specific Requirements for All Districts, for additional location, hours of operation and wellhead protection standards for commercial uses.

Sec 42-304 Solar Photovoltaic (PV) And Micro Wind Turbine (MWT) Systems

(c) Permitted Zoning Districts.

a. Building-mounted PV systems are permitted in all zoning districts as an accessory use to any permitted principal use on the same lot provided they generate electricity for a use on the same property rather than for commercial or utility generation purposes. Such systems may allow customers to receive a credit for surplus electricity.

b. Ground-mounted PV systems shall be limited to the CI-1 Commercial And Limited Industrial/Flex District provided they generate electricity for a use on the same property rather than for commercial or utility generation purposes. Such systems may allow customers to receive a credit for surplus electricity.

c. MWT systems shall be permitted only in the CRA-1, Commercial Residential Annexation**, RA-1, Residential Annexation, and CA-1, Commercial Annexation districts,** and the CI-1, Commercial Limited Industrial/Flex, zoning districts and provided they generate electricity only for a use on the same property rather than for commercial or utility generation purposes. Such systems may allow customers to receive a credit for surplus electricity.

Use	Residential						Commercial/Light				Annexation		
P= Use permitted subject to zoning approval; C=conditional use permit required.	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Refer also to Section 42-147, Application of District Regulations													
The list of uses contained in this Chapter shall not be deemed to be an exhaustive list but is included for the purposes of clarity and emphasis, and to illustrate the characteristics of other uses that may be permitted or prohibited, as the case may be.													
Special Uses/Restrictions	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Bus shelter.	P	P	P	P	P	P	P	P	P	P	P	P	P
Construction or sales trailer, subject to 42-301	P	P	P	P	P	P	P	P	P	P	P	P	P
Any permitted use that exceeds the gross floor area or size limits permitted by the district.	C	C	C	C	C	C	C	C	C	C	C	C	C
Any permitted use storing herbicides, pesticides, fertilizers, fungicides, fuel, oils, lubricants, other toxic or hazardous materials on site in containers, each holding more than 10 gallons or 80 pounds dry weight.							C	C	C	C	C	C	C
Public sewer and water facility.	P	P	P	P	P	P	P	P	P	P	P	P	P
Agriculture	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Agriculture, including crop farm, horse farm, livestock farm, but excluding hog and poultry farm, commercial stockyard and feed lot; horticulture, including the growing of fruits, vegetables, flowers, or ornamental plants; forestry and viticulture.											P	P	P
Farm and garden store without outdoor storage.								C	C	P		P	P
Farm and garden store with outdoor storage.									C	C			
Farmers' Market.							C	C	C			P	P
Retail nurseries and greenhouses.									C			P	P
Wayside stand, when located on a parcel ten acres or greater, pursuant to section 42-300.												P	P
Production nursery and greenhouse. Not subject to Title 4.1.												C	C
Health Care	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Medical and health care facility and clinic, outpatient.							P	P	P	P			
Emergency care facility.							P	P	P				
Community Amenities/Civic Uses	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Cemetery, mausoleum or memorial park.											C	C	C
Church, synagogue, temple, or mosque.	C	C	C			C	P	P	P		C	C	C
Convention facility and center.										C			
Fraternal club, lodge, and community building for use by nonprofit organizations.	C	C	C				C	C	C	C			
Library, museum, and cultural facility.	C	C	C				C	P	P				
Theater or performing arts center.							C	C	C				
Government / Infrastructure	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Armory, National Guard or Reserve.										P			
Fire, rescue and police station.								P	P	P		P	P
Maintenance building and facility, governmental.										P			
Parking lot, public.								P	P				
Commuter parking lot with fewer than 50 spaces.									P			P	P
Commuter parking lot with greater than 50 spaces.									C			C	C
Post office.								P					
Public service agency office not otherwise listed.							P	P	P	C			
Transit agency and transportation service company.										C			
Wireless communications equipment such as antennas and satellite dishes attached to an unrelated structure.	C	C	C					C	C	C	C	C	C
Wireless, small cell facility subject to Section 42-305.	P	P	P			P	P	P	P	P	P	P	P
Wireless or wired communications facility including switching stations, monopoles, towers, and similar uses.								C	C	C	C	C	C

Industry/Employment	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Autobody repair.										P			
Blacksmith shop.										P		P	P
Welding or machine shop, excluding presses exceeding 40-ton rated capacity and drop hammers.										P			
Business incubator center, shared office space, and similar use.									C	P			
Bakery, production, shared kitchen, food commissary, catering service, or similar use.									C	P			
Contractors and construction services, including contractors in specialized trades.									C	P			
Fabric, quilting and upholstery supplies or services.								C	C	P			
Furniture and cabinet making shop.									C	P			
Liquefied petroleum gas distribution facility, subject to section 42-257(g).										C			
Manufacturing, processing, and production of goods, merchandise and equipment within a completely enclosed building containing not more than 10,000 square feet of gross floor area that does not include the manufacture or disposal of toxic or hazardous materials.										P			
Mini-warehouses and self-storage.								C	C	P			
Office, administrative, business or professional.							P	P	P	P			
Professional office	C	C	C	C									
Publishing and printing establishment.									P	P			
Warehouse and wholesale trade use containing not more than 20,000 square feet of gross floor area.										P			
Wholesale food and beverage processing with up to 10,000 square feet of gross floor area that does not include the processing or storage of toxic or hazardous materials.										P			
Residential	**R-1**	**R-2**	**R-3**	**R-C**	**PIDD**	**T-C Res**	**T-C Core**	**C-1**	**C-2**	**CI-1**	**RA-1**	**CA-1**	CRA-1
Accessory apartment or semi-independent dwelling unit, subject to Section 42-195.	C	C	C		C	C					C		C
Assisted living facility.				P		P							
Dwelling, single-family detached.	P	P	P	P	P	P					P		P
Dwelling, duplex, vertical.					P								
Dwelling, attached.				P									
Dwelling, multiple.				P									
Dwelling, semi-detached.				P									
Home occupation, subject to Section 42-199.	P	P	P	P	P	P					P		P
Large lot communities subject to Section 42-202.	C												
Limited Residential Lodging subject to Section 42-297(B).	P	P	P			P	P	P			P		P
Model home, subject to section 42-204.	P	P	P	P	P	P					P		P
Nursing home or extended care facility.				P									
Orphanage.											C		C

Retail Sales	R-1	R-2	R-3	R-C	PIDD	T-C Res	T-C Core	C-1	C-2	CI-1	RA-1	CA-1	CRA-1
Antique store.							P	P	P	P			
Art gallery, arts and crafts studio, photography studio, or art or framing store.							P	P	P	P			
Automobile parts store.									C				
Automobile sales, used.									C	C			
Bakery, retail.							P	P	P	P			
Bookstore.							P	P	P				
Building materials store with outdoor storage and/or display.									C	C			
Building materials store without outdoor storage and/or display.									C	P			
Clothing and accessories store.							P	P	P				
Computer or electronics store.							P	P	P				
Convenience stores with fuel sales.									C				
Convenience stores without fuel sales.							P	P	P				
Fabric store.							P	P	P				
Florist.							P	P	P				
Furniture and appliance sales and/or service.							P	P	P	P			
General merchandise store not exceeding a gross floor area of 3500 square feet.							P	P	P				
General merchandise store exceeding a gross floor area of 3500 square feet up to a maximum of 6500 square feet.							C	C	P				
Gift shop or jewelry store.							P	P	P				
Grocery store.							P	P	P				
Hardware store.							C	C	P	P			
Hobby store.							P	P	P				
Music store.							P	P	P				
Office supply and stationary store.							P	P	P				
Pet supply store.							P	P	P				
Pharmacy without drive-through windows.							P	P	P				
Pharmacy, including drive-through window.							C	C	P				
Photographic equipment sales.							P	P	P				
Restaurant and catering service, including curb service but excluding drive-through windows and related facilities.							P	P	P	P		**P**	P
Specialty products store.							C	C	C				
Sporting goods and bicycle shop.							P	P	P				
Tack shop.							P	P	P			**P**	P
Temporary retail sales subject to Section 42-311.	P	P		P	P	P	P	P	P	P		**P**	P
Retail Services	**R-1**	**R-2**		**R-C**	**PIDD**	**T-C Res**	**T-C Core**	**C-1**	**C-2**	**CI-1**	**RA-1**	**CA-1**	CRA-1
Art foundry or continuous kiln.									C	P			
Automobile and vehicle repair, heavy.									C	P			
Automobile and vehicle repair, light with outdoor storage pursuant to Section 42-257.									C	C			
Automobile wash and detailing, full service.									C	C			
Bank and financial institution with not more than two drive-through windows.							C	C	C				
Banks and financial institutions without drive- through windows.							P	P	P				
Banquet/event facility.							C	C	P			**C**	C
Barber shop, beauty salon or nail salon.							P	P	P				
Bed and breakfast homestay, subject to Section 42-297.	C							P				**P**	P
Bed and breakfast inn, pursuant to Section 42- 297.								P	P			**C**	C
Country inn subject to Section 42-297.								P	P	P		**C**	C
Dry cleaner with customer drop-off and pick-up only, no onsite dry cleaning, and no drive-through facilities.							P	P	P				
Dry cleaner with onsite drycleaning or drive-through facilities.							C	C	C				
Fitness center.							P	P	P				
Funeral home.									P				
Microbrewery, cidery, distillery and winery.								C	C	P		**P**	P
Package and parcel service.							C	C	P	P			
Personal service not otherwise listed.							P	P	P				
Pet/animal daycare, kennels and boarding with outdoor pens or runs.										P			
Pet/animal grooming.								P	P	P			
Veterinary hospital and clinic with boarding limited to animals under care.								C	P	C			
Schools & Child Services	**R-1**	**R-2**	**R-3**	**R-C**	**PIDD**	**T-C Res**	**T-C Core**	**C-1**	**C-2**	**CI-1**	**RA-1**	**CA-1**	CRA-1
Child care center, day care centers or nursery schools subject to Section 42-298.	C	C	C		C	C		P	P				
Childcare home, subject to section 42-298.	P	P	P					P			**P**		P
School: college and university without residential dormitories.	C	C	C					P	P	P			
School: college and university with residential dormitory.										C			
School: K-12	C	C	C				C	C	C			**C**	C
School: technical, trade, vocational or business.							P	P	P	P			
Sports and Athletic / Recreation	**R-1**	**R-2**	**R-3**	**R-C**	**PIDD**	**T-C Res**	**T-C Core**	**C-1**	**C-2**	**CI-1**	**RA-1**	**CA-1**	CRA-1
Camp, day and boarding.												**C**	C
Community center.	C											**C**	C
Country club.												**C**	C
Dance, martial arts, fitness, or similar personal or studio instruction.							P	P	P	P			
Golf course.													
Indoor recreational facilities, private containing not more than 10,000 square feet of gross floor area.							C	C	P	P			
Nature preserve, such as, but not limited to, wildlife sanctuary, conservation area, and game preserve.	P	P	P	P	P	P		P	P	P	**P**	**P**	P
Park, community, public or private.	C					C	C	C	C	C	**C**	**C**	C
Neighborhood park or Playground, public or private.	P	P	P	P	P	P	P	P	P		**P**	**P**	P
Playing field and court, lighted.	C	C									**C**	**C**	C
Recreational facility, outdoor, private, occupying an area of land not exceeding 10,000 square feet.					P		C	C	P	P		**C**	C

Lovettsville Annexation & Zoning Policy

Gaps, Weaknesses, Vulnerabilities, Risks, Mitigations & Recommendations

Mapped to Virginia Code and Northern Virginia implementation examples

Prepared from the Town of Lovettsville September 17, 2026 packet, prior Southern Gateway/A6 strategy analysis, and current Virginia statutory authorities.

Executive Summary

The proposed Lovettsville annexation amendments materially strengthen the Town's framework. They add guiding principles, infrastructure-capacity language, fiscal review, binding development commitments, successor-and-assign provisions, monitoring, and a clearer relationship between annexation and later land-use controls. The central remaining problem is no longer the absence of governance tools. It is the absence of objective, cumulative, and durable standards governing how those tools must be used.

The most consequential unresolved issue is cumulative carrying capacity. The draft requires adequate water and sewer capacity, but does not define adequate capacity or require a calculation that subtracts existing demand, committed but unbuilt development, system reserves, and reasonably foreseeable development enabled by infrastructure extensions. The same structural issue appears in traffic, emergency services, electrical demand, environmental constraints, and fiscal analysis.

Virginia law supplies a substantial policy foundation for stronger local standards. The Comprehensive Plan statute directs localities to study existing conditions, growth trends, probable future requirements, present and future needs and resources, water sustainability, public-service facilities, capital improvements, and transmission corridors. Zoning statutes authorize regulation of land uses and intensity and require consideration of public facilities, water, sewerage, transportation, natural resources, community character, and future requirements.

The recommended response is a Cumulative Capacity and Growth Management framework. It should establish a capacity ledger, adopted reserve and level-of-service standards, full-buildout analysis for Southern Gateway, a defined utility-service envelope, maximum development envelopes for major annexations, material-change triggers, repeated capacity checkpoints, and a rule that infrastructure extension does not itself justify additional density, intensity, annexation, or service expansion. The reconciled framework should also include application expiration and evidence revalidation, independent technical review where material assumptions are contested or consequential, written findings, a County-to-Town regulatory protection matrix, and an integrated Comprehensive Plan/electrical-infrastructure strategy that preserves the Town's ability to document municipal interests before a transmission filing.

Reconciled conclusion. The principal policy risk is fragmentation: boundary change, zoning, utility capacity, environmental protection, fiscal analysis, high-load development, and regional electric infrastructure can each be reviewed under different documents and at different times. Lovettsville should instead use one evidence-based growth-management system in which those decisions are tested against the same adopted baseline, with explicit dependencies, current data, enforceable development limits, application-aging rules, written findings, and lifecycle monitoring. This approach does not predetermine any particular annexation or transmission outcome; it improves the completeness and durability of the Town's record.

Document status. With the additions below, the framework is substantively complete as a policy-analysis product. Remaining implementation work consists principally of selecting objective numeric thresholds, confirming parcel-specific regulatory equivalency, and obtaining legal/engineering review before adoption or formal reliance.

How the document is organized

The analysis now follows four functional layers: (1) current Town changes and the resulting risks; (2) the permanent carrying-capacity, annexation, zoning, and Comprehensive Plan controls needed to manage those risks; (3) interim controls for A6 while the broader planning framework is unfinished; and (4) implementation, findings, monitoring, and source validation. This structure is intended to keep the immediate A6 decision separate from the permanent Southern Gateway governance framework.

Priority Recommendations

- Adopt a cumulative-capacity test before approving development-related annexation.
- Define 'adequate capacity' through objective engineering and planning standards, including reserve and reliability criteria.
- Require a Southern Gateway full-buildout scenario rather than evaluating A6 as an isolated parcel.
- Create a capacity ledger that deducts existing demand, committed capacity, approved-but-unbuilt development, and adopted reserves.
- Bind major annexations to a maximum development envelope covering land use, floor area, water, wastewater, traffic, electric demand, and material operational characteristics.
- Require renewed review when a project materially exceeds the approved development envelope.
- State that utility extension does not create a presumption of future service, annexation, density, or development rights for adjacent parcels.
- Add electric-load and supporting-energy-infrastructure disclosure to major annexation review.
- Require a County-to-Town regulatory crosswalk before boundary change, particularly for groundwater, karst, special soils, environmental protection, and development standards.
- Sequence Comprehensive Plan policy, capacity standards, zoning, and binding controls before or concurrently with the boundary change.
- Integrate electrical transmission planning into the Comprehensive Plan and annexation framework while expressly avoiding any automatic Town finding that a particular transmission project, voltage, route, or timing is needed.
- Create a critical-path dependency schedule for the Comprehensive Plan, Southern Gateway planning, zoning definitions, Water/Sewer Master Plan, capacity methodology, development agreements, and BLA action.
- Create a County-to-Town Regulatory Protection Matrix and require identified protection gaps to be closed before or concurrently with boundary change.
- Authorize independent technical review of material applicant assumptions where warranted, using a lawful cost-allocation mechanism confirmed by Town counsel.
- Require written findings for major development-driven annexations against the Town's adopted review criteria.
- Adopt application sunset, inactivity-closure, technical-study expiration, and mandatory revalidation rules.
- Treat any immediate Water/Sewer Development Agreement used before completion of the Comprehensive Plan/Southern Gateway update as an interim containment mechanism: bind

the maximum development envelope, preserve future Town planning discretion, prevent infrastructure from creating future entitlement presumptions, and make material protections durable through ownership or project changes.

- Add a zoning-pathway/entitlement-escalation review so RA-1, RA-2, CRA-1, and expanded planned-development authority are evaluated as a sequence of possible entitlements, not as isolated zoning actions; require renewed review when a later action materially exceeds the development envelope evaluated at annexation.

1. Current Draft: What Has Been Strengthened

Gap / Weakness / Vulnerability / Risk Matrix The draft establishes annexation priorities centered on small-town character, limited residential growth, beneficial commercial development, economic sustainability, peaceful aesthetics, viewsheds, rural setting, traditional scale, and infrastructure capacity. It also authorizes development agreements or similar binding commitments addressing specific land uses, development characteristics, design, operational limitations, and infrastructure improvements. Accepted commitments may be enforceable and are intended to preserve the representations and public benefits relied upon by Council.

The Planning Commission also added specificity regarding preferred annexations, evaluation factors, schedules for associated land-use controls, administration and monitoring, and successor-and-assign language. Zoning changes narrow CRA-1 to Town-initiated annexations, add RA-1 and RA-2 options, and broaden proposed PD zoning beyond annexed property.

The draft requires Town water and sewer for incorporated properties, places extension costs on the applicant, and states that annexation should be considered only where adequate water and sewer capacity exists. The application process requires a concept plan, natural-feature information, water/sewer connections, a statement of justification, and a traffic evaluation, but the concept development plan remains nonbinding at the application stage.

Issue	Gap / weakness	Vulnerability	Risk	Virginia Code nexus	Primary mitigation
No cumulative carrying-capacity requirement	The draft tests whether capacity exists for the proposed annexation but does not expressly require a systemwide calculation including existing demand, committed capacity, approved-but-unbuilt	Parcel-by-parcel review can make several individually acceptable projects collectively exceed sustainable capacity.	Over-allocation of water/sewer capacity; infrastructure expansion; reduced reliability; later pressure to finance upgrades.	VA §§ 15.2-2223, 15.2-2283, 15.2-2284; § 15.2-2239 for CIP linkage.	Require a cumulative capacity ledger and full-buildout test before annexation.

Issue	Gap / weakness	Vulnerability	Risk	Virginia Code nexus	Primary mitigation
	development, reserves, and foreseeable enabled growth.				
'Adequate capacity' is undefined	The policy creates a threshold without defining the engineering or planning denominator.	Capacity could be measured against average demand, permitted capacity, peak demand, drought conditions, firm capacity, or another metric, producing different answers.	A seemingly mandatory safeguard becomes discretionary.	VA §§ 15.2-2223(C)(2),(4),(5); 15.2-2283(iv),(vi).	Adopt LOS, reserve, reliability, drought, fire-flow, storage, treatment, pumping and distribution criteria in the Water/Sewer Master Plan.
No required reserve-capacity rule	The draft does not expressly remove emergency, drought, reliability, or strategic reserve capacity from allocable capacity.	A system can be technically capable of serving a project while losing resilience.	Higher outage/drought exposure and fewer options for future priority uses.	VA § 15.2-2223 requires planning for present/probable future needs and resources; § 15.2-2283 supports adequate public requirements.	Define non-allocable system reserve and calculate available capacity only after subtracting it.
No Southern Gateway full-buildout baseline	A6 can be evaluated as a project without first defining the reasonably foreseeable end state of the broader gateway.	The first annexation can establish infrastructure and precedent before cumulative impacts are known.	Incremental growth becomes the de facto plan.	VA §§ 15.2-2223, 15.2-2284.	Prepare a small-area/full-buildout land-use and infrastructure assessment for Southern Gateway.
Infrastructure-induced growth not expressly evaluated	The draft asks what infrastructure the project needs, not what additional	Water/sewer extensions can change the development economics	One annexation creates pressure for additional annexations and service expansion.	VA §§ 15.2-2223, 15.2-2284; boundary authority § 15.2-3106.	State that infrastructure extension creates no presumption of service, density, intensity, or

Issue	Gap / weakness	Vulnerability	Risk	Virginia Code nexus	Primary mitigation
	development becomes feasible because the infrastructure is extended.	of adjacent parcels.			annexation for adjacent land.
Flex-industrial terminology remains imprecise	Land-use labels do not reliably describe operational intensity or resource consumption.	Different tenants can occupy similar buildings while creating radically different water, electric, traffic, noise, cooling, or generation demands.	Council may approve one expected operational profile while zoning permits another.	VA §§ 15.2-2280, 15.2-2283, 15.2-2284.	Use technology-neutral functional definitions and performance thresholds, plus a maximum development envelope.
No explicit high-electric-load threshold	Water/sewer and traffic are addressed more directly than electric demand.	A non-data-center use can still require unusually large electrical infrastructure.	Distribution upgrades, dedicated substations, generation/storage, or future transmission consequences can arise without early Town review.	VA § 15.2-2223(C)(8) expressly recognizes transmission corridors; §§ 15.2-2283 and 2284 support public-service and future-requirement planning.	Require peak/average load disclosure and special review above an adopted threshold.
Energy-support infrastructure not expressly addressed	Dedicated substations, BESS, microgrids, large backup generation, and fuel systems are not clearly integrated into annexation review.	A narrowly drafted use prohibition may not capture supporting infrastructure.	Rural gateway, safety, noise, visual, and infrastructure impacts may emerge after annexation.	VA §§ 15.2-2280, 15.2-2283, 15.2-2232 where applicable to public utility/public service facilities.	Define and separately regulate major energy-support infrastructure; require disclosure at annexation.
Concept plan is nonbinding	The application requires a detailed concept, but the packet states it is not binding at the	The project evaluated publicly can differ from the legally permissible later project.	Annexation may be approved on expectations that do not become enforceable.	Conditional zoning §§ 15.2-2296, 15.2-2297/2303 as applicable; zoning authority §§ 15.2-2280 et seq.	Convert every material representation relied upon by Council into enforceable zoning, agreement, or approval conditions.

Issue	Gap / weakness	Vulnerability	Risk	Virginia Code nexus	Primary mitigation
	application stage.				
Development commitments are discretionary	The draft allows the Town to request and accept commitments but does not establish a mandatory minimum package for major annexations.	Protection depends on negotiation quality and future Council practice.	Similar projects may receive inconsistent safeguards.	VA §§ 15.2-2296 through 15.2-2303; § 15.2-3400 may support land-use/infrastructure arrangements in voluntary settlement agreements.	Require a standardized major-annexation agreement checklist and findings.
'Substantially consistent' is imprecise	The draft seeks substantial consistency with relied-upon representations but does not define quantitative deviation.	Incremental changes can be argued to remain substantially consistent.	Enforcement becomes interpretive and litigation-prone.	VA conditional-zoning framework permits enforceable conditions within statutory limits.	Use measurable caps and thresholds instead of relying only on narrative consistency.
No explicit material-change trigger	There is no clear trigger requiring renewed Council review when use or intensity materially changes.	Successors can incrementally intensify a project without a single obvious breach.	Long-term development can drift from the annexation rationale.	VA §§ 15.2-2285, 15.2-2297/2303 as applicable to later zoning amendments and conditions.	Define material change by percentage and by functional triggers such as new high-load use, increased water demand, new substation/generation, or major trip increase.
Environmental disclosure is not equivalent to protection	Natural features must be shown, but mapping a constraint does not establish a performance standard.	Known groundwater, karst, soils, floodplain, tree-cover or recharge issues may be documented without limiting development.	Environmental impacts can remain legally permissible despite disclosure.	VA § 15.2-2223(C)(4); § 15.2-2283 allows groundwater/surface-water protection; § 15.2-2284 requires natural-resource consideration.	Adopt environmental performance criteria and require a County-to-Town regulatory crosswalk.
Groundwater sustainability	Municipal service does not eliminate	Nominal capacity may not reflect	Development can reduce long-term water resilience.	VA § 15.2-2223(C)(4); § 15.2-2283.	Require sustainable-yield, drought, redundancy,

Issue	Gap / weakness	Vulnerability	Risk	Virginia Code nexus	Primary mitigation
is under-specified	source-water and aquifer resilience questions.	drought, well interference, recharge, or failure scenarios.			recharge and private-well impact analysis where material.
County-to-Town regulatory equivalency is not demonstrated	Annexation changes zoning jurisdiction from County to Town.	Protections applicable before annexation may not have direct Town equivalents.	Annexation can unintentionally create regulatory gaps.	VA § 15.2-2281 assigns zoning jurisdiction to municipality after incorporation; § 15.2-3106 governs agreed boundary change.	Prepare a pre-annexation crosswalk identifying every material County control and the Town replacement.
Fiscal analysis methodology is not prescribed	The draft requires fiscal analysis but does not specify horizon, lifecycle costs, downside cases, or opportunity cost.	Short-term revenue can be compared against incomplete long-term costs.	A project may appear fiscally positive while shifting future capital/operating costs to the Town.	VA § 15.2-2239 expressly contemplates cost and lifecycle-cost estimates in CIP planning; § 15.2-3400 permits fiscal/infrastructure arrangements.	Use a 20-30 year lifecycle model with capital replacement, staffing, utilities, public safety, administration, enforcement and sensitivity cases.
Capacity opportunity cost is not valued	Finite utility capacity has strategic value even when a project is net-revenue positive.	A project can consume scarce capacity that could serve a higher-priority future use.	Reduced future economic-development flexibility.	VA §§ 15.2-2223 and 15.2-2284 support future-needs and most-appropriate-use planning.	Treat utility capacity as a constrained planning asset and disclose post-project remaining capacity.
Sequencing remains vulnerable	The framework is improving while A6 and Southern Gateway planning are still active.	A private application can become precedent if annexation precedes final policy, zoning, and capacity standards.	The project helps define the rules instead of being evaluated under settled rules.	VA §§ 15.2-2223, 15.2-2284, 15.2-2285; boundary process § 15.2-3106.	Complete or condition adoption on the relevant plan, zoning, capacity methodology, and binding controls.

3. Recommended Cumulative Capacity and Growth Management Framework

The recommended framework is deliberately modular. The Annexation Policy should establish the decision rule; the Comprehensive Plan should establish the long-range growth assumptions; the Water and Sewer Master Plan and other technical plans should establish capacity and reserve standards; zoning and development agreements should bind individual projects; and the CIP should identify funded infrastructure relied upon in capacity findings.

3.1 Capacity ledger

Maintain a public accounting of reliable system capacity, existing demand, committed/allocated demand, approved-but-unbuilt demand, required reserve, available allocable capacity, proposed-project demand, and remaining capacity after approval. Do not count the same capacity twice.

3.2 Adopted reserve and reliability standard

Exclude drought, emergency, redundancy and adopted strategic reserves from capacity available for annexation. Define firm capacity and limiting-component tests.

3.3 Cumulative baseline

Require capacity findings to include existing use, approved-but-unbuilt development, legally committed capacity, the proposed project, and a separately identified reasonably foreseeable scenario for development enabled by the infrastructure extension.

3.4 Southern Gateway full-buildout study

Analyze the gateway as a planning area. Test land-use buildout against water, wastewater, transportation, emergency access, electric demand, environmental constraints, fiscal impacts and rural-gateway character.

3.5 Defined utility-service envelope

State that infrastructure installed for one annexation does not create a presumption of utility service, annexation, rezoning, density or intensity for surrounding parcels.

3.6 Maximum development envelope

For major annexations, bind maximum floor area, enumerated uses, water demand, wastewater flow, traffic generation, electric demand, hours/noise where material, and major energy-support infrastructure. The envelope should survive transfer to successors.

3.7 Material-change trigger

Require renewed review if a project exceeds adopted quantitative thresholds or adds a materially different use or infrastructure requirement.

3.8 Repeated capacity checkpoints

Re-test capacity at annexation, rezoning/development agreement, site plan, building permit and connection/occupancy as appropriate. Annexation should not permanently reserve capacity unless the Town expressly does so.

3.9 CIP concurrency

Future capacity should be credited only where the improvement is funded, programmed, permitted where necessary, and reasonably expected to be operational when the development needs it.

3.10 Mitigation hierarchy

If capacity is insufficient: reduce intensity; phase; defer; construct required improvements; fund legally permissible project-related improvements; or deny/defer where adequate mitigation is unavailable.

3.11 Regulatory-equivalency review

Before boundary change, compare County and Town zoning, environmental, groundwater, karst, special-soils, stormwater, transportation, design and other material controls and close identified gaps.

3.12 Annual capacity report

Publish a concise annual report showing current and committed demand, reserve, remaining allocable capacity, constrained components, and programmed improvements.

4. Virginia Code Crosswalk

Code	Subject	What it provides	Lovettsville relevance	Source
§ 15.2-2223	Comprehensive Plan	Requires careful studies of existing conditions, growth trends, probable future requirements, and planning consistent with present/probable future needs and resources. Allows designation of waterworks, sewage facilities, groundwater/surface-water sustainability measures, CIP, and transmission corridors.	Strongest statutory planning foundation for cumulative capacity, future-needs analysis, water sustainability, small-area planning, and infrastructure integration.	[VA-1]
§ 15.2-2232	Plan conformity for public facilities	Certain public facilities and public utility/public service corporation facilities must be submitted for substantial-accord review unless already shown or otherwise exempt/deemed.	Relevant to integrating certain major utility facilities with the adopted plan. Applicability depends on facility type and statutory exceptions.	[VA-4]

Code	Subject	What it provides	Lovettsville relevance	Source
§ 15.2-2239	Capital Improvement Program	Authorizes/at direction requires an annual CIP based on the Comprehensive Plan, including cost and lifecycle-cost estimates and financing.	Supports concurrency rule that future capacity should be credited only when tied to programmed capital improvements, and supports lifecycle fiscal analysis.	[VA-5]
§ 15.2-2280	General zoning authority	Allows localities to regulate, restrict, permit, prohibit and determine land uses and dimensional/intensity characteristics.	Supports technology-neutral use definitions, prohibited uses, dimensional envelopes, and zoning implementation of annexation policy.	[VA-6]
§ 15.2-2281	Municipal zoning jurisdiction	Municipality has zoning jurisdiction over incorporated territory.	Explains why County-to-Town regulatory equivalency matters at annexation.	[VA-6]
§ 15.2-2283	Purposes of zoning	Requires reasonable consideration of adequate public requirements including water, sewerage, transportation, police/fire; congestion; harmonious community; natural environment; and economic development. Allows reasonable groundwater/surface-water protections.	Direct nexus for carrying capacity, public-facility adequacy, environmental safeguards, rural/community character, and balancing economic development with infrastructure.	[VA-2]
§ 15.2-2284	Matters considered in zoning	Requires reasonable consideration of existing use/character, Comprehensive Plan, suitability, growth trends, current/future community requirements, transportation, public services, natural resources,	Strong nexus for cumulative/future-demand analysis, Southern Gateway area planning, and objective review of development intensity.	[VA-3]

Code	Subject	What it provides	Lovettsville relevance	Source
		agricultural/forestal land, property values, and most appropriate use.		
§§ 15.2-2296 to 15.2-2303	Conditional zoning / proffers	Virginia provides mechanisms for reasonable, voluntary conditions associated with rezoning, subject to statutory limits and locality-specific applicability.	Potential implementation vehicle for project-specific development envelopes and phasing, but conditions must satisfy applicable statutory requirements. Legal counsel should confirm which section governs Lovettsville.	[VA-7] [VA-8]
§ 15.2-2241	Subdivision ordinance	Requires provisions addressing coordination of streets, drainage/flood control, soils, water, sewer and other public/community facilities, and security for certain improvements.	Supports later-stage infrastructure implementation and guarantees. It is not a substitute for cumulative annexation analysis.	[VA-9]
§ 15.2-3106	Boundary line adjustment by agreement	Local governing bodies may establish, relocate or change a boundary by agreement.	Core authority for the boundary-line-adjustment mechanism referenced in the Town packet. Policy criteria should inform whether Town agrees to the adjustment.	[VA-10]
§ 15.2-3400	Voluntary settlement agreements	Permits local governments to include fiscal, land-use, zoning, subdivision, infrastructure, revenue/economic-growth sharing and boundary arrangements in voluntary settlements, subject	Potentially relevant where Town and County use a voluntary settlement annexation mechanism and want durable infrastructure/land-use arrangements.	[VA-11]

Code	Subject	What it provides	Lovettsville relevance	Source
		to statutory process and court review.		

5. Northern Virginia Implementation Examples

These examples are not presented as identical statutory schemes or as proof that Lovettsville must adopt the same mechanisms. They demonstrate practical planning techniques already used by nearby Virginia jurisdictions and municipalities.

Purcellville, Loudoun County

Purcellville's planning materials explicitly connect land-use patterns and water-resource planning. Its earlier Comprehensive Plan discussed the dynamic relationship between growth, water demand, infrastructure cost and water policy, while current planning materials continue to treat infrastructure and boundary changes as material to comprehensive planning. Its zoning ordinance is described as the implementation tool for Comprehensive Plan land-use policy.

Borrow: capacity budgeting; explicit linkage of future land use to water/sewer planning; use zoning as the implementation layer.

Occoquan, Prince William County

Occoquan's Planning Commission describes comprehensive planning as a process that considers how cumulative actions may affect the Town's long-term viability. [LOCAL-3]

Borrow: an express cumulative-effects/long-term-viability finding for annexation and major development.

Fairfax County, Land Unit K

When two site-specific proposals encountered pump stations already operating at maximum capacity and additional redevelopment proposals were emerging, Fairfax authorized a broader planning study for the entire land unit and sewer service area. The County pursued a comprehensive land-use/infrastructure assessment and pump-station upgrades sized to accommodate full buildout of the land unit.

Borrow: if multiple projects share constrained infrastructure, expand analysis to the broader planning area and reasonably foreseeable full buildout.

Stafford County

Stafford's Comprehensive Plan ties sewer facilities to the Land Use Plan and CIP, requires wastewater capacity monitoring, limits connections to its utility service area subject to stated exceptions, and expressly says sewer extension/improvements should not justify increased residential density shown in the Land Use Plan. [LOCAL-5]

Borrow: capacity monitoring; service-area discipline; CIP linkage; explicit anti-induced-growth language.

6. Recommended Policy Language

The following is policy-level drafting for discussion.

6.1 Cumulative Infrastructure Capacity

Prior to approval of a boundary-line adjustment or annexation associated with development, the Town should determine whether adequate public infrastructure capacity exists to serve the proposed development without reducing adopted levels of service, impairing required system reserves, or materially compromising the Town's ability to meet existing and reasonably foreseeable public-service obligations.

The determination should consider existing demand; legally committed or allocated capacity; approved but unbuilt development; the proposed development; adopted reliability, drought, emergency and planning reserves; and, where material, reasonably foreseeable development enabled by proposed infrastructure extensions. Capacity attributed to future improvements should be recognized only where such improvements are funded or otherwise secured, programmed, and reasonably expected to be available when needed.

6.2 Infrastructure Extension / Induced Growth

Extension or expansion of Town water, wastewater, transportation, electric-supporting, or other infrastructure to serve an annexed property should not, by itself, create a presumption or entitlement for additional utility service, annexation, rezoning, density, intensity, or development of adjacent or nearby property.

6.3 Maximum Development Envelope

For a major development-related annexation, the Town should identify the maximum development envelope relied upon in its approval, including the permitted use categories and maximum material intensity parameters relevant to the proposal. Depending on the project, these may include floor area, water demand, wastewater flow, traffic generation, peak electric demand, major generation or storage facilities, operating characteristics, and other infrastructure-driving attributes.

6.4 Material Change and Re-review

A material change exceeding the approved development envelope, or adding a use or infrastructure requirement materially different from that evaluated at annexation, should require renewed review through the applicable zoning, agreement, plan, or other lawful approval mechanism.

6.5 Capacity Revalidation

A capacity finding made for annexation should not constitute a permanent reservation of capacity unless expressly provided by the Town. Capacity should be revalidated at later development stages appropriate to the facility being evaluated.

7. Recommended Decision Sequence for A6 / Southern Gateway

1. Establish the Southern Gateway planning baseline and reasonably foreseeable full-buildout scenario.
2. Complete the Water and Sewer Master Plan capacity methodology, including firm capacity, reserve, drought/reliability assumptions, and capacity ledger.
3. Adopt annexation-policy cumulative-capacity and induced-growth provisions.

4. Complete zoning definitions and controls for flex/industrial, high-load uses, and major energy-support infrastructure.
5. Prepare the County-to-Town regulatory crosswalk.
6. Require the applicant to disclose the maximum development envelope and infrastructure demand assumptions.
7. Perform cumulative fiscal and infrastructure analysis against existing, committed, approved-but-unbuilt, and foreseeable demand.
8. Translate all material relied-upon representations into enforceable controls before or concurrently with boundary change.
9. Establish monitoring, capacity revalidation, material-change triggers, and expiration/milestone rules for any reserved capacity.
10. Maintain the resulting findings as part of the Town's factual record concerning municipal land-use and infrastructure interests.

8. Risk if No Additional Mitigation Is Adopted

The current amendments would still be an improvement over the prior framework. The risk is that qualitative protections such as 'adequate capacity,' 'traditional scale,' 'substantial benefit,' and 'substantially consistent' remain dependent on case-by-case interpretation. Without cumulative accounting and quantitative envelopes, the Town could approve a sequence of individually defensible decisions that collectively consume infrastructure capacity, induce additional development, weaken reserve margins, or allow a future use/intensity materially different from the development concept originally presented.

The most important mitigation is therefore not another broad policy statement. It is a repeatable accounting and decision framework that makes cumulative impacts visible before the Town changes its boundary or commits scarce infrastructure capacity.

The document separates authorities supporting the original core framework from the later comparative, transmission, regulatory-equivalency, and implementation authorities. Section 14 consolidates the additional sources added during reconciliation.

9. Authorities Supporting the Core Framework (Sections 1-8)

[TOWN-1] Town of Lovettsville, September 17, 2026 meeting packet, draft Annexation Policy: guiding principles; economic/fiscal benefit; development agreements and voluntary commitments; residential buildout.

[TOWN-2] Town of Lovettsville, September 17, 2026 staff report: Planning Commission revisions, evaluation factors, schedules for land-use controls, administration/monitoring, successors and assigns, and proposed zoning changes.

[TOWN-3] Town of Lovettsville, September 17, 2026 meeting packet, draft Annexation Policy: utilities services and adequate water/sewer capacity.

[TOWN-4] Town of Lovettsville, Process for Annexation: concept development plan, natural features, water/sewer connection, statement of justification, traffic evaluation, and nonbinding concept-plan language.

[VA-1] Code of Virginia § 15.2-2223, Comprehensive plan to be prepared and adopted; scope and purpose. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2223/

[VA-2] Code of Virginia § 15.2-2283, Purpose of zoning ordinances. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2283/

[VA-3] Code of Virginia § 15.2-2284, Matters to be considered in drawing and applying zoning ordinances and districts. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2284/

[VA-4] Code of Virginia § 15.2-2232, Legal status of plan. https://law.lis.virginia.gov/vacode/15.2/15.2-2232/

[VA-5] Code of Virginia § 15.2-2239, Capital Improvement Programs. https://law.lis.virginia.gov/vacodefull/title15.2/chapter22/article5/

[VA-6] Code of Virginia §§ 15.2-2280 and 15.2-2281, zoning authority and jurisdiction. https://law.lis.virginia.gov/vacode/title15.2/section15.2-2280/

[VA-7] Code of Virginia § 15.2-2296, Conditional zoning; policy and purpose. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2296/

[VA-8] Code of Virginia §§ 15.2-2297 and 15.2-2303, conditional zoning provisions. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2297/ and https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2303/

[VA-9] Code of Virginia § 15.2-2241, Mandatory provisions of a subdivision ordinance. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2241/

[VA-10] Code of Virginia § 15.2-3106, Establishment of boundary line by agreement. https://law.lis.virginia.gov/vacode/title15.2/chapter31/section15.2-3106/

[VA-11] Code of Virginia § 15.2-3400, Voluntary settlements among local governments. https://law.lis.virginia.gov/vacode/title15.2/chapter34/section15.2-3400/

[LOCAL-1] Town of Purcellville, Comprehensive Plan materials on land use and water resource planning. https://www.purcellvilleva.gov/DocumentCenter/View/178/Adopted-Comprehensive-Plan-121906

[LOCAL-2] Town of Purcellville, Comprehensive Planning and Zoning Ordinance pages. https://www.purcellvilleva.gov/593/Comprehensive-Planning and https://www.purcellvilleva.gov/1149/Zoning-Ordinance

[LOCAL-3] Town of Occoquan Planning Commission, Comprehensive Plan description and cumulative-actions principle. https://occoquanva.gov/government/boards-and-commissions/planning-commission/

[LOCAL-4] Fairfax County, Fairfax Center Area Land Unit K planning materials and staff report. https://www.fairfaxcounty.gov/planning-development/node/912

[LOCAL-5] Stafford County Comprehensive Plan, wastewater capacity, utility service area, CIP linkage, and anti-induced-density policy. https://cdn.staffordcountyva.gov/Entire%20Comprehensive%20Plan%20%28Last%20Revised%2010-21-25%29%20reduced.pdf

9.1 Scope Note

This document is policy and planning analysis. Virginia conditional-zoning, proffer, annexation, boundary-adjustment, utility, and development-agreement authorities are procedure- and locality-specific. Lovettsville town counsel should confirm the precise statutory vehicle and wording before any recommendation is incorporated into ordinance text, a boundary agreement, proffers, or an annexation/development agreement.

10. Virginia Comparative Annexation / BLA Process Matrix

This matrix separates the Virginia statutory baseline from local administrative practice. The local examples are not identical legal mechanisms and should not be treated as interchangeable. They are implementation examples showing how Virginia towns, cities, and counties add planning, infrastructure, public-engagement, negotiation, and growth-management controls around municipal boundary changes.

Process element	Virginia statutory baseline	Lovettsville	Purcellville	Woodstock	Middleburg	Berryville / Clarke	Leesburg / Loudoun	Recommended Lovettsville standard
Governing mechanism	§15.2-3106 permits agreed boundary changes; Chapters 32 and 34 provide other annexation/settlement mechanisms.	Town annexation/BLA policy layered over state process.	Formal development-related annexation process.	Municipal Boundary Adjustment Policy before statutory BLA.	Owner-requested voluntary BLA process used in practice.	Annexation-rights agreement and designated growth area.	Voluntary settlement used for Compass Creek.	Identify statutory route at intake and map all required local/state steps.
Pre-application conference	Not generally mandated by §15.2-3106.	Preliminary interaction exists, but stronger gate is advisable.	Formal preapplication process.	Preliminary staff conference.	Council/community engagement occurred before formal action.	Area governance reduces parcel-by-parcel initiation.	Intergovernmental negotiation central.	Mandatory staff conference before application acceptance.
Early public engagement	Statutory notice comes later.	No Purcellville-style mandatory applicant briefing identified.	Mandatory Community Briefing before filing.	No equivalent mandatory briefing identified in policy reviewed.	Dedicated public information session and repeated comment opportunities used.	Public participation occurs through established area governance.	Public participation through settlement/CLG process.	Require applicant community briefing for major development-driven annexation.
Adjacent-owner notice before filing	Not generally required by basic BLA statute.	No equivalent strong early requirement identified.	Certified notice to adjoining owners/affected HOAs.	Formal application plus later statutory notice.	Early outreach used in practice.	Area process.	Formal settlement/statutory notice.	Require early adjacent-owner notice in addition to statutory notice.
Property posting / early advertising	Not basic statutory prerequisite.	No equivalent identified.	Posting and advertisement required for Community Briefing.	Not identified as comparable requirement.	Public information outreach used.	Not central.	Formal statutory/settlement process.	Require posting and early notice for major annexations.
Formal application	Local administrative matter.	Yes.	Yes.	Yes.	Owner proposal precedes	Area-specific developm	Negotiated intergovernmental process.	Maintain formal application with

Process element	Virginia statutory baseline	Lovettsville	Purcellville	Woodstock	Middleburg	Berryville / Clarke	Leesburg / Loudoun	Recommended Lovettsville standard
					governmental BLA.	ent applicatio ns.		version-controlled submission record.
Completeness determination	Not dictated by §15.2-3106.	Application requirements exist.	Proof of preapplication notice is part of completeness.	Detailed application requirements.	Less formalized in sources reviewed.	Depends on underlying applicatio n.	Settlement-driven.	Written completeness determination before substantive review.
Concept development plan	Not state BLA requirement.	Required but expressly nonbinding at application stage.	Development information required.	Concept information required; policy materials caution it is nonbinding.	Proposal-specific.	Area-plan controls.	Settlement/deve lopment conditions.	Require concept plan plus separate binding maximum-development envelope.
County plan/zoning crosswalk	Not inherent in BLA statute.	Not formalized as a required crosswalk.	County planning context considered.	Applicant describes existing County planning/zonin g.	Relevant to BLA evaluation.	Town/Cou nty jointly govern area.	Town/County negotiated directly.	Mandatory County-to-Town regulatory-equivalency crosswalk.
Comprehensive Plan consistency	Broader planning statutes apply.	Major criterion.	Integral to review.	Express evaluation criterion.	Land-use consequence s considered.	Area Plan integral.	Settlement addresses land-use framework.	Written consistency finding before Council proceeds.
Comp Plan amendment dependency	Not automatic for every BLA.	Dependency exists, but completion sequencing is unclear.	CPA can accompany annexation/develo pment.	Applicant identifies planned land-use designation.	Case-specific.	Area Plan amendme nts jointly governed.	Settlement can establish land-use arrangements.	If amendment is needed, adopt before or concurrently with final boundary action.
Growth-area / small-area planning	Not required by §15.2-3106.	Southern Gateway work is moving this direction.	Growth-area/JLMA planning history.	Urban Growth Area is a favorable consideration.	Rural/conserv ation context considered.	Strong designate d Annexatio n Area B framework .	JLMA/settlement context.	Adopt Southern Gateway as defined planning and utility-service area.
Water capacity	Not itself a §15.2-3106 prerequisite.	Requires 'adequate' capacity, but	Water-source/use modeling has been negotiated in annexation review.	Water/sewer impact is evaluation factor.	Case-specific.	Integrated area planning.	Utility arrangements negotiated.	Quantitative cumulative water-capacity finding.

Process element	Virginia statutory baseline	Lovettsville	Purcellville	Woodstock	Middleburg	Berryville / Clarke	Leesburg / Loudoun	Recommended Lovettsville standard
		metric is undefined.						
Sewer capacity	Same.	Required generally, but cumulative method missing.	Technical infrastructure review.	Explicit evaluation factor.	Case-specific.	Area planning.	Utility arrangements negotiated.	Quantitative cumulative wastewater finding.
Existing + committed demand accounting	Not specified by BLA statute.	No formal capacity ledger identified.	Can be addressed technically, but no universal annexation ledger identified.	General infrastructure evaluation.	Not formalized.	Area planning captures planned growth more broadly.	Agreement-specific.	Mandatory capacity ledger: existing, committed, approved-unbuilt, reserve, proposed, remaining.
Reserve / reliability margin	Not specified.	Not defined.	Technical determination possible.	Not explicit.	Not identified.	Area planning.	Agreement-specific.	Adopt nonallocable reliability/drought/emergency reserve.
Full-buildout analysis	Not state BLA requirement.	Missing as a formal requirement.	Can arise through broader planning.	Concept uses development ranges but no universal full-buildout rule identified.	Not established.	Strong area-wide model.	Settlement addressed broad area.	Mandatory for Southern Gateway and infrastructure-opening annexations.
Infrastructure-induced growth	Not required.	Missing.	Growth-area planning can constrain effect.	Urban Growth Area criterion provides geographic discipline.	Conservation context can inform decision.	Predefined growth area provides strong control.	JLMA/settlement controls future relationships.	Analyze development enabled by infrastructure extension; no presumption of future service.
Traffic analysis	Not basic BLA prerequisite.	Required.	Reviewed.	Application includes transportation impacts.	Proposal-specific.	Area planning.	Broader development process.	Retain and add cumulative/full-buildout scenario.
Emergency/public-service capacity	Not basic BLA prerequisite.	Less developed than water/sewer.	Can be reviewed.	Town-service impacts are evaluation factors.	Case-specific.	Joint planning.	County/Town context.	Require LOS/service-capacity finding.
Electric-load disclosure	Not state BLA requirement.	Missing.	No general annexation	Not identified.	Not identified.	Not identified.	Compass Creek involved data-center	Require peak/average load and major

Process element	Virginia statutory baseline	Lovettsville	Purcellville	Woodstock	Middleburg	Berryville / Clarke	Leesburg / Loudoun	Recommended Lovettsville standard
			requirement identified.				development, but not a general electric-load rule.	supporting-energy-infrastructure disclosure above threshold.
Definition modernization dependency	Not part of BLA statute.	No explicit data-center/high-load definition update dependency identified.	Separate zoning implementation issue.	Separate zoning issue.	Separate zoning issue.	Area zoning controls.	Land-use settlement context.	Require current functional definitions before approval of relevant high-intensity uses.
Environmental constraints	Broader planning/zoning law applies.	Natural features mapped, but substantive standards incomplete.	Land-use review can address constraints.	Concept/application identifies environmental features.	Conservation resources prominent in public discussion.	Area planning.	Case-specific.	Require substantive environmental standards and regulatory crosswalk.
Fiscal impact	Not basic §15.2-3106 requirement.	Required, methodology not fully prescribed.	Can be considered in development annexation.	Tax/net-revenue benefit expressly considered.	Case-specific.	Joint interests.	Voluntary settlement can allocate fiscal responsibilities.	Standardized lifecycle fiscal model plus remaining-capacity opportunity cost.
Planning Commission role	Local policy / associated land-use law.	Significant role.	Yes.	Yes.	Planning Commission involved in planning.	BADA plus governing bodies depending on action.	Formal intergovernmental process.	Retain with defined recommendation criteria.
County involvement	County must agree to consensual BLA.	Ultimately required.	Loudoun participates under applicable process.	Shenandoah County participates in statutory BLA.	Loudoun participates.	Very strong joint governance.	Central.	Notify County early; distinguish Town policy review from County statutory approval.
Council continuation gate	Not required by state BLA law.	Could be clearer.	Strong Proceed / Negotiate or cease-pursuit gate in recent annexation review.	Applicant presents to Council early; later formal decision.	Council decides whether to proceed after engagement.	Joint governance.	Governing bodies negotiate/approve.	Formal Proceed / Defer / Return / Negotiate / Terminate decision after technical review.

Process element	Virginia statutory baseline	Lovettsville	Purcellville	Woodstock	Middleburg	Berryville / Clarke	Leesburg / Loudoun	Recommended Lovettsville standard
Negotiation stage	Agreement ultimately required for consensual BLA.	Development agreements contemplated.	Explicit negotiation stage can occur.	Statutory BLA follows Town decision.	Negotiation inherent.	Framework already established.	Central feature.	Separate negotiation stage only after technical sufficiency and Council continuation vote.
Binding development agreement	Depends on legal vehicle.	Draft significantly improves this tool.	MOU/other negotiated instruments used.	Not central to policy.	BLA terms can be negotiated.	Annexation agreement controls area.	§15.2-3400 settlement permits broad arrangements.	Require binding agreement for major development-driven annexations where legally appropriate.
Successors / assigns	Instrument-specific.	Added in proposed framework.	Instrument-specific.	Not universal.	Instrument-specific.	Long-term agreement structure.	Settlement binds governmental parties; project instruments vary.	Require durable successor provisions where legally available.
Maximum development envelope	Not state BLA requirement.	Not yet a quantitative framework.	Can be negotiated.	Concept identifies development parameters but remains nonbinding.	Case-specific.	Area controls.	Settlement-specific.	Mandatory caps on use/intensity/infrastructure-driving characteristics.
Material-change trigger	Not state BLA requirement.	Missing.	No comprehensive annexation trigger identified.	Not identified.	Not identified.	Later applications remain governed by area framework.	Agreement-specific.	Mandatory re-review for threshold exceedance or materially different use/infrastructure.
Application expiration	Not set by §15.2-3106.	No clear aging rule identified.	No strong universal annexation sunset identified in materials reviewed.	No strong expiration rule identified in policy reviewed.	No systematic rule identified.	Different area-governance model.	Long-running settlement illustrates aging issue.	Adopt definite application sunset unless Council affirmatively extends.
Incomplete-application expiration	Not state requirement.	Missing.	No strong annexation-specific cure clock identified.	Not identified.	Not identified.	N/A in same sense.	N/A in same sense.	Defined cure period, then administrative closure.

Process element	Virginia statutory baseline	Lovettsville	Purcellville	Woodstock	Middleburg	Berryville / Clarke	Leesburg / Loudoun	Recommended Lovettsville standard
Applicant inactivity closure	Not state requirement.	Missing.	No clear universal rule identified.	No clear rule identified.	No clear rule identified.	N/A.	N/A.	Close after defined inactivity unless extension is granted.
Technical-study expiration	Not state requirement.	Missing.	No general annexation-wide rule identified.	Not identified.	Not identified.	Application-dependent.	Multi-year process demonstrates need for currency.	Validity periods by study type, with mandatory refresh.
Mandatory revalidation	Not state requirement.	Missing.	No comprehensive trigger identified.	No comprehensive trigger identified.	No comprehensive trigger identified.	Area governance provides continuing controls.	External settlement review is not project-study revalidation.	Revalidate after time threshold or material plan, zoning, capacity, project, or environmental change.
Standards frozen at filing?	Vesting law controls legal rights separately.	Policy should clarify.	Annexation filing does not itself establish a universal freeze.	Not identified.	Not identified.	Area controls apply.	Settlement controls terms.	State that filing alone does not freeze policy/regulatory baseline except as required by law.
Serial refiling	State BLA law silent.	Missing.	No clear annexation-specific rule identified.	No clear rule identified.	No clear rule identified.	N/A.	N/A.	Expired application becomes new filing with new fees, current standards, and current studies.
Capacity reservation expiration	State BLA law silent.	Missing.	Can be negotiated.	Not identified.	Not identified.	Area-specific.	Agreement-specific.	Reservation expires unless milestones are met.
Public hearing	Notice/governmental action required; route varies.	Yes.	Yes plus early engagement.	Yes through local/statutory stages.	Early information plus formal process.	Joint-government process.	CLG/special-court process under settlement route.	Keep formal hearing separate from early engagement.
Commission on Local Government	Depends on statutory mechanism.	Depends on route.	Depends on route.	Ordinary consensual BLA does not automatically use full settlement review.	Depends on route.	Agreement-specific.	Yes for §15.2-3400 settlement.	Town checklist should identify when CLG review is triggered.

Process element	Virginia statutory baseline	Lovettsville	Purcellville	Woodstock	Middleburg	Berryville / Clarke	Leesburg / Loudoun	Recommended Lovettsville standard
Judicial / recordation stage	§15.2-3108 addresses petition/hearing/order/recordation for agreed boundary change; other routes differ.	Applicable state procedure follows local decision.	State process follows local decision.	State process follows local decision.	Applicable BLA procedure.	Agreement-specific.	Special-court validation for voluntary settlement.	Include statutory closeout checklist.
Post-boundary zoning	Municipality obtains zoning jurisdiction over incorporated territory, subject to law.	Zoning amendments under development.	Integrated with development process.	Policy contemplates rezoning after incorporation.	Case-specific.	Area framework.	Settlement-specific.	Prefer material zoning/use protections effective before or concurrently with boundary effectiveness.
Post-approval monitoring	Not state BLA requirement.	Draft improves monitoring.	Project-specific.	Ordinary zoning/development enforcement.	Project-specific.	BADA provides continuing area governance.	Settlement creates long-term obligations.	Annual compliance/capacity reporting for major annexations.
Periodic policy review	Not BLA requirement.	No strong annexation-policy review cycle identified.	Policy amendable.	Council may modify policy.	General planning review.	Long-term agreement governance.	Settlement terms govern.	Review annexation/BLA policy with each Comprehensive Plan review.

10.1 Comparative Findings

- Purcellville provides the strongest nearby model for a staged, development-related annexation process, including preapplication public engagement and a distinct Council decision whether to continue into negotiations.
- Woodstock provides a useful formal municipal boundary-adjustment policy with explicit evaluation criteria and staged local review before the statutory BLA process.
- Middleburg demonstrates early public information and sustained comment opportunities before formal boundary action.
- Berryville and Clarke County demonstrate area-based governance of future growth rather than processing the future growth area solely one parcel at a time.
- Leesburg and Loudoun demonstrate the breadth of issues that can be resolved through a Virginia voluntary settlement, including boundary, utility, fiscal, land-use, and future intergovernmental arrangements.

- The comparison does not reveal a consistently robust municipal annexation aging framework. Lovettsville can improve on surrounding practice by expressly adopting application expiration, inactivity closure, technical-study expiration, mandatory revalidation, material-change triggers, and capacity-reservation expiration.

10.2 Recommended Lovettsville Application Lifecycle

1. Preapplication conference.
2. Applicant community briefing and advance notice to adjoining owners.
3. Formal application and version-controlled submission.
4. Written completeness determination.
5. Current Comprehensive Plan, zoning, and County-to-Town regulatory crosswalk.
6. Cumulative infrastructure, environmental, transportation, fiscal, and public-service analysis.
7. Planning Commission recommendation.
8. Town Council Proceed / Defer / Return / Negotiate / Terminate gate.
9. Negotiation of binding maximum development envelope and other commitments.
10. Revalidation of studies and assumptions that have aged or materially changed.
11. Final Town action.
12. County approval and applicable Virginia statutory procedure.
13. Boundary effectiveness only after required land-use controls and agreements are effective, to the extent legally permissible.
14. Post-annexation monitoring, capacity accounting, and enforcement.

10.3 Application Currency, Expiration, and Revalidation

Lovettsville should add a formal application-currency framework. The purpose is not to defeat lawful vested rights. It is to prevent a pending annexation request from relying indefinitely on stale plans, capacity findings, technical studies, or project assumptions merely because an application remains open. There absolutely needs to be an expiration period for applications, refer to Loudoun for an example. Otherwise, applicants can legally request to be grandfathered under whatever terms were in place at time of original submission.

Control	Recommended function
Incomplete application cure period	If requested completeness information is not supplied within a defined period, close the application unless an extension is granted.
Complete-application sunset	A development-driven annexation expires after a defined period without final action unless Council affirmatively extends it.
Applicant inactivity	Close an application after a defined period of applicant-caused inactivity.
Study validity	Assign currency periods to traffic, water, sewer, fiscal, environmental, infrastructure, and other technical studies.

Control	Recommended function
Mandatory revalidation	Refresh affected analysis when the Comprehensive Plan, zoning, Water/Sewer Master Plan, available capacity, development program, infrastructure requirement, or material environmental/regulatory baseline changes.
No automatic clock reset	Minor amendments or supplemental submissions should not restart the application age unless the Town formally determines that a new application is warranted.
Expired application	A substantially identical proposal filed after expiration should be treated as a new filing under then-current requirements, subject to rights independently protected by Virginia law.
Capacity reservation	Any reserved capacity should expire unless stated milestones are achieved.

10.4 Sources Supporting the Comparative Matrix

Virginia Code §§ 15.2-3106 to 15.2-3108: Agreed municipal boundary changes, notice, petition/hearing/order/recordation. https://law.lis.virginia.gov/vacode/title15.2/chapter31/section15.2-3106/

Virginia Code § 15.2-3231: Town-county annexation agreements designed to provide for regular and orderly town growth and equitable sharing of resources and liabilities. https://law.lis.virginia.gov/vacode/title15.2/chapter32/section15.2-3231/

Virginia Code § 15.2-3400: Voluntary settlements among local governments, including fiscal, land-use, zoning, subdivision, infrastructure, revenue/economic-growth sharing, and boundary arrangements. https://law.lis.virginia.gov/vacode/title15.2/chapter34/section15.2-3400/

Town of Purcellville, Process for Annexation: Development-related annexation workflow and Community Briefing requirements. https://www.purcellvilleva.gov/DocumentCenter/View/3986

Town of Purcellville, Valley Commerce Center staff materials: Example of Council deciding whether to proceed to negotiations/MOU addressing water-source and usage modeling or cease pursuit. https://purcellvilleva.gov/DocumentCenter/View/12375/July-23-VCC-Staff-Report

Town of Woodstock, Municipal Boundary Adjustment Policy: Staged local review and evaluation framework preceding statutory BLA. https://www.woodstockva.gov/ArchiveCenter/ViewFile/Item/876

Town of Middleburg, 2022 BLA public information materials: Early public-information session and continuing public-comment opportunities. https://middleburgva.gov/CivicSend/ViewMessage/message/173849

Town of Berryville / Clarke County, Berryville Area Development Authority: Joint governance of Annexation Area B and review/advisory responsibilities. https://www.berryvilleva.gov/2189/Berryville-Area-Development-Authority

Loudoun County / Town of Leesburg Compass Creek settlement materials: Voluntary settlement addressing boundary, utilities, fiscal arrangements, and future intergovernmental relationships. https://www.loudoun.gov/m/newsflash/Archive/Item/8928?arcId=16645

10.5 Effect on the Lovettsville Recommendations

The comparison strengthens the earlier recommendations. Lovettsville does not need to choose between a simple statutory BLA and an overengineered development-review system. Virginia localities already use staged review, early public engagement, growth-area planning, infrastructure negotiation, joint governance, and broad settlement instruments. The principal Lovettsville opportunity is to combine those established practices with stronger application-currency and cumulative-capacity controls.

For Southern Gateway, the resulting policy should make the boundary decision the end of a defined analytical sequence rather than the beginning of unresolved planning work: current plan and definitions; current cumulative capacity; full-buildout scenario; regulatory crosswalk; binding development envelope; Council continuation decision; negotiation; revalidation; final boundary action; and post-approval monitoring.

11. Comprehensive Plan / Transmission / SCC Integration

The annexation framework and the Town's electrical-infrastructure strategy should use the same planning baseline. The Town does not control State Corporation Commission transmission siting, but Virginia law gives the Comprehensive Plan a meaningful role in identifying municipal resources, long-range development assumptions, and transmission considerations. The purpose of this section is to create a durable municipal record, not to predetermine the need for, or outcome of, any particular transmission project.

11.1 Comprehensive Plan municipal-interest baseline

The Comprehensive Plan should identify, map, or incorporate by reference the Town interests that could be affected by major development and electric infrastructure: planned growth and land-use intensity; Southern Gateway; water and wastewater capacity; groundwater and karst; agricultural and historic resources; rural gateways and viewsheds; roads and emergency access; economic-development areas; existing major electric facilities; and areas of cumulative infrastructure burden. Virginia Code §§ 15.2-2223 and 15.2-2224 provide the principal planning nexus.

11.2 Development-to-infrastructure disclosure

For major development-driven annexations, require disclosure of reasonably anticipated peak and average electric demand, phasing, service assumptions, known utility upgrades, dedicated or expanded substations, major generation or storage, and other material supporting infrastructure. This converts electric demand from an after-the-fact consequence into an annexation-stage planning input.

11.3 Southern Gateway cumulative scenario

The Southern Gateway full-buildout scenario should jointly test land use, water, wastewater, transportation, emergency services, electric demand, supporting energy facilities, environmental constraints, fiscal effects, and community character. Individually manageable projects should not be assumed collectively manageable without a cumulative scenario.

11.4 Need, routing, and corridor neutrality

Identification of electric infrastructure, constrained areas, avoidance areas, or cumulative corridor burden should not itself constitute Town acceptance of the asserted need, voltage, capacity, timing, configuration, or route of a particular transmission project. If the Town later considers designating a transmission corridor in the Comprehensive Plan, that decision should be supported by sufficient technical analysis and utility consultation.

11.5 Utility consultation protocol

Virginia Code § 15.2-2202(E) requires an electric utility responsible for transmission lines of 150 kV or more to furnish reasonable information requested by the local planning commission concerning lines that may affect the Comprehensive Plan, and provides for consultation before an SCC filing. The Town should establish a repeatable request protocol covering project purpose, relevant load and reliability assumptions, voltage/capacity, alternatives, corridors, substations, construction/access requirements, GIS information, schedule, and material changes in assumptions.

11.6 SCC record integration

Virginia Code § 56-46.1 provides for SCC consideration of adopted local comprehensive plans when requested by an affected locality and requires the SCC, for covered transmission lines, to determine need and address route/corridor impacts while verifying the applicant's load-flow modeling, contingency analyses, and reliability needs. The Town should maintain its adopted plan, supporting studies, consultation record, and cumulative-impact evidence so those materials are available for any future SCC participation.

11.7 Cross-policy safeguard

Recommended policy principle: approval of an annexation, BLA, rezoning, or utility extension should not be interpreted as a Town finding regarding the need for a particular regional transmission project unless Town Council expressly makes such a finding through a separate, adequately supported action. Likewise, the availability of new electric infrastructure should not create a presumption that additional annexation, rezoning, density, or high-load development is appropriate.

11.8 Cumulative corridor saturation and infrastructure concentration

The Comprehensive Plan should evaluate cumulative infrastructure concentration rather than treating each new facility as if it were the first use of a corridor. For areas affected by existing or reasonably foreseeable transmission, distribution, substations, roads, utility extensions, access routes, or other major infrastructure, the Town should document existing burden, remaining corridor capacity, co-location opportunities, conflicts among infrastructure systems, construction/access constraints, viewshed and historic-resource effects, environmental constraints, and the incremental burden of another facility. The purpose is to preserve evidence of cumulative municipal impacts and alternatives. It does not constitute a finding that any particular proposed transmission facility is needed.

11.9 Foreseeability as a planning principle

For Town planning and annexation analysis, a consequence should not be excluded merely because it occurs outside the annexed parcel or at a later approval stage. The Town should evaluate consequences that are reasonably foreseeable from the proposed land use, intensity, utility extension, electric demand, supporting infrastructure, or induced development. The analysis should distinguish: (1) direct project requirements; (2) reasonably foreseeable secondary or enabling consequences; and (3) speculative possibilities for which the record does not yet provide a reasonable basis. This structure makes cumulative analysis disciplined without treating every conceivable future event as attributable to the application.

12. Regulatory Equivalency, Independent Review, and Critical-Path Dependencies

12.1 County-to-Town Regulatory Protection Matrix

Before a development-driven boundary change, staff should prepare a side-by-side protection matrix identifying material County requirements and their Town equivalents. The matrix should address, where applicable, karst/limestone overlay protections, groundwater and source water, special soils, streams and buffers, floodplain, stormwater, tree conservation, steep slopes, transportation/access, noise, lighting, landscaping, industrial-use standards, energy-support infrastructure, bonding/security, inspections, and enforcement. Each row should state whether the Town protection is stronger, equivalent, weaker, or absent and identify the instrument that closes any gap.

12.1A Preliminary Loudoun-to-Lovettsville Regulatory Protection Crosswalk

This is a preliminary policy crosswalk based on the current public ordinances and planning materials reviewed. It is intended to identify where annexation may change the regulatory framework and where Town staff or counsel should verify exact equivalency before boundary action. A finding of 'gap to verify' does not mean the Town lacks all authority; it means the reviewed Town materials do not demonstrate a direct equivalent to the cited County protection.

Protection area	Loudoun framework	Lovettsville framework identified	Risk / status	Required mitigation
Karst / Limestone Overlay	Loudoun Zoning Ordinance §5.05 applies a mapped Limestone Overlay District, requires identification of karst/sensitive environmental features, geophysical/geotechnical review in specified circumstances, setbacks, and restrictions on pollution sources.	No Town limestone/karst overlay equivalent was identified in the Town zoning materials reviewed.	Potentially weaker after annexation if County LOD protections cease to govern.	Before BLA effectiveness, verify parcel applicability and adopt/incorporate equivalent karst investigation, setback, groundwater-protection, and prohibited-source standards where needed.
Groundwater / source water	County LOD and natural-resource standards address groundwater contamination and sensitive features.	Town Comprehensive Plan supports source-water, groundwater-quality, wellhead-protection, and performance-standard goals, but policy language is not by itself equivalent to a County zoning overlay.	Planning policy may not create the same enforceable development constraints.	Translate relevant groundwater/wellhead objectives into enforceable zoning, subdivision, development-agreement, or technical-review requirements before relying on them.
Sensitive soils	County maps sensitive soils and uses FSM standards and preliminary soils review for specified development conditions.	No directly equivalent Town sensitive-soils regulatory system was established by the materials reviewed.	Soil/karst risks may receive less standardized review.	Require County-equivalent soils mapping/review or Town engineering criteria for annexed land, especially within limestone-derived soils.
Floodplain	County Floodplain Overlay District regulates major and minor floodplain.	Town has a detailed floodplain article and expressly requires amendments for newly annexed/BLA areas when incoming FEMA zones require provisions not already in the Town article.	Lower equivalency risk, but mapping and ordinance synchronization remain necessary at boundary change.	Complete floodplain map/ordinance synchronization before or concurrently with annexation, as the Town code already contemplates.

Protection area	Loudoun framework	Lovettsville framework identified	Risk / status	Required mitigation
Streams / riparian resources	County River and Stream Corridor Resources standards protect mapped corridor resources and water quality.	Town Comprehensive Plan calls for minimizing stream-valley impacts, preserving streams, wetlands, natural drainage, and runoff controls; a directly equivalent RSCR zoning regime was not established in the materials reviewed.	Policy protection may be less prescriptive than County corridor standards.	Create an annexation-stage stream/wetland/riparian crosswalk and carry forward equal-or-stronger setbacks, disturbance limits, and water-quality protections where applicable.
Steep slopes	County §6.02 regulates moderately and very steep slopes and restricts development/disturbance.	Town residential zoning policy references preservation of steep slopes and natural features, but a directly equivalent mapped steep-slope regulatory regime was not established in the materials reviewed.	Potential loss of standardized slope thresholds and disturbance controls.	Adopt or incorporate objective slope thresholds and disturbance standards for affected annexed property.
Tree canopy / landscaping	County applies natural-resource and landscaping/tree standards through zoning/FSM mechanisms.	Town Zoning Ordinance includes landscaping, buffering, screening, tree-canopy coverage, street trees, monitoring, and enforcement.	Likely partial/equivalent coverage for landscaping, but exact County-to-Town equivalency is use- and site-specific.	Perform section-by-section comparison for the proposed zoning district and preserve the more protective applicable standard where lawful.
Stormwater / land disturbance	County land-development process integrates grading, erosion/sediment, sensitive-area triggers, and FSM requirements.	Town Comprehensive Plan strongly supports LID/BMP stormwater practices; exact administrative and technical equivalency should be verified for annexed development.	Different technical manuals, review thresholds, or enforcement arrangements could create gaps.	Identify the governing post-annexation stormwater/erosion-control authority and technical manual at intake, then document no-loss-of-protection before BLA.
Noise / lighting / buffering	County zoning contains use-specific and development standards.	Town zoning includes buffering/screening and landscaping; Comprehensive Plan calls for minimizing noise and glare.	Operational impacts may depend on use-specific standards rather than general policy.	For industrial/flex/high-load projects, bind measurable noise, lighting, screening, hours, and equipment-location limits in zoning/agreement instruments.
Inspection / enforcement / bonding	County uses land-development review, zoning enforcement, FSM processes, and securities for required improvements.	Town zoning provides monitoring/enforcement for landscaping and Town subdivision/zoning procedures, but project-wide equivalency must be confirmed.	A protection can exist on paper yet be weaker if inspection, security, or enforcement mechanisms differ.	Crosswalk not only substantive standards but also inspection frequency, securities, enforcement authority, successor obligations, and release criteria.

Key verified examples: Loudoun identifies Floodplain, Limestone, River and Stream Corridor Resources, Sensitive Soils, and Steep Slopes as regulated natural-resource frameworks. Its Limestone Overlay District includes karst-feature setbacks and prohibited pollution sources. Lovettsville's current zoning includes a floodplain article that expressly addresses newly annexed/BLA areas, plus landscaping/tree-canopy requirements. The Town Comprehensive Plan contains broader groundwater, stream, wetland, stormwater, noise, glare, viewshed, and wellhead-protection policies. These sources support a no-loss-of-protection review, but they do not establish that every County control presently has a direct Town equivalent.

12.2 Independent technical review

For major or technically consequential annexations, the Town should be able to obtain independent review of material engineering, hydrologic, traffic, fiscal, environmental, or electric-demand assumptions. The purpose is to test the baseline, methodology, sensitivity cases, and conclusions rather than merely reproduce applicant calculations. Town counsel should confirm the lawful mechanism for any applicant-funded review.

12.3 No circular 'annex for control' justification

Greater municipal regulatory control after annexation can be a relevant consideration, but it should not, standing alone, establish sufficient public benefit. The Town should compare the no-annexation baseline with the proposed annexation, development envelope, infrastructure consequences, enforceable mitigation, and long-term public costs and benefits.

12.4 Critical-path dependency schedule

Dependency	Purpose	Timing rule
Comprehensive Plan / Southern Gateway policy	Defines intended growth, municipal interests, and full-buildout baseline	Before final development-driven BLA where the decision depends on new policy
Functional zoning definitions	Defines flex/industrial, high-load and energy-support uses by operational effect	Before relying on zoning to limit future use/intensity
Water/Sewer Master Plan and capacity methodology	Defines firm capacity, reserve, limiting components, and allocable capacity	Before final capacity finding
County-to-Town Regulatory Protection Matrix	Identifies protections that could be lost or weakened at boundary change	Before or concurrent with final BLA
Applicant maximum development envelope	Defines the project actually evaluated	Before Council continuation/negotiation decision
Independent review, where required	Tests material assumptions and downside cases	Before final written findings
Binding development agreement / zoning controls	Converts relied-upon representations into enforceable limits	Before or concurrent with boundary effectiveness
Application/study revalidation	Confirms the record remains current	At defined aging thresholds and material changes

12.5 Definition-update inventory

As part of the zoning/Comprehensive Plan update, the Town should expressly determine whether existing definitions adequately regulate operational intensity rather than labels alone. The review should include data center and high-load computing uses, flex industrial, major battery energy storage, large backup or on-site generation, microgrids, dedicated substations, and other energy-support facilities. The goal is technology-neutral coverage of materially different infrastructure and operational impacts.

12.6 Implementation parameters to be adopted

The policy should not leave key lifecycle and intensity thresholds undefined. The final ordinance/policy package should adopt specific values after staff, engineering, and counsel review. The table below identifies the decisions that still require a number or objective trigger; it intentionally does not invent those values.

Parameter	Decision to adopt	Purpose
Complete-application sunset	Months from completeness to expiration absent Council extension	Prevents indefinite pendency and stale baseline.
Applicant inactivity closure	Months with no required applicant action	Allows administrative closure of dormant files.
Traffic-study currency	Validity period plus material-change trigger	Keeps trip generation and network assumptions current.
Water/sewer capacity-study currency	Validity period plus capacity/system-change trigger	Prevents reliance on obsolete available-capacity findings.
Fiscal-study currency	Validity period plus tax/cost/project-change trigger	Keeps lifecycle fiscal assumptions current.
Environmental/karst study currency	Validity period plus site-condition/design/regulatory trigger	Ensures technical findings remain relevant.
Material development change	Percentage and functional triggers	Creates objective re-review threshold.
High electric load	MW/MVA or service-upgrade threshold	Triggers enhanced electric/supporting-infrastructure disclosure.
Capacity reservation	Milestones and expiration	Prevents indefinite tying-up of scarce utility capacity.
Policy review cycle	Defined interval and Comprehensive Plan linkage	Keeps annexation policy synchronized with planning baseline.

12.7 Interim Development Agreement / Comprehensive Plan Transition

The Town's proposed use of a Water and Sewer Development Agreement or other associated development agreement as an immediate control while the Comprehensive Plan and Southern Gateway framework are being updated should be treated as an interim containment mechanism, not as a substitute for the completed planning framework. The Town's draft annexation process already contemplates an agreement that details proposed land uses, development characteristics, design elements, operational limitations, infrastructure improvements, and minimum and maximum water usage, with approval concurrent with the Boundary Line Adjustment Agreement. [TOWN-1] The recommendations below strengthen that bridge function so an interim approval does not unintentionally establish the planning baseline that the Comprehensive Plan update is intended to determine.

12.7.1 Bind the interim maximum development envelope

The agreement should bind the specific development envelope the Town is prepared to evaluate before completion of the broader Southern Gateway planning work. At minimum, where material to the application, the agreement should address permitted and excluded uses; maximum floor area and development intensity; minimum and maximum water use; wastewater demand; traffic assumptions; reasonably anticipated electric demand; major generation, storage, substation, or other supporting energy infrastructure; phasing; operating characteristics; environmental protections; and infrastructure improvements. Any representation that materially supports Council's decision should be translated into an enforceable limitation or objective performance standard to the extent legally permissible.

12.7.2 Preserve future Comprehensive Plan and Southern Gateway discretion

The agreement should expressly state that approval of the agreement, annexation/BLA, utility extension, or associated rezoning does not establish a precedent or presumption for the remaining Southern Gateway properties. It should not create a Town commitment to future annexation, rezoning, utility service, infrastructure expansion, development intensity, or regional electric infrastructure. The subsequent Comprehensive Plan and Southern Gateway process should remain free to establish a different long-range policy for property not already subject to legally enforceable rights.

12.7.3 Prevent the interim project from becoming the planning baseline by default

The Town should distinguish between conditions that become legally binding through the interim approval and assumptions that remain open for the Comprehensive Plan update. The later planning process should document the no-

annexation/current-plan baseline, the approved interim development envelope, and the remaining Southern Gateway planning choices separately. This avoids a circular sequence in which an interim project creates infrastructure or development assumptions that are then treated as the reason the Comprehensive Plan must accommodate additional growth.

12.7.4 Ownership, successor, tenant, and project-change durability

The agreement should be evaluated on the assumption that the property may be sold, financed differently, developed by a partner, leased to a different tenant, or redesigned during the life of the entitlement. Material restrictions relied upon by Council should therefore bind successors and assigns or otherwise remain enforceable after ownership or control changes to the extent permitted by Virginia law. A change in owner or tenant should not itself erase the approved development envelope, while a material change in use, intensity, infrastructure demand, or operating characteristics should trigger the document's material-change and revalidation procedures.

12.7.5 Development optionality and entitlement-value disclosure

For an interim development-driven annexation, the Town should evaluate the full bundle of development potential created or enabled by the requested governmental actions, not only the applicant's near-term construction program. The record should compare current County zoning and infrastructure conditions with the requested Town zoning, municipal utility access, maximum permissible development under the proposed controls, shared or oversized infrastructure, and the rights that would remain if the property were transferred before construction. Private value creation is not itself a defect; the purpose is to ensure Council understands the development optionality created by the boundary and land-use decisions when making the public-benefit finding.

12.7.6 Infrastructure sizing and service-envelope protection

Where new water, sewer, road, electric, or other infrastructure is sized above the needs of the approved project, the record should identify the approved project demand, installed physical capacity, allocated capacity, unallocated capacity, who funds and controls the infrastructure, and whether additional properties could physically connect. Excess physical capacity should not constitute an allocation of capacity or a presumption of future service, annexation, rezoning, or development approval. Any expansion beyond the approved utility-service envelope should require a new Town decision.

12.7.7 Transition conflict and revalidation rule

The agreement should identify what happens if the Comprehensive Plan, Southern Gateway plan, zoning definitions, Water and Sewer Master Plan, or adopted capacity methodology changes before the project is fully implemented. The Town should distinguish rights already lawfully vested or contractually committed from future phases, amendments, capacity allocations, or material project changes that remain subject to then-current Town policy and law. Town counsel should confirm the enforceability and appropriate legal vehicle for any transition, reopener, sunset, amendment, or revalidation provision.

12.7.8 Recommended interim bridge findings

- The agreement contains a defined maximum development envelope sufficient to evaluate the project without relying on the unfinished Comprehensive Plan update.
- Material representations relied upon by Council are enforceable through the agreement, zoning, or another legally appropriate instrument.
- The agreement preserves Town discretion over unapproved Southern Gateway land, future utility extensions, and future land-use policy.
- The approved infrastructure is not being treated as a commitment to serve additional properties or development intensity.
- The agreement remains effective through ownership, developer, financing, tenant, and similar changes to the extent legally permissible.
- Material project changes and stale technical assumptions trigger re-review or revalidation.
- The Town has identified which elements are fixed by the interim approval and which remain open for the Comprehensive Plan/Southern Gateway process.
- Council's public-benefit finding compares the interim annexation and maximum development envelope with the no-annexation baseline rather than only with the applicant's preferred concept.

12.8 Zoning Pathway and Entitlement-Escalation Controls

The proposed zoning additions should be evaluated not only by the rights each new district grants immediately, but also by the reasonably foreseeable sequence of later zoning and development actions that may become available after annexation. The Town's existing ordinance automatically places newly incorporated land into CRA-1 until otherwise reclassified. The proposed amendments add new annexation-related zoning options and broaden planned-development mechanisms. That creates additional flexibility, but also creates a risk that a modest initial zoning designation becomes the first step in a larger entitlement sequence. The Town should therefore evaluate the entire foreseeable pathway rather than each approval in isolation. [TOWN-1]

12.8.1 Entitlement-ratcheting risk

A development-driven parcel may move through several legally distinct steps: County zoning, boundary adjustment, initial Town zoning, municipal utility service, later rezoning or planned-development approval, subdivision/site plan, and subsequent amendments. Each step may appear incremental while the combined sequence materially increases use flexibility, intensity, infrastructure access, or land value. The annexation record should therefore identify the maximum development potential reasonably available through subsequent Town actions and distinguish immediate rights from future discretionary approvals.

12.8.2 RA districts as holding districts or entitlement bridges

If RA-1 or RA-2 are intended to function as conservative receiving or holding districts for newly incorporated land, the ordinance should make that purpose operational. The Town should identify by-right uses, conditional uses, intensity limits, utility assumptions, and the process required to move from RA zoning into a higher-intensity district or planned development. If the districts instead allow substantial development before completion of the Comprehensive Plan/Southern Gateway work, they may shift the ultimate land-use decision to a later stage after the Town has already changed the boundary and potentially extended infrastructure.

12.8.3 Planned-development expansion

Expanding planned-development eligibility can support negotiated, site-specific design, but it also increases the importance of objective approval criteria. The Town should identify which conventional district standards may be modified through a planned-development process, the findings required for those modifications, and whether cumulative capacity, infrastructure, environmental, fiscal, and public-benefit review is repeated when the resulting development envelope materially exceeds what was evaluated at annexation.

12.8.4 Development-agreement durability through later zoning actions

A later rezoning, planned-development approval, subdivision, site plan, ownership change, or tenant change should not be assumed to extinguish material annexation or development-agreement limitations. Where legally permissible, the Town should structure the applicable instruments so that later approvals remain subject to the maximum development envelope and other material limitations unless Town Council expressly modifies them through the legally required process. Town counsel should determine the appropriate legal mechanism and the relationship among the BLA agreement, development agreement, zoning ordinance, rezoning conditions, and later land-development approvals.

12.8.5 Zoning pathway / entitlement escalation matrix

Starting position	Immediate position	Next potential entitlement	Initiator	Required safeguard	Capacity/public-benefit re-review?
County land / pre-BLA	County zoning and existing infrastructure position	BLA / annexation plus receiving Town zoning	Applicant/Town process	Establish no-annexation baseline and maximum post-annexation envelope	Yes
CRA-1 receiving zoning	Low-density annexation district under current ordinance	Rezoning / planned-development pathway	Owner application / Council action	Do not treat receiving zoning as the full lifecycle analysis	Yes if envelope materially expands
RA-1	New annexation-related district; exact rights must be read from final adopted text	Rezoning / PD / site development as authorized	Owner / Town per final ordinance	Define whether this is a true holding district or an entitlement bridge	Yes if later action exceeds annexation analysis
RA-2	New annexation-related district; exact rights must be read from final adopted text	Rezoning / PD / site development as authorized	Owner / Town per final ordinance	Define intensity, utility, and transition limits	Yes if later action exceeds annexation analysis
Existing Town district	Current by-right/conditional rights	Expanded planned-development mechanism where authorized	Owner application	Town-wide buildout and capacity implications should be tested	Yes for material intensity/infrastructure increase
Approved development agreement	Bound maximum envelope and material commitments	Later rezoning, PD, amendment, subdivision/site plan	Owner/Town	Later approvals should not silently enlarge or erase the agreement	Express modification/revalidation rule

12.8.6 Recommended zoning-pathway rule

Recommended policy principle: A boundary adjustment or initial zoning designation should be evaluated against the reasonably foreseeable maximum development potential available through subsequent zoning actions. Any later zoning, planned-development, or land-development action that materially exceeds the development envelope evaluated at annexation should trigger renewed cumulative-capacity, infrastructure, fiscal, environmental, regulatory-equivalency, and public-benefit review before approval.

12.8.7 Town-wide consequence of broader planned-development authority

Because broader planned-development authority may affect property already inside the Town as well as newly annexed land, staff should perform a Town-wide buildout screen rather than limiting the analysis to Southern Gateway. The screen should identify vacant and underutilized parcels that could use the new mechanism, compare current by-right intensity with reasonably attainable planned-development intensity, and estimate cumulative water, wastewater, transportation, public-facility, and other material infrastructure consequences. This is a screening exercise, not a prediction that every eligible parcel will redevelop.

13. Consolidated Governance Recommendations and Required Findings

13.1 Written findings for major development-driven annexations

- Consistency with the adopted Comprehensive Plan and Southern Gateway planning baseline.
- Cumulative water and wastewater capacity after existing demand, commitments, approved-but-unbuilt demand, and adopted reserves.
- Transportation, emergency-service, and public-facility capacity.
- Groundwater, karst, environmental, agricultural, historic, gateway, and other material resource impacts.
- Maximum development envelope and the enforceability of representations relied upon by Council.
- Electric demand and reasonably foreseeable supporting energy infrastructure.
- Fiscal impact, lifecycle costs, and opportunity cost of finite infrastructure capacity.
- County-to-Town regulatory equivalency and closure of material protection gaps.
- Public benefit compared with the no-annexation baseline.
- Status of critical dependencies and whether any unresolved item must precede boundary change.
- Currency of technical studies and whether revalidation has been completed.
- Post-approval monitoring, milestones, capacity reservation, and material-change triggers.

13.2 Application and evidence lifecycle controls

Maintain explicit statuses for filed, incomplete, complete, active technical review, awaiting applicant, deferred, negotiation, inactive, expired, withdrawn, denied, and approved. Adopt a cure period for incomplete applications, an application sunset, inactivity closure, study-specific validity periods, material-change revalidation, and expiration of reserved capacity unless milestones are met. Minor supplements should not automatically reset application age. An expired proposal should return as a new filing under then-current requirements, subject to rights independently protected by Virginia law.

13.3 Baseline and version control

Every material technical finding should identify its data date, model or study version, material assumptions, project version evaluated, responsible preparer/reviewer, and revalidation or expiration date. The administrative record should preserve prior versions and material applicant representations so that later project changes can be compared with what Council actually evaluated.

13.4 Post-annexation performance monitoring

For major annexations, supplement the annual system capacity report with project-level compliance monitoring where material. Compare actual development, water/wastewater use, traffic, electric demand, operational characteristics, and required mitigation against the approved development envelope. A threshold exceedance should trigger the applicable enforcement or re-review mechanism rather than waiting for the next Comprehensive Plan cycle.

13.5 Consolidated conclusion

Lovettsville's strongest protection is not a single prohibition or one additional study. It is a repeatable, evidence-based growth-management system in which municipal boundaries, land-use intensity, infrastructure carrying capacity, environmental protections, electrical infrastructure, fiscal consequences, and regional transmission impacts are evaluated against the same adopted planning baseline. The system should use current evidence, explicit dependencies, independent review where warranted, enforceable development limits, application-aging and revalidation rules, written findings, and lifecycle monitoring.

13.6 Evidence-quality and source-validation rules

Before external publication or use in a formal Town record, factual propositions should be tied to primary or official sources wherever available. Comparative statements should distinguish a verified affirmative practice from an absence finding. Phrases such as 'not identified' mean only that the reviewed official materials did not establish the feature; they should not be restated as proof that no such rule exists. Statutory citations should be checked against the Code of Virginia version current on the date of action. Town and County ordinance citations should be checked against the official code or adopted ordinance because online codifications may lag recent amendments.

14. Consolidated Authorities and Source Guide

Virginia Code § 15.2-2202(E): Electric-utility information and consultation concerning transmission lines of 150 kV or more that may affect a locality's Comprehensive Plan. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2202/

Virginia Code § 15.2-2223: Comprehensive Plan scope, including long-range development and optional designation of corridors or routes for electric transmission lines of 150 kV or more. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2223/

Virginia Code § 15.2-2224: Comprehensive Plan surveys and studies, including land use, agriculture, historic areas, groundwater, geology, environmental/economic factors, public facilities, and transmission of electricity. https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2224/

Virginia Code § 56-46.1: SCC review of covered electric facilities and transmission lines, including consideration of local comprehensive plans on request, need, route impacts, and verification of load-flow modeling, contingency analyses, and reliability needs. https://law.lis.virginia.gov/vacode/title56/chapter1/section56-46.1/

14.1 Additional official sources used in the reconciled crosswalk

[LOCAL-6] Loudoun County, Overlay Districts & Natural Environmental Resources: Official County overview of Floodplain Overlay District, Limestone Overlay District, River and Stream Corridor Resources, Sensitive Soils, and Steep Slope Areas. https://www.loudoun.gov/6196/Overlay-Districts-Natural-Environmental-

[LOCAL-7] Loudoun County Zoning Ordinance §5.05, Limestone Overlay District: Karst/sensitive environmental feature studies, setbacks, groundwater/property-protection standards, and prohibited pollution sources. https://www.loudoun.gov/DocumentCenter/View/180071/Chapter-5-Overlay-Districts

[LOCAL-8] Town of Lovettsville Municipal Code, Chapter 42: Current online Town zoning code. The Town notes that the online code may lag newly adopted written ordinances. https://library.municode.com/va/lovettsville/codes/code_of_ordinances

[LOCAL-9] Town of Lovettsville, Zoning: Official Town zoning page identifying Chapter 42 as the Town Zoning Ordinance. https://www.lovettsvilleva.gov/planning-zoning/page/zoning

[LOCAL-10] Town of Lovettsville floodplain regulations: Town floodplain provisions include administration for areas incorporated by annexation/BLA and require ordinance updates where incoming FEMA flood zones require provisions not already contained in Town code. https://library.municode.com/va/lovettsville/codes/code_of_ordinances

[LOCAL-11] Town of Lovettsville Comprehensive Plan, environmental policies: Town planning policies address groundwater and surface-water quality, streams, wetlands, stormwater, noise, glare, viewsheds, and wellhead protection. https://www.lovettsvilleva.gov/wp-content/uploads/2021/11/2015-16-CPA-PRINT-VERSION-Body_ADOPTED_05312018-1.pdf

[LOCAL-12] Town of Purcellville, Process for Annexation: Official annexation process including pre-application Community Briefing, adjoining-owner/HOA notice, posting, newspaper advertisement, and completeness evidence. https://www.purcellvilleva.gov/DocumentCenter/View/3986

[LOCAL-13] Town of Woodstock, Municipal Boundary Adjustment Policy: Official policy with evaluation criteria, application requirements, concept development information, Comprehensive Plan relationship, County planning/zoning description, and traffic evaluation. https://www.woodstockva.gov/DocumentCenter/View/2089

[LOCAL-14] Town of Berryville, Berryville Area Development Authority / Area Plan: Official joint Town-County governance for Annexation Area B and review of development proposals and plan/zoning changes. https://berryvilleva.gov/2189/Berryville-Area-Development-Authority

[LOCAL-15] Loudoun County, Compass Creek settlement: Official County description of the negotiated Leesburg/Loudoun settlement addressing boundary, utilities, economic-development payments, future annexation constraints, Commission on Local Government review, and special-court approval. https://www.loudoun.gov/m/newsflash/Archive/Item/8928?arcId=16645

14.2 Source-confidence convention

Verified practice: supported by an official statute, ordinance, policy, plan, staff document, or locality page. Preliminary crosswalk: sufficient to identify a potential protection difference, but exact legal equivalency should be confirmed against the ordinance text applicable to the parcel and application date. Not identified: the reviewed materials did not establish an equivalent requirement; this is not a categorical assertion that no such authority or practice exists.

15. Final Scope and Use Note

This document is a policy, planning, and comparative-process analysis, not a legal opinion or engineering capacity determination. It is designed to help the Town identify what should be decided, documented, verified, and made enforceable before a development-driven boundary change. Town counsel should confirm statutory vehicles, vesting, proffer/development-agreement authority, cost allocation, procedural requirements, and final ordinance language. Engineers and other qualified professionals should establish technical capacity, reserve, environmental, transportation, and electric-load thresholds. The framework does not recommend approval or denial of a particular annexation or transmission project.

TO: **Mayor and Town Council**

FROM: **John Merrithew, Planning/Zoning Administrator**

DATE: **November 12, 2026**

SUBJECT: **Public Hearing on Amendments to the Annexation Policy and Process and LVZA 2026-0001, Amendments to Chapter 42, Zoning, Article 42-V, Establishment of Districts and Uses; Article 42-VI, Residential Districts; Article 42-VII, Commercial and Light Industrial Zoning Districts; and Article 42-VIII-2, Additional Standards**

Purpose: To conduct a Public Hearing and consider proposed amendments to the Lovettsville Annexation Policy and Process and Zoning Ordinance amendment LVZA 2026-0001 concerning annexed territory and the establishment of new zoning districts.

Background: The Town Council conducted a Public Hearing on the annexation policy on May 28, 2026, and continued its discussion on June 11, 2026. During those discussions, the Council recommended several revisions to the draft policy and Zoning Ordinance amendments that had not previously been considered. On June 25, 2026, the Council directed the Planning Commission to conduct a Public Hearing and review the proposed policy and Zoning Ordinance amendments.

The Planning Commission conducted a Public Hearing on August 12, 2026. On September 2, 2026, the Commission revised the draft policy and Zoning Ordinance amendments to include more detailed application submission requirements, additional review criteria, and administrative and enforcement provisions. The Commission then voted 5-0-0-2 to recommend approval and forward the revised policy and Zoning Ordinance amendments to the Town Council (Otterback and Brooks Dumproff absent).

Discussion: The policy amendments incorporate the Town Council's guiding principles: retain the Town's small-town character, give priority to commercial and economic development proposals, and discourage residential or high-density proposals unless they provide substantial community benefits.

The proposed policy gives priority to annexation proposals that:

- Advance economic development;
- Correct split parcels;
- Allow completion of projects within the Town;
- Clearly demonstrate a substantial public facility or infrastructure benefit; or
- Address a public health or utility need that cannot be addressed through other means.

The proposed evaluation criteria address:

- Consistency with the Comprehensive Plan;
- Compatibility with surrounding land uses;
- Impacts on utilities, transportation, stormwater management, the environment, and other services;
- Impacts on population and the Town's fiscal condition;
- Market feasibility; and
- Commitments to implementation.

The broader evaluation criteria will require more detailed analysis of proposed development to assess its feasibility and the likelihood that the applicant's commitments and stated public benefits will be achieved.

The applicant agreement provisions allow consideration of land uses, development characteristics, design elements, operational limitations, infrastructure improvements, and other conditions specific to each request. These provisions are intended to ensure that development remains substantially consistent with the representations, commitments, and public benefits on which the Town Council relies in approving an annexation.

The Zoning Ordinance amendments include:

- Limiting the applicability of the CRA-1, Commercial Residential Annexation-1, district to properties already zoned CRA-1 and future Town-initiated annexations;
- Adding the RA-1, Residential Annexation-1, and CA-1, Commercial Annexation-1, zoning districts; and
- Establishing a PD, Planned Development, zoning district and review process that would allow the Town Council to establish district-specific zoning standards for applications offering benefits that may not be achieved through conventional zoning districts. The PD district would be available for eligible properties within the Town and properties proposed for annexation.

Fiscal Impact: No direct fiscal impact is anticipated. Under the proposed policy, applicants would be responsible for engineering, legal, and other consultant costs incurred by the Town in reviewing their requests.

Recommendation: The Planning Commission recommends approval of the proposed policy and Zoning Ordinance amendments, based on its September 2, 2026, vote of 5-0-0-2 (Commissioners Brooks Dumproff and Otterback, absent).

Draft Motion:

1.) I move to adopt Ordinance 2026-11-0001, approving the amendments to the Town of Lovettsville Annexation Policy and Process dated November 12, 2026, and LVZA 2026-0001, amendments to Chapter 42, Zoning, Articles 42-V, 42-VI, 42-VII, and 42-VIII-2, dated November 12, 2026, and included as Attachments 2, 3 and 4 to this report.

OR

2.) I move an alternative motion.

Attachments:

1. Ordinance 2026-11-0002
2. Draft Annexation Policy Amendments dated November 12, 2026 (redline)
3. LVZA 2026-0001, Draft Text dated November 12, 2026 (redline)
4. 42-151, Table 1, Permitted and Conditional Uses by Zoning District (redlined)
5. Public Comment Received November 4, 2026

TO: **Jason Cournoyer, Town Manager**

FROM: **Frank Spitzer, Utilities Supervisor**

DATE: **October 29, 2026**

SUBJECT: **November 2026 Utility Report**

Kings Ridge Well Flow: Flow from the Kings Ridge well has recently declined, making it more difficult to replenish the ground storage tank. Utilities staff are tracking well-pump operating times and actively checking for possible leaks. Valley Well Drilling will also be contacted to assist with evaluating the issue.

WWTP Mussel Study: The mussel study of the Waste Water Treatment Plant (WWTP) receiving stream is complete. The findings indicate that the area does not provide suitable habitat for freshwater mussels. CHA Engineering, VDH, and Town staff recently reviewed the report and noted that this receiving-water study is among the few completed in Virginia. VDH has reviewed the Study and has requested a new Mussel Study be performed. The review of the study has been reassigned to a new DEQ representative, which will delay a decision on ammonia limits. Town staff have been advised that discussions will resume once the new representative is familiar with the study.

WWTP Leaf Netting Project: During the fall, leaves from the dense woods surrounding three sides of the WWTP can enter the aeration basins. This regularly clogs the return pumps and leads to operator call-backs. Beitzell Fence, based in Chantilly, has been contacted and plans to visit the site to provide a proposal for extending the netting around Basin 1. Netting is already installed around Basin 2 and may be extended to cover Basin 1 as well. Beitzell has visited the WWTP and proposed installing the netting at a cost of over $100,000 which is double the amount in the budget. They are working on a new proposal that might be more cost effective.

Park Place Water Main Replacement: Total Development Solutions have completed installation of the replacement 8-inch water main in the Lake View Community. A live tap was made on the main at Broad Way, and a new 8-inch ductile iron water main was installed from Broad Way to the northern end of Park Place. The work area has been fully repaved, completing this phase of the project.

WWTP Return Pit Project: Rehabilitation of the WWTP return pit is nearly complete. The aging, rusted piping has been replaced, along with both flow meters, pinch valves, and actuators used to regulate return flow. These upgrades are expected to provide years of

dependable flow control and reduce the risk of equipment failure that could jeopardize the Town's compliance. East Coast Construction will be onsite in the coming weeks to finalize the project.

Chestnut Vale Sewer line connection: Following completion of the water-line installation in Park Place and the new Chestnut Vale Community, the development's sewer line was connected to the northernmost manhole. The force main serves as the final collection point for the grinder stations at individual properties. The work also included resealing that manhole and the next two manholes along the line.

Water System Pressure Monitoring: A new pressure-monitoring device has been installed on a fire hydrant in Heritage Highlands. It records water pressure, including spikes that may contribute to water hammer or water-main breaks. The device has been collecting data for several weeks, and Utilities staff are reviewing the results and the data-collection settings.

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WWTP Basin Clean Out: Basin 1 at the WWTP was experiencing inadequate sludge return. Utilities staff determined that draining the basin was necessary to inspect for debris that might be obstructing the line. The return line was backflushed, and normal flow has since been restored.

Drought Conditions: As of November 2026, the U.S. Drought Monitor has designated Loudoun County, including the Town of Lovettsville to be in a moderate drought condition and drought watch. While not currently under mandatory restrictions, residents are advised to use water wisely. The region has faced significant dry conditions, impacting agricultural and residential water supplies.

Key Drought Information for Lovettsville

- **Current Status:** A moderate drought (D-1) condition is active for Loudoun County.
- **Conditions:** The region has experienced a significant, long-term precipitation deficit, with parts of Western Loudoun previously classified in extreme or severe drought.
- **Conservation Measures:** Residents are asked to practice voluntary water conservation, including:
    - Running dishwashers and washing machines only when full.
    - Taking shorter showers (less than 5 minutes).
    - Refraining from washing cars and watering lawns.

TO: **Mayor and Town Council**

FROM: **John Merrithew, Planning/Zoning Administrator**

DATE: **November 12, 2026**

SUBJECT: **LVZA 2026-0002, Local Regulation of Cannabis Establishments**

Purpose: To request that the Town Council conduct a Public Hearing on the above-noted zoning ordinance amendment at its regular Town Council meeting on December 10, 2026.

Background: Earlier this year, the General Assembly adopted amendments to the Cannabis Control Act (the "Act") to provide a regulatory framework for an adult-use recreational cannabis market in the Commonwealth (4.1-600)

Under the Act, recreational marijuana retail sales are planned to begin July 1, 2027. The Act requires that local governments enact certain legislation before sales begin, and other legislation is advisable based on the potential impacts of the Act within the Town. The proposal before the Town Council is to amend the Zoning Ordinance. Consideration of associated sales tax and penalties for certain public activities are to be addressed separately by the Town Council.

The Town has limited land-use, permitting, and local-policy responsibilities. The Zoning Ordinance can regulate zoning districts and standards, hours of operation or sales, distances from sensitive locations, and distances between certain marijuana establishments.

Discussion: The Planning Commission reviewed draft ordinance language on October 7 and conducted a Public Hearing on November 4, 2026. The draft proposes the following:

1. Requires all marijuana establishments seek a conditional use permit
2. Modifies Section 42-151, Table 1, Uses by Zoning District, to place marijuana establishments in zoning districts that include similar uses
    a. Retail sales, delivery and microbusinesses establishments in the C-1, Community Commercial, C-2, Mixed Business, and T-C, Town Center Core, districts
    b. Cultivation and microbusiness establishments in the CRA-1, Commercial Residential Annexation district and CA-1, Commercial Annexation (proposed annexation district)
    c. Testing, Processing, Transport and microbusiness establishments in the CI-1, Commercial Limited Industrial/Flex district
3. Establishes a 1,000-foot buffer around local schools and daycares

4. Proposes separation between retail stores or microbusinesses, acknowledging that the Town will have to comply with a distance set by the Cannabis Control Board in the future
5. Establishes hours for the permitted sale of marijuana products
6. Prohibits marijuana delivery to public places and events
7. Permits only Tier 3 marijuana cultivation facilities, requiring indoor growing canopy of no more than 15,000 square feet,
8. Permits transport facilities with indoor storage of up to 20,000 square feet of gross floor area
9. Adds daily and peak water demand, wastewater treatment capacity and system, and impact on residential property values and enjoyment as a criteria for evaluating marijuana establishments

Fiscal Impact: Minimal. The process to review a proposed marijuana establishment will be similar to other conditional use permit applications and should have a minimal impact on Town operations. The Town is likely to see a positive revenue impact.

Recommendation: The Planning Commission voted 5-0-0-2 (Custard and Otterback absent) to forward the draft ordinance to Town Council with a recommendation of approval.

Motions:

1) I move to schedule a Public Hearing for consideration of LVZA 2026-0002 at the December 10, 2026, regular Town Council meeting.

Or

2) I move an alternate motion.

Attachments

1. LVZA 2026-0002 Draft Amendment Language
2. Revised Section 42-151, Table 1, Uses by Zoning District
3. Illustrated 1,000-foot school, daycare buffer

MINUTES FOR APPROVAL
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
6 E PENNSYLVANIA AVENUE, LOVETTSVILLE, VA 20180
THURSDAY, OCTOBER 22, 2026, AT 6:30 PM

1. The meeting was called to order at 6:30PM with Mayor Christopher Hornbaker presiding. The Pledge of Allegiance was recited by all.

Town Council Present:
Mayor Christopher Hornbaker
Vice Mayor Thomas Budnar
Council Member Ann Arena
Council Member David Earl
Council Member Stuart Stahl
Council Member David Smith
One Vacancy

Town Council Absent:
None

Town Staff Present:
Town Manager Jason Cournoyer
Town Clerk Lizzy Fontaine
CIP Project Manager Charlie Mumaw
Community Engagement and Economic Development (CEED) Coordinator Sarah Moseley

2. Presentation

A. Grace Fontaine – Eagle Scout Project

Grace Fontaine presented her completed Eagle Scout project, a Veterans Page of Honor on the Town website under Discover Lovettsville. The project preserves information about recipients of Veterans Pavers and Hometown Heroes Banners. She reported contacting 115 veterans, making more than 200 calls, and coordinating 20 volunteers who contributed 103 service hours. The website recognizes 225 veterans, including 175 with biographies and service records. The page includes applications and a process for submitting or updating biographies and will be updated annually following Veterans Day. The new Veterans Page of Honor can be

found at https://www.lovettsvilleva.gov/discover-lovettsville/page/page-honor-discover-lovettsvilles-veterans.

Vice Mayor Budnar commended the quality of the website and Miss Fontaine's work.

Mayor Hornbaker thanked Miss Fontaine and noted the importance of preserving the Town's veterans' history.

3. Proclamations

A. 2026 Dedication of Veterans Pavers and Hometown Heroes Banners – Approval

Council Member Smith made the following motion: I move to approve Proclamation 2026-10-0004, Dedication of Veterans Pavers and Hometown Heroes' Banners.

Second: Stahl

Discussion: None

Vote to Approve Proclamation 2026-10-0004:
Ayes: Arena, Budnar, Earl, Smith, Stahl
Nays: None
Abstentions: None
One Vacancy
The motion carried unanimously, 5-0.

Town Council Members read the Proclamation recognizing 19 veterans and active-duty service members through the Veterans Paver Program and eight through the Hometown Heroes Banner Program. The Proclamation invited the community to the Veterans Day Ceremony on November 11, 2026, at 11:00 AM at the Lovettsville Veterans Memorial.

The Town Council took a short recess at 6:42 PM.

The Town Council reconvened at 6:44 PM.

4. Comments from the Public

Vice Mayor Budnar read the rules for Public Comment.

Patty Tracy - 39505 Cottage Road Lane, Lovettsville, VA 20180
Ms. Tracy addressed the Town Council regarding a candidate in the upcoming mayoral election, Christina Grace. She described a past business dispute and alleged unpaid obligations and court matters.

John Tracy - 39505 Cottage Road Lane, Lovettsville, VA 20180

Mr. Tracy continued comments concerning the same mayoral candidate, Christina Grace, citing his understanding of public records and expressing concerns about the candidate's qualifications.

No additional members of the public offered comments.

5. Town Manager's Report

Town Manager Cournoyer read his submitted report.

In response to questions about intermittent water pressure, **Mr. Cournoyer** explained that utility crews were flushing hydrants while investigating a system issue and that updates would be posted through the Town's communication channels.

6. Additions/Deletions/Modifications to the Agenda

Mayor Hornbaker noted that the Annexation Policy and Zoning Ordinance Public Hearing was postponed until November 12, 2026, because the required newspaper notice had not been published. It was confirmed that Mayor Hornbaker did not ask for the Public Hearing to be postponed. **Town Manager Cournoyer** noted that 9E had been added late to the agenda for a discussion about chair rental for Veterans Day. Town Council requested to move Closed Session ahead of Discussion Items to allow more time for discussion.

Vice Mayor Budnar made the following motion: I move to move Closed Session, Item 10, to new Item 9, and renumber Discussion Items 9A through 9E as Items 10A through 10E.

Second: Arena

Discussion: None

Vote to Amend the Agenda:
Ayes: Arena, Budnar, Earl, Smith, Stahl
Nays: None
Abstentions: None
Absent: None
One Vacancy
The motion carried unanimously, 5-0.

7. Consent Agenda

A. October 8, 2026, Town Council Open Forum Meeting Minutes – Approval

Draft Motion: *I move to approve the Town Council Open Forum Meeting Minutes of October 8, 2026, as included in the October 22, 2026, staff report.*

B. October 8, 2026, Town Council Meeting Minutes – Approval

Draft Motion: *I move to approve the Town Council Meeting Minutes of October 8, 2026, as included in the October 22, 2026, staff report.*

C. Amendments to November 12, 2026, Town Council Meetings – Approval

Draft Motion: *I move to cancel the scheduled Town Council Open Forum on November 12, 2026, at 5:00 PM and change the regular Town Council Meeting start time to 7:30 PM in order to accommodate Town Council attendance at the Valley Link Valley North Project Open House meeting at the Lovettsville Game Protective Association on November 12, 2026, from 4:00 PM to 7:00 PM.*

Mayor Hornbaker explained that the November 12th schedule change would allow attendance at the Valley Link Valley North Project Open House and noted efforts to arrange a project presentation for the December 10th Town Council meeting.

Council Member Smith made the following motion: I move to adopt the Consent Agenda as presented.

Second: Arena

Discussion: None

Vote to Approve the Consent Agenda:
Ayes: Arena, Budnar, Earl, Smith, Stahl
Nays: None
Abstentions: None
Absent: None
One Vacancy
The motion carried unanimously, 5-0.

8. Public Hearing

A. Annexation Policy and Zoning Ordinance

The Public Hearing was postponed to November 12, 2026, to satisfy public-notification requirements. Town staff reported that the proposed amendments had not changed since the Planning Commission's presentation and were available for public review.

9. Closed Session (formerly Item 10)

Vice Mayor Budnar made the following motion: In accordance with Virginia Code § 2.2-3711(A)(1), (7), and (8), I move to convene in Closed Session to discuss the Town Manager's

annual evaluation; potential appointment, reappointment, or contracts of current or former Town officers; temporary Treasurer staffing; consultation with legal counsel regarding Town Code utility enforcement and franchise renewal; and legal advice concerning Town officer appointments and contracts, as stated in the agenda.

Second: Smith

Vote to Enter Closed Session:
Ayes: Arena, Budnar, Earl, Smith, Stahl
Nays: None
Abstentions: None
Absent: None
One Vacancy
The motion carried unanimously, 5-0.

The Town Council entered Closed Session at 7:10PM.

The Town Council returned to Open Meeting at 8:59PM.

Certification of Closed Session:
Mayor Hornbaker asked whether only public business lawfully exempt from open meeting requirements and identified in the motion convening Closed Session had been heard, discussed, or considered.

Council Member Arena: I do so certify.
Council Member Earl: I do so certify.
Vice Mayor Budnar: I do so certify.
Council Member Smith: I do so certify.
Council Member Stahl: I do so certify.
Mayor Hornbaker: I do so certify.

Vice Mayor Budnar made the following motion: I move that the Town Council not renew the contract and end the employment of Jason Cournoyer and revoke his appointment as Town Manager, effective immediately.

Second: Smith

Discussion: None

Vote on Town Manager Contract and Appointment:
Ayes: Arena, Budnar, Earl, Smith, Stahl
Nays: None
Abstentions: None

Absent: None
One Vacancy
The motion carried unanimously, 5-0.

Council Member Earl disclosed that he and Tanya George are distant cousins through marriage. He stated that the Town Attorney had advised the relationship did not constitute a conflict under the Virginia Conflict of Interests Act, that he had no personal financial interest, and that he would participate in the matter.

Mayor Hornbaker made the following appointment: At this time, it is my distinct pleasure to welcome back and appoint Tanya George as the Town of Lovettsville Treasurer.

Vice Mayor Budnar made the following motion: I move to confirm the appointment of Tanya George as Town Treasurer; direct the Mayor to execute an employment agreement according to terms reviewed by the Town Attorney; and direct Town staff to restore benefits in effect for Mrs. George on September 24, 2026, before her resignation.

Second: Arena

<u>Vote to Confirm the Appointment of Town Treasurer:</u>
Ayes: Arena, Budnar, Earl, Smith, Stahl
Nays: None
Abstentions: None
Absent: None
One Vacancy
The motion carried unanimously, 5-0.

Mayor Hornbaker made the following appointment: At this time, I appoint Tanya George as the Interim Town Manager only until a permanent Town Manager is appointed.

Vice Mayor Budnar made the following motion: I move to confirm the appointment of Tanya George as Interim Town Manager until a permanent Town Manager is appointed and direct the Mayor to execute the employment agreement addendum according to terms reviewed by the Town Attorney.

Second: Smith

Discussion: None

<u>Vote to Confirm the Appointment of Interim Town Manager:</u>
Ayes: Arena, Budnar, Earl, Smith, Stahl
Nays: None
Abstentions: None
Absent: None

One Vacancy
The motion carried unanimously, 5-0.

Vice Mayor Budnar made the following motion: I move to postpone Agenda Items 10, 11, and 12 to the next Town Council meeting.

Second: Stahl

Mayor Hornbaker stated that the motion required a two-thirds majority to suspend the rules.

Vote to Postpone Agenda Items 10, 11, and 12:
Ayes: Arena, Budnar, Earl, Smith, Stahl
Nays: None
Abstentions: None
Absent: None
One Vacancy
The motion carried unanimously, 5-0.

10. Discussion Items (formerly Item 9)
All Discussion Items were postponed to the next Town Council meeting by the motion adopted following Closed Session.

11. Informational Items
Informational Items were postponed to the next Town Council meeting.

12. Upcoming Meetings/Agenda Items
This item was postponed to the next Town Council meeting.

13. Comments/Disclosures from the Mayor and Town Council
Council Member Arena: No comments
Council Member Earl: No comments
Council Member Stahl: No comments
Council Member Smith: No comments
Vice Mayor Budnar: No comments

Mayor Hornbaker read the following statement:
At their October 22, 2026 meeting, the Lovettsville Town Council chose not to renew the employment contract of Town Manager Jason Cournoyer, effective immediately. As this is a personnel matter and to respect the privacy of those involved, the Town will not provide further comment on the reasons for the Council's decision. Also at the October 22, 2026 meeting, Mayor Hornbaker appointed and the Council confirmed the appointment of Tanya George as Town Treasurer, as well as interim Town Manager until a permanent Town Manager is appointed. Mrs. George reassumes the Town Treasurer position after serving in the role for four years. We welcome Mrs. George back to the Town, look forward to

continuing to accomplish great things under her leadership, and wish Mr. Cournoyer the best in his future endeavors.

14. Adjournment

Vice Mayor Budnar made the following motion: I move to adjourn.

Second: Smith

Vote to Adjourn:

The motion carried without objection.

The Town Council meeting was adjourned at 9:07 PM.

Submitted by:

Lizzy Fontaine

Lovettsville Town Clerk

From: Brian Carson
To: Elizabeth Fontaine
Subject: Re: Town meeting 11/12
Date: Wednesday, November 11, 2026 9:05:41 PM
Attachments: inky-injection-inliner-6f42d488d348cfcd86bff9497caf9f6a.png
inky-injection-inliner-74210e24e08f85f3429e889841484a9c.png

External (brian.carson235@gmail.com)

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This is the same statement as above, but includes studies I referenced.

Thank you for addressing the concerns of the town tonight especially with regards to zoning. I am concerned for the future of our town with a recent change in the proposed zoning for Marijuana product distribution and sale. The initial zoning draft proposed that any combination of cultivation processing and retail functions and uses of marijuana/cannabis products be no closer than 500ft from residential neighborhoods. This line regarding the zoning buffer has since been removed for more nebulous state language in the final draft.

I understand this removal of the 500ft buffer was prompted by a business owner looking to set up a cannabis shop in town. I fully appreciate the difficulty in starting a business, however this town has a larger responsibility than to a single business owner.

Allowing marijuana sales immediately adjacent to residential neighborhoods is asking to see an increase in substance abuse among both adults and minors. Despite being illegal to use without a medical prescription, a recent study from 2022 shows that 6% of eighth graders, 15% of 10th graders, and 21% of 12th graders reported having vaped in the past year in 2022.2 A second study shows that among U.S. high school students, nearly half of all 12th graders (44%), one third of 10th graders (33%) and one in seven 8th graders (14%) reported lifetime cannabis use in 2018.1 Please see the submitted meeting notes for sources.

It is one thing to allow a legal business establishment to be in town. State regulations prevent prohibiting such establishments unless decreed prior to 2021. However it is ludicrous to allow a marijuana dispensary within such close distances to residential neighborhoods and not expect a subsequent increase in use among all including minors . In addition to increasing exposure to minors with such proximity, Lovettsville, whose informal mascot is the Dachshund, will see an increase in marijuana related toxicities in our neighborhood dogs. Implementing a zoning buffer will protect our neighborhoods and still allow for such establishments, in other commercial zones with less potential for harm to residents, families, and pets.

The town planning committee proposed using a very nebulous state code be put in place of additional restrictions. However the state code despite superseding contradictory laws, is the bare minimum guidelines for safety. As a town, it is our responsibility to do better.

Planning commission members stated that a marijuana dispensary would be a good source of tax income. While this may be true, we need to ensure such establishments are not in locations which will cause harm to residents. To bring a topic near and dear to Lovettsville's heart, Loudoun county touts Data centers as being a massive source of tax income for the county, yet they draw far more issues than they do benefits, and they were let in due to a zoning oversight. We have a chance to address a very harmful, very real threat to the residents and neighborhoods of Lovettsville before it takes root. Please take these concerns to heart and add in the residential zoning buffer which was previously removed. Thank you for your time.

1. Johnston LD, Miech RA, O'Malley PM, Bachman JG, Schulenberg JE, & Patrick ME (2018). Monitoring the Future national survey results on drug use, 1975–2017: Overview, key findings on adolescent drug use. In.

2. Miech RA, Johnston LD, Patrick ME, et al. Monitoring the Future national survey results on drug use, 1975–2022: Secondary school students. Monitoring the Future Monograph Series. Ann Arbor, MI: Institute for Social Research, University of Michigan. 2023. https://monitoringthefuture.org/wp-content/uploads/2022/12/mtf2022.pdf. Accessed February 9, 2024.

On Wed, Nov 11, 2026 at 9:01 PM Brian Carson <brian.carson235@gmail.com> wrote:

> Hello Lizzy,
>
> I have since seen the agenda shows 3 minutes to speak, so have answered my own question. Please take this as my public comment which I will also be reading at Thursday's meeting.
>
> Brian Carson
> 34 Town Center Drive
> Lovettsville, VA 20180
>
> Thank you for addressing the concerns of the town tonight especially with regards to zoning. I am concerned for the future of our town with a recent change in the proposed zoning for Marijuana product distribution and sale. The initial zoning draft proposed that any combination of cultivation processing and retail functions and uses of marijuana/cannabis products be no closer than 500ft from residential neighborhoods. This line regarding the zoning buffer has since been removed for more nebulous state language in the final draft.
>
> I understand this removal of the 500ft buffer was prompted by a business owner looking to set up a cannabis shop in town. I fully appreciate the difficulty in starting a business, however this town has a larger responsibility than to a single business owner.
>
> Allowing marijuana sales immediately adjacent to residential neighborhoods is asking to see an increase in substance abuse among both adults and minors. Despite being illegal to use without a medical prescription, a recent study from 2022 shows that 6% of eighth graders, 15% of 10th graders, and 21% of 12th graders reported having vaped in the past year in 2022.1 A second study shows that among U.S. high school students, nearly half of all 12th graders (44%), one third of 10th graders (33%) and one in seven 8th graders (14%) reported lifetime cannabis use in 2018. Please see the submitted meeting notes for sources.
>
> It is one thing to allow a legal business establishment to be in town. State regulations prevent prohibiting such establishments unless decreed prior to 2021. However it is ludicrous to allow a marijuana dispensary within such close distances to residential neighborhoods and not expect a subsequent increase in use among all including minors . In addition to increasing exposure to minors with such proximity, Lovettsville, whose informal mascot is the Dachshund, will see an increase in marijuana related toxicities in our neighborhood dogs. Implementing a zoning buffer will protect our neighborhoods and still allow for such establishments, in other commercial zones with less potential for harm to residents, families, and pets.
>
> The town planning committee proposed using a very nebulous state code be put in place of additional restrictions. However the state code despite superseding contradictory laws, is the bare minimum guidelines for safety. As a town, it is our responsibility to do better.
>
> Planning commission members stated that a marijuana dispensary would be a good source of tax income. While this may be true, we need to ensure such establishments are not in locations which will cause harm to residents. To bring a topic near and dear to Lovettsville's heart, Loudoun county

touts Data centers as being a massive source of tax income for the county, yet they draw far more issues than they do benefits, and they were let in due to a zoning oversight. We have a chance to address a very harmful, very real threat to the residents and neighborhoods of Lovettsville before it takes root. Please take these concerns to heart and restore the residential zoning buffer. Thank you for your time.

On Wed, Nov 11, 2026 at 6:34 AM Brian Carson <brian.carson235@gmail.com> wrote:

> Hello Lizzy,
>
> I would like to sign up to make a public comment at the town meeting tomorrow. Would you please sign me up? Also how long do I have to speak?
>
> Thank you,
> Brian Carson

From: Melissa Dukes
To: Elizabeth Fontaine
Cc: Andrew Dukes
Subject: Public Comment: Opposition to Removing Cannabis Zoning Restrictions in Lovettsville
Date: Friday, November 6, 2026 3:06:34 PM
Attachments: inky-injection-inliner-6f42d488d348cfcd86bff9497caf9f6a.png
inky-injection-inliner-74210e24e08f85f3429e889841484a9c.png

External (melissaanndukes@gmail.com)

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Hi Lizzy,

I'm writing to express my strong opposition to the proposed changes to Lovettsville's zoning regulations that would eliminate the 500-foot separation between marijuana businesses and residential neighborhoods, potentially allowing these businesses to operate in the heart of our Town Center.

I understand that Virginia is moving forward with legalized retail marijuana sales. However, legalization does not mean we need to make these businesses more accessible throughout our community, particularly in areas where families live, children gather and residents enjoy our small-town atmosphere.

My biggest concern is the accessibility of these products to minors and whether the penalties for violating age restrictions are actually sufficient to discourage businesses from breaking the law.

This isn't simply a hypothetical concern. Virginia's own public enforcement records demonstrate that underage sales remain a problem. According to Virginia ABC's fiscal year 2025 annual report, alcohol retailers achieved an 88% compliance rate in preventing sales to underage buyers. That means approximately 12% of compliance checks resulted in failures, despite years of established regulations and enforcement.

Virginia Code § 18.2-371.2 also establishes civil penalties for selling certain tobacco and smokable hemp products to individuals under 21. Those penalties begin at just $500 for a first violation and increase to $2,500 for subsequent violations within three years. While these penalties are not identical to those governing licensed marijuana retailers, they demonstrate why I am concerned about whether relatively modest fines provide a meaningful deterrent to businesses that profit from age-restricted products.

We have already had concerns within our own community about businesses selling age-restricted products to underage customers. I would like to know what documented enforcement history the Town has reviewed and what assurances residents have that violations will be taken seriously before we consider expanding where cannabis businesses may operate.

The existing zoning restrictions were established for a reason. They provide a reasonable separation between residential neighborhoods and businesses selling products intended exclusively for adults. They also help preserve the character of our Town Center.

I'm not arguing that marijuana businesses should have no place in Lovettsville. The current regulations already provide areas where these businesses may be permitted to operate. What I question is why we should eliminate an existing safeguard simply to accommodate a proposed business venture.

Our Town Center should reflect the community we want to cultivate. I want to see businesses that welcome families, encourage community involvement and contribute to the small-town environment that makes Lovettsville special.

Before considering any reduction in these restrictions, I would encourage the Town Council to examine actual enforcement data, the effectiveness of penalties for underage sales and the potential long-term impact on the surrounding residential neighborhoods.

I respectfully ask the Town Council to **retain the existing 500-foot residential separation requirement** and oppose any amendment that would remove this protection.

Thank you for your time and for ensuring that residents' concerns are considered before the November 12 vote.

Melissa Dukes
Lovettsville Resident

TO: **Mayor and Town Council**

FROM: **Tanya George, Interim Town Manager**

DATE: **November 12, 2026**

SUBJECT: **Town Manager's Report**

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1. **2026 Lovettsville Community Survey** – The Planning Commission's community survey, being conducted as part of its review of the Town's Comprehensive Plan, is ending in the next few days. The survey remains available on the Town's website, and community members are encouraged to participate and share their feedback before it closes.

2. **Administrative Building Renovations** – Renovations to the Town's Administrative Building are complete, and Town staff have officially moved into their new workspace.

3. **Street Sweeping** – Thank you to everyone who assisted in clearing the streets in preparation for last month's street sweeping. Thanks to the community's cooperation, the street sweeper collected more than 28,960 pounds (14.48 tons) of debris.

4. **Veterans Day Ceremony** – The Town held its annual Veterans Day Ceremony on Wednesday, November 11, 2026, at 11:00 a.m. at the Lovettsville Veterans Memorial. It was a beautiful day, with approximately 300 people in attendance to honor and recognize the service and sacrifice of our nation's veterans. This year's ceremony included the dedication of 19 Veteran Pavers and 8 Hometown Heroes Banners. A special thank you to Lizzy Fontaine for her hard work planning and coordinating this event. We also extend our appreciation to the members of Town Council, Town staff, and committee members who assisted with event setup and cleanup.

5. **Holiday Decorations** – On Thursday, November 19th, Town staff will remove the Hometown Heroes Banners and begin preparing the Town for the holiday season by installing the holiday snowflakes on the streetlight poles and rewrapping the Town's holiday tree with new lights.

6. **Town Staff Update – Planning and Zoning Administrator** – In light of the recent transition in the Town Manager position, recruitment for a new Planning and Zoning Administrator has been placed on hold until after the holidays.

7. **Toys for Tots** – The Town of Lovettsville is proud to serve as a Toys for Tots donation drop-off location at Town Hall now through December 4, 2026! The donation box will be conveniently located on the front porch, allowing donations to be dropped off at any time. Donations will be collected daily to ensure they are safely received. Additional donation drop-off locations in Town include Willow's Vintage Charm and the Lovettsville Co-op.

8. **Upcoming Town Closures** – Town Hall will be closed on Friday, November 20th, to allow staff time to reorganize and clean the Town Barn. In observance of Thanksgiving, Town offices will close at noon on Wednesday, November 25, and remain closed on Thursday, November 26, and Friday, November 27. Regular business hours will resume on Monday November 27th.

TO: **Mayor and Town Council**

FROM: **Tanya George, Interim Town Manager**

DATE: **November 12, 2026**

SUBJECT: **Upcoming Town Council Meetings – Preliminary Agendas**

Purpose: The following reflect the upcoming Town Council meeting dates and the associated preliminary agendas. This is an informational memo for Town Council's consideration for the upcoming meeting agendas. At the request of the Town Council, any addition, deletion, or modification to the tentative schedule can be made.

December 10, 2026

A. Light Up Lovettsville Awards
B. Committee Reports
C. Leaf Collection Facility for Waste Water Treatment Plant Basins Contract Award - Approval
D. Enhancements to Financial System – Approval
E. Water Treatment Plants Media Replacement – Approval
F. 2027 Landscaping Contract – Approval
G. Water and Sewer Master Plan – Discussion
H. Utility Truck Purchase Order (Tentative) - Approval
A. Proposed 2027 Town Calendar – Review
I. Town Manager's Report – Informational
J. CEED Coordinator's Report – Informational
K. July – November 2026 Financial Reports – Informational
L. Zoning Administrator's Report – Informational
M. Utilities Report – Informational
N. Capital Projects Report – Informational
O. Public Works Report – Informational

2027

A. Memorial Policy – Approval
B. Rules and Procedures Town Code Subdivision 2-II-2 – Review
C. Events Guidance Document – Review
D. Standards of Conduct and Ethics – Review
E. Employee Policies and Procedures Manual – Review