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Loudoun County Board of Supervisors, Public Hearing- ZOAM-2020-0001, Zoning Ordinance Rewrite, Wednesday, July 26, 2023

Date Wednesday, July 26, 2023
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 4h 25m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7363>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7363

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-20. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:05:17] Hello? Hi, yes, we can hear you in the boardroom. Can you hear us? Yes, I can hear you. Okay. Supervisor Turner, can you hear the remote speaker? Can you turn me on?

[00:05:39] Can you speak one more time for Supervisor Turner? Oh, I guess I am. Okay. Hello, this is Lisa. Yeah. No, I would never do that. All right, here we go. Well, good evening, supervisors.

[00:05:58] Good evening, staff. Good evening, Loudon. I'd like to call to order the July 26, 2023 Loudon County Board of Supervisors Public Hearing. This room has a hearing loop. If you need a hearing aid, please switch your, if you need hearing assistance, please switch your hearing aid to the telecom mode.

[00:06:14] If you need a hearing aid, we have those available as well. Please see the clerk to request one. And I'd like to request that everyone would please join me in the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, liberty, and justice for all.

[00:06:39] Okay, I'm going to read some stuff, then I'm going to say some stuff, and then I'm going to tell you all how this evening is going to progress. As a reminder to all members of the public addressing the board this evening, per Section 17 of the Rules of Order of our public comments and public hearings of the

Board of Supervisors, you may only sign up to speak on matters that have been advertised for this public hearing.

[00:07:03] So in other words, we're speaking today on the proposed zoning ordinance rewrite and no other topics. This legal advertisement for this hearing status, members of the public desiring to do so may appear and present their views to the board of supervisors regarding the draft zoning ordinance.

[00:07:23] Due to the broadcast delay, any member of the public who are, if you're not in the boardroom and you wish to address the board on item one, which is the ZOAM 2020-0001, please call the number that is scrolling across your screen at this time. Members of the public who have signed up to speak, you will be allotted two and a half minutes.

[00:07:43] I have never, nor will I ever change that time. If it's one person, if it's 100 people, it's two and a half minutes no matter what. If you're in the boardroom when your name is called, please come to the podium to state your name for the record. The timer on the podium will indicate your remaining time, and when your time has expired, please yield the podium to the next speaker.

[00:08:03] If you are providing your comments via phone, I'm going to ask you to use your own stopwatch because you cannot see the clock that's in the room. And I don't like stopping people when they get close to their time being up because it interrupts their flow, but I will stop you when it's over.

[00:08:19] So if you could time yourself, that would be great. And when taking public input, I'm sorry, when taking public input for items, I will first ask if there's anyone in the boardroom wishing to speak. And then I would go to the moderator, who is Andy Torres-Paz, and ask if any speakers are on the phone.

[00:08:37] Please note that there was a slight delay between the broadcast and the boardroom. Andy, can you hear me? Yes, I can. Wonderful. Okay. Supervisors, pursuant to Code Section 2.2-3708-2 and the board's rules of order, Supervisor Turner requested to participate in this meeting by electronic communication.

[00:08:57] A physical quorum of the board of supervisors is present in the boardroom, and Mr. Turner has made arrangements for his voice to be heard by all persons in the boardroom. Supervisor Turner made this request with an entire time frame, and the county attorney determined that Supervisor Turner meets the requalification to participate remotely.

[00:09:18] The board will record as finished that Supervisor Turner participated remotely from a secure location in Sedona, Arizona. supervisor turner can you hear me i can hear me we can not well but yes i can hear you but yeah but not well supervisor turner can you hear you can hear us okay though i can hear you clear as a bell okay wonderful wonderful wonderful okay supervisors and staff and loud and this is what we're going to do this evening so as i talked about that's my phone i'll get that just like

[00:09:54] talked about this a little last week i'm sure this is my mother calling let me just handle this real for it? No, no, no, no, no. She found the recipe. I'm fine. It's fine. I don't need sweet potato pie that bad. My apologies. So what I had said last week we're going to do is this. As we walk into this zoning ordinance for this first meeting of this board, I wanted

[00:10:30] any supervisors who had something they thought they wanted to say in advance of us starting to have a chance to do that right now. You should know that supervisors Kirshner, Letourneau, and Bricksman have all said that they couldn't be here, have apologized for that, but also know that this whole

thing is being webcasted and recorded, and they have all said that they will go back and watch the meeting in the future.

[00:10:53] And so although there are five of us on the dais and one of us online, three people who are not here will watch it in the future. So before I start, I'm going to go down the dais. If anyone has anything they'd like to say as we start this process, please put your light on so I can know that.

[00:11:11] And then I will call on Supervisor Turner, and then we will hear from staff, hear from planning commissioners, and then do the public comments. Supervisor Glass. Thank you, Madam Chair. I just wanted to thank everyone for coming out today, and voicing their opinion is very important that we hear everyone's voice regarding the zoning ordinance.

[00:11:32] And as Chair Randall said, we will take this into consideration and listen to what you all have to say. Thank you. Thank you. Supervisor Buffington? Thank you, Madam Chair. Thank all of you for being here this evening.

[00:11:48] We've also received a lot of e-mails and mail from folks with their opinions on the Zoning Ordinance Rewrite. If you have any questions about it, if you hear any rumors about it, you know, it says this, it says that, feel free if you'd like before you go on Facebook or Instagram and blast us to e-mail us or e-mail me at tony.buffington at loudon.gov and just ask the question and I'll send it to staff and get a response back to you so that you have accurate information. We're just starting to see a lot of information already out on social

[00:12:25] media that's just flat out inaccurate, gets people all worked up for no good reason. So thank you. Thank you. Supervisor Turner. Thank you, Madam Chair. Can you hear me okay? We can hear you just fine, sir. Great. Well, first of all, I want to thank county staff. This has been a Herculean four-year effort, and you've done a terrific job. I'm really proud of the job you've done, particularly thanks to Mr. Charles Yudd, who has really kind of shepherded the whole process

[00:12:59] through and has done the yeoman's work in getting it together. Thanks to the Planning Commission, very, very deliberative work and very thoughtful work. Thanks to all the stakeholders who have sent thousands literally of comments um i i truly appreciate that kind of engagement and it makes us all uh better citizens and yields a better product i would ask anyone that's making comments please try and make your comments first of all please refer to the most recent draft um there are multiple iterations of drafts that are floating around and just work off the current draft if we

[00:13:37] if your comments relate to prior drafts that have made changes um that doesn't help us because we have to track down exactly what you're talking about so please make sure you're referencing the current draft and then the second thing is please try and make your your inputs as specific as possible uh paragraph chapter numbers page numbers um comments such as the ordinance is way too restrictive we can't do anything with that it's far too broad so please try and make your comments specific as possible. I think this has been a very good process so far. I think you'll see from the staff presentation tonight that we've really made great progress. I'm very hopeful for the next few

[00:14:15] months. Thank you. Thank you, Mr. Turner. Okay, so I have quite a few comments. So just to give a little background, the zoning ordinance, as most of you know, is basically the county law that underlines the general land use plan, also called the comprehensive plan. The comprehensive plan governance is placed on parcels. While, for instance, the suburban policy area will have higher density,

the rural parts area will have much lower residential density, that type of thing. By law, the general plan is supposed to be updated every five years. Unfortunately, prior to 2016, Loudoun's general plan had not been updated for over 15 years, in fact,

[00:14:55] more like 18 years. So when we took office, and well, some of us took office in 2016, We, for the first time in many, many years, updated the general plan, the land use plan. Zoning falls under land use, and so we couldn't do the zoning until we had the land use, the general plan, completed.

[00:15:15] So now, finally, we have gotten to the place where we are updating our zoning ordinance, or more correctly, I think it may be called a zoning ordinance rewrite, because after almost 20 years, it's much more than just an update. There's almost a full-scale rewrite.

[00:15:31] There was so much that wasn't there 20 years ago, like data centers that are there now, and so it was a whole rewrite. Earlier in this term, the board supervisors, along with staff, put a group of citizens together. They were conservationists.

[00:15:47] They were land use experts. They were developers. They were all kind of stakeholders to work on the zoning ordinance rewrite. After almost two years of meetings, they worked on it, and then they handed their draft off to the planning commissioner. planning commissioners that took it from there. The planning commissioners then have been worked on it diligently for a very long time, and then they handed us their draft, which is what we have tonight. There is not a single decision that has been made at this time. This was the first time the supervisors actually have this in our hands and we're starting to work on it. So any thoughts, anything that's been decided, it has not. I just want to talk a little bit about what I think needs

[00:16:27] to happen. Let me just first talk about what the BOS, what we and the staff, I believe, need to do. We've had quite a bit of community outreach to get input. I also think we have to do what is sometimes called community in-reach. In other words, we need to be very diligently about going out and getting out the information to our constituents, our residents, of what the next chapter is, of why, and that type of thing. We may want to try to do it in more than one language.

[00:16:57] And to my colleagues, I will say that we need to do things like put it in our newsletter, put it on our Facebook pages or social media pages. We need to be much more deliberative about making sure people know what's going on and not hoping they catch it and then come to us. We have to reach into communities.

[00:17:13] I have some ask of the public, too, and Mr. Buffington hit on some of it. Social media is a fantastic way to share information. Unfortunately, social media is also a fantastic way to share misinformation or mistaken information. So I would never say don't share anything on social media.

[00:17:30] But if you're not sure, feel free to ask Mr. Buffington or any of us. Billis.randwell.loudon.gov. Send me an email and ask. If I don't know the answer, I'll ask staff and we'll get back to you. Also, please remember, and this is going to be one of the slides, that you have a lot of opportunities to talk to the staff and to us.

[00:17:50] This is not the first nor the last time. We've had thousands of comments already, and we're going to have another public hearing. You can email us. You can call us at any regular board meeting. You can come and talk to us. There's going to be plenty of chances to keep talking. What I want staff to know more than anything else is a couple of things.

[00:18:07] One, I really do appreciate how hard you all have worked on this. This has been a four-year process after the comprehensive plan that was a four-year process. And so you all are experts in your fields. And I say this all the time.

[00:18:23] The nine of us are committed, smart people. But we're not the smartest people in the county by no means, and especially on these issues, you all are. And so I appreciate you, and I respect your expertise. Having said that, I also want you to know that I'm going to press you on your answers.

[00:18:40] And so if you answer me, if I ask you about adaptive reuse, and you say, Chairman, that can't happen in this parcel, I'm going to press that. I'm going to want to know why that can't happen, because we are the ones making things happen or not happen. And as we do a zoning ordinance rewrite, I can't think of anything that we can't do at this point, unless it's a by-right use that was put in place many, many years ago that we can't change.

[00:19:04] I will understand that. But expect me to press you a lot more on the answers. Also expect that as we get to Chapter 9, the attainable housing chapter, I'm going to really want to know more about that issue. I want to see as few barriers as possible to attainable housing being put out in improper locations, obviously, but I'm going to want to know a lot about that.

[00:19:27] So expect a lot of information from me or questions from me at that time. I want everyone to know one other thing. There has been some discussions about whether we should push this whole thing into the next term. I understand that because we only have until the end of this term, to December 31st, before this board is no longer on the dais. I want to get as much of this done as possible, realizing that if things are just not able to be done, then maybe we have to do a CPAM. But I'm going to try, we're going to try to get as much as done as possible. And this is why it's so important to me.

[00:20:04] One, we have supervisors on this dais right now that we're here for the comprehensive plan and here for the whole zoning ordinance. Not to be political, but the truth is this is an election year. I don't know who's going to be up here next year. We may or may not be here. We know one of my colleagues we know won't be here because he's choosing not to come back.

[00:20:26] I believe if we push this to next year, it'll probably be a whole other 12 to 18 months before we get it done because you have to bring any other supervisors up to snuff or get them kind of knowledgeable, and I do not want to have the zoning ordinance and the comprehensive plan out of alignment for that much longer. I mean, it's out of alignment right now, but if we keep waiting to be even, you know, out of alignment for another year and a half, that's a really long time, and it gets really confusing for everyone when the comprehensive plan and the zoning ordinance is out of alignment. Another very large reason is the man sitting down at the end of this day is

[00:21:06] Charles Judd, who shepherded the comprehensive plan through and the zoning ordinance through. Charles Judd is retiring soon. We're going to miss him greatly, but the truth is he has been a font of knowledge for all of these issues, and if we push this to the next term, he won't be here.

[00:21:27] He won't be here because he has earned a wonderful and relaxing retirement, and we're on all missing, but the institutional knowledge that walks out the door with Charles Judd is huge. And so I'd like to have him at our, for lack of a better word, disposal as we are trying to go through this process. And fourthly and finally, I believe it is the duty of this board to get this done, or as much as we can. I don't

believe we should pass this very, very heavy task off to a new board. I believe that this board set off to do this task, and we have gone through the

[00:22:04] Zoning Norton's rewrite group and the planning commission and everything else. And now it's us. Now it's our turn. And so we need to buckle down, have meetings, do whatever you need to do to get this done. Again, if we get to a place where, you know, we just know we can't get this part done, okay.

[00:22:21] But I do, I absolutely want to try to get it done. And I think it is, I think we're the one, I think we should do it. I don't think we should put it on a new board to do. Having said all that, we do have two motions to make before we do anything else.

[00:22:37] And let me explain the motion so people don't think we're making motions before we even hear you, because what would that use of that be? The first motion is to have the work sessions, to have these discussions. And the motion I am asking is the motion puts us in what's called a committee as a whole.

[00:22:53] And so when we go to a committee as a whole, I assign a certain time slot for a certain discussion. So I'll say the board's going to discuss signs for an hour. And then everyone can speak on there without having to limit themselves to three minutes, up to one hour.

[00:23:12] And at that point, that discussion is over. Supervisor, I will remind you and the committee as a whole to not take about the time from your colleagues who might want to speak on those things too. But when we're having these types of discussions, the back and forth and back and forth and back and forth in the committee as a whole is much easier to do than me calling on people in traditional Roberts Rules of Order.

[00:23:34] So the first motion is just the committee as a whole motion. The second motion is the work plan schedule when we will meet on the days that we are going to meet. Supervisors, I realize this is a very, very heavy schedule and a very tough schedule. I get that totally, but we're going to try to get this through.

[00:23:52] So those are the one motion in two parts that I'm going to make right now, And then we would go to staff, and then we would go to planning commissioners, and then we would go to the public. Thank you. Okay. I move the Board of Supervisors forward, ZOAM 2020-0001 Zoning Ordinance Rewrite, to a series of Board of Supervisors Committee of the Whole work sessions for further discussion.

[00:24:18] And I further move that the Board of Supervisors approve the Supervisor Zoning Ordinance Rewrite, ZOAM, 2020 through 0001 work session public hearing schedule for review of the Zoning Ordinance Rewrite and provide it in attachment four to the July 26, 2023 Board of Supervisors staff report.

[00:24:40] All right. Motion's been made and seconded, and those two motions don't do anything but allow us to start the conversations and to have the conversations in a committee as a whole, as the chair deems appropriate. It may not always be a committee as a whole, but as I deem appropriate, I won't have to stop and make a separate motion.

[00:25:00] I can just say, supervisors, I'm going to move this to a committee as a whole, and it's just an easier flow of discussion. So, motion's been made and seconded. Discussion on the motion? Any further discussion? Mr. Turner, do you have anything? I have nothing. Anybody else?

[00:25:16] Yes, ma'am. Ms. Glass. Madam Chair, right now I understand that we're having this discussion, but with the meetings that we're having, they're going to focus on each chapter, correct? They are. Okay. So

this is, I guess what I'm trying to say is, I think I would have a lot more questions when it comes to each chapter.

[00:25:43] Sure, of course, yeah. Versus? Right now. And yeah, absolutely. And what's happened so far, just so everyone knows, is that the presentation you're about to see, we've all received already. The supervisors have received this presentation individually, individually and asked questions individually.

[00:26:03] But as we go, that was a great question. As we go through the zoning ordinance, we're going to go chapter by chapter by chapter by chapter and then do some straw poll votes on those chapters. But the final vote won't happen until the end.

[00:26:20] So there's no questions to have yet, to be quite honest, because we haven't gone through the chapters. But I just want to let everyone know what the process is. That's all. Okay. Anybody else? All right. Only people say aye. Any opposed? Aye. Any opposed?

[00:26:35] That motion will pass 603 with Mr. Turner. I'm sorry, Mr. Letourneau, Ms. Bricksman, and Mr. Kirshner being off the dais. Okay. Staff, thank you. We're ready when you are. Yes, ma'am. Good evening, Chair Randall and members of the Board of Supervisors.

[00:26:52] I'm Daniel Galindo, Director of the Department of Planning and Zoning, and we are here before you tonight to present the draft Zoning Ordinance Rewrite. To my right is Brian Regner, Manager of our Customer Service Center and one of the project leads on the Zoning Ordinance Rewrite Project. Behind me are additional DPZ staff that have been heavily involved with the rewrite, Kate McConnell, Rick Hancock, Mark Holland, and Zoning Administrator Mark Stultz.

[00:27:15] Here with us in spirit, but taking a long planned and well-deserved vacation, is Deputy Director and ZOR Project Manager Judy Burkett. She is sorry that she can't be with us tonight, but I promise that you will see plenty more of her over the coming months. The rewrite is a large, complex project, and DPZ has been supported by staff from numerous departments, including Building and Development, DTCI, Economic Development, General Services, the County Attorney's Office, and County Administration.

[00:27:41] Deputy County Administrator Charles Yudd is on the dais with you tonight, and I'd like to take a moment to briefly thank Mr. Yudd for devoting so much time and effort to this project over the past year. His leadership has been instrumental in improving and delivering the draft zoning ordinance that you start consideration of tonight. This is a large and extremely important project that will shape the county's development and appearance for decades to come.

[00:28:04] So staff has a longer than normal presentation prepared for you tonight. Immediately following staff's presentation, the chair and vice chair of the Planning Commission will also address the board and provide their perspective. The draft zoning ordinance before you is the result of thousands of hours of staff effort, hundreds of meetings with stakeholders, and dozens of meetings by the Zoning Ordinance Committee and Planning Commission.

[00:28:25] We have received thousands of comments from the public and development industry, and staff has considered them all. Many improvements have been made to the ordinance since the first draft, though there are some areas where staff disagrees with the general or specific feedback received. I know that you will hear comments regarding many of those areas tonight during the public hearing.

[00:28:44] The final point I'd like to make before moving forward with the presentation is that staff is confident in the draft zoning ordinance presented to you tonight, but we are realists, and we know that there's always language that can be tweaked or improved. However, we shouldn't forget that we created a new comprehensive plan and a new draft zoning ordinance to implement the plan because many parts of our current ordinance no longer reflect the present and future that the community and the board want for Loudoun.

[00:29:09] Staff looks forward to working with the board to complete and adopt a new zoning ordinance for Loudoun that reflects the board's desired balance on these matters and will help Loudoun achieve a prosperous and sustainable future. Thank you. Next slide. The Planning Commission held two public hearings on earlier drafts of this document in August of last year and January of this year.

[00:29:31] The public comments received at the hearings guided the discussions during 25 work sessions, including subcommittee meetings on parking and uses. The commission completed their work on June 8th and forwarded the zoning ordinance rewrite to the board with the recommendation of approval.

[00:29:47] The commission also recommended running additional scenarios to test the draft regulations and understand the impacts of the new ordinance more fully. Staff is working with the consultant to prepare these scenarios, which will be discussed with the board during upcoming meetings. The commission also recommended that the board consider eight potential comprehensive plan amendments and or zoning ordinance amendments following adoption of the new ordinance.

[00:30:10] Next slide, please. One primary purpose of the new ordinance is to implement the 2019 general plan. The plan does not have detailed policy guidance or does not specifically address the topics displayed on this slide. These topics require more concerted effort that exceeded the scope of the zoning ordinance rewrite.

[00:30:30] The draft ordinance. Can I just stop you right there? Because if I'm sitting on the audience and I'm looking at page four, I'm asking this question. Can we go back to the slide four? I'm asking, how does Western Loudoun County not not play into the scope of his zoning ordinance for Loudoun County?

[00:30:59] So we will address that in a later slide. But there are a number of topics that are primarily found in Western Loudoun that would have taken many more months of effort to focus on each of those individually. So that is why they have been recommended for future efforts and not to be incorporated into this project. Can you do me a favor and quickly explain to everybody what a CPAM is?

[00:31:17] Because when I first came to this job, you guys were throwing around the ABC alphabet. I had no idea what you were talking about. So can you explain to people what a CPAM is so that they know what we're saying? Yes, ma'am. A CPAM is an acronym for a comprehensive plan amendment, which is a type of application that we use to amend the general plan, the countywide transportation plan, and any other plan documents that the county has adopted under the authority granted by the state for comprehensive plans.

[00:31:47] Okay. And Weston Loudoun is considered what? Everything west of 15? Well, so that's just a catch-all for a number of topics, including Virginia Farm wineries, limited distilleries, limited breweries, outside events and music hours, and a number of things that we will touch on here in a moment.

[00:32:06] Wonderful. Thank you. The draft ordinance has been reorganized into 12 chapters and three appendices. There was a real concerted effort to consolidate regulations rather than have them scattered and repeated throughout different sections.

[00:32:29] Table 4 in the staff report explains the new structure of the ordinance and where to find what provisions. We want to bring to your attention some of the major changes between the current ordinance and the draft ordinance.

[00:32:46] Upon adoption, the new ordinance would repeal and replace the current one. There is no change to how properties administered under the 1972 ordinance are treated, but all other property will be administered under this new ordinance.

[00:33:07] There is no remapping or rezoning proposed as part of the rewrite. New zoning districts were created to implement the general plan place types. These new districts are unmapped. A landowner would apply to rezone to these districts.

[00:33:27] Current zoning districts that align with general plan place types will be retained, and other districts will continue as legacy districts. Legacy districts do not closely resemble place types.

[00:33:45] Regulations remain the same, except for a few changes to improve administration. Categorizing these existing districts as legacy allows the county to maintain one zoning ordinance and legacy districts will not be allowed to expand beyond existing boundaries, but projects can develop as approved and approved concept development plans can be amended. This is a way to implement the general plan while protecting previously approved projects. Various use names have been modernized and

[00:34:24] consolidated to make a more streamlined ordinance. Some uses are referred to differently throughout the current ordinance. The rewrite corrects this problem and makes these references consistent for clarity. This is an important point to make because if you search for a specific term, it may appear not to be there, but it is.

[00:34:46] And we want the public to know that while the name overuse may have changed, their permissions have not. A handful of uses were deleted from the ordinance. These are uses that have proven to be administratively problematic or uses that are not likely to be established.

[00:35:06] An example is magazine-contained explosives facility. New uses were added to address new trends and new industries, such as live-work dwelling and energy storage. Uses already listed as permitted in some districts were added as permitted in additional districts to address public comment.

[00:35:31] Examples are dog park, kennel, and flex building. The draft also allows more uses by right that previously required a special exception. I also want to point out that in a use table, if you see P/S, that means the use is permitted or requires a special exception based on circumstances.

[00:35:53] And you have to refer to the standards in chapter four to see when a special exception is required. Most of these triggers are carried over from the current ordinance. Our goal was to allow more uses by right and to make the regulations clearer and more consistent.

[00:36:12] The county worked closely with stakeholders to prepare more robust standards for data centers, focusing on impacts to adjacent residential uses. The current ordinance does not have a specific universal setback that would apply when a data center building is adjacent to a residential.

[00:36:36] The draft requires that a data center be set back 200 feet from an adjacent residential property. It also requires that when a data center is located within 400 feet of a residential property, the upper stories need to be stepped back by 15 feet to reduce visual impact.

[00:36:56] And the draft includes a requirement for a lighting plan and a pre- and post-construction plan for noise modeling to ensure conformance to noise standards. The county worked closely with stakeholders to ease restrictions for flex buildings.

[00:37:15] Outdoor storage is not allowed under the current ordinance. The rewrite allows up to 10% of the lot to be used for outdoor storage in certain districts, subject to screening requirements. The use is also allowed in more districts under the rewrite.

[00:37:30] And any use allowed in the underlying district continues to be allowed in a flex building. The county worked with stakeholders to strengthen protections for the mountainside overlay district. The boundaries are not changing, but there are new standards to address impacts of non-residential uses in the MOD and to protect spring features.

[00:37:55] There are enhanced standards for MOD areas based on the degree of sensitivity, the amount of existing forested area, and the amount of steep slope areas. Another major change is the addition of transition standards.

[00:38:13] Their function is to help reduce land use conflicts between new and existing development by reducing maximum allowable height within 200 feet of a shorter development and providing perimeter setbacks in transition districts and in office and industrial districts when adjacent to transition districts.

[00:38:34] These standards are based on the general plan transition design characteristics. A new approach to open space implements the general plan open space policies in all districts. Under the current ordinance, each district has different open space requirements, definitions, and calculations.

[00:38:56] Open space requirements are now consolidated in one place and consistently administered in all districts. The new approach prioritizes quality open space and environmental features by separating eligible open space into three tiers of value.

[00:39:17] applicant can provide less open space if that open space is higher quality. Under the current ordinance, all open space counts equally towards the minimum requirement. Under the draft, natural areas such as tree conservation areas would count higher. This can result in a site that protects natural features. It also results in the applicant potentially having the option of providing less open space on the site. The Commission reviewed four open space scenarios that demonstrate how the new provisions are applied and we will share those with the board at a future work session.

[00:39:55] Parking ratios in the draft are determined by land use and zoning district category. Uses in an urban district can have less parking requirements for the same use in a suburban or transition district, for example. In some cases, there will also be a maximum number of parking spaces that may be provided. The county received public comment saying that some residential areas, especially attached and multifamily neighborhoods, are under-parked and that commercial areas are

[00:40:33] over-parked. Changes to parking rates respond to this comment. One change is that the draft counts residential garage spaces as half parking spaces and creates separate categories for single family detached dwellings based on lot size and number of bedrooms. The draft also includes a more flexible parking adjustment process. The current ordinance requires a 20-year parking covenant or approval of a zoning modification. The draft allows a smoother process and requests for

[00:41:09] adjustments by less than 35% will now be eligible for an administrative process. Draft sign regulations have been rewritten with the goal of making them content neutral to address recent case law. Many sign standards have been changed to allow more signage, which reduces the need for applicants to seek modifications. The rewrite moves the review of standalone sign development plans to the Board of Zoning Appeals to save applicants time. And the draft also includes new

[00:41:46] regulations for digital signs in certain commercial, urban, and mixed-use districts instead of relying on the current sign development plan process. Attainable housing standards implement general plan policies by requiring more attainable housing in new developments. The draft requires all projects with 24 or more dwelling units served by public water and sewer to provide ADUs. Even though more attainable housing units are now required, many of the regulations are modifiable

[00:42:23] to allow flexibility. The draft ordinance allows more administrative procedures than before, as requested by comments received that were concerned about the length and expense of the legislative process. As an example, the new ordinance adds a new procedure for administrative modifications in accordance with the Code of Virginia. Rezoning and special exception timelines and procedures are simplified and equalized in the draft. The commission will review minor special exception applications when processed with other applications subject to commission review, and instead of needing a separate application, zoning modification requests are now components

[00:42:59] of concept development plans, which are adopted as components of rezoning applications or amended as part of zoning concept plan amendment applications. Where no concept plan exists or is required, Special exception approval is the required process for legislative modifications.

[00:43:17] Under the current ordinance, with limited exceptions, the regulations in suburban zoning districts may be modified through a rezoning application, and planned development zoning districts can be modified through a standalone zoning modification application. The draft ordinance takes a different approach to better align with the Code of Virginia and to incorporate more opportunity for administrative modifications.

[00:43:39] The draft ordinance adjusted certain regulations to reduce the need to apply for modification in the first place. Signed standards are one example. In addition, most modifications requested on legislative applications involve setbacks. These are commonly approved and remain modifiable in the draft zoning ordinance.

[00:43:55] I'll also note that the current Article 7 development standards, which allow smaller dimensions, are now the by-right standards. This makes the minimum yard requirements smaller and increases lot coverage, thereby reducing the need for modifications. The rewrite also includes a new PUD district.

[00:44:14] an applicant can request to rezone to the totally customizable PUD district without the need to request modifications to a base zoning district. This represents a new level of flexibility not previously available to applicants. In summary, the draft ordinance is flexible and has more opportunities for administrative review.

[00:44:32] There are five issues that staff would like to highlight for the board's attention, and staff will seek board direction on these issues at the meeting when we discuss the respective chapter or section. The

first issue is regarding data center standards. Staff worked with the data center industry on earlier drafts of data center standards.

[00:44:49] and the Planning Commission amended these standards further when adjacent to residential uses by increasing setbacks and placing limits on generators. These are issues that staff will highlight when the Board discusses Chapter 3 and Chapter 4. This slide compares the current ordinance and the draft ordinance with respect to data center use specific standards. Note that noise modeling and lighting plans would also now be required under the draft ordinance. The next topic is the emerging use of energy storage facilities. This use involves equipment or technology capable of absorbing energy, storing energy, and redelivering energy. Staff currently

[00:45:29] recommends these facilities continue to be allowed by special exception in industrial zoning districts only as they are today. However, the Planning Commission recommended expanded use permissions and reduced setback requirements. Although staff continues to work with interested parties to better understand this emerging use, staff currently recommends that before expanding use permissions, the county work with a consultant to assist the fire marshal and the building official with developing stringent fire and life safety standards. The next issue to highlight is the structure and parking setbacks along Route 7 from the Fairfax County line west to the Broad

[00:46:03] Run. The draft ordinance increases the structure setback from 50 feet to 100 feet and the parking setbacks from 50 feet to 75 feet. There was no public comment in support of this recommendation and the general plan and countywide transportation plan provide no policy guidance regarding the setbacks along this segment of Route 7. Staff is concerned that this change will have negative impacts on existing uses in this area. The next issue is regarding public school use specific standards. The draft ordinance makes requirements for public schools more stringent with respect to environmental regulations. County staff and Loudoun County Public Schools staff do not support these

[00:46:42] changes because as public school sites become increasingly scarce, maintaining flexibility is important. The last issue to highlight relates to a definition of the term farm and regulations for rural economy uses to the chair's earlier question. There have been substantial input from the public and the business community, and the commission had significant discussions regarding a variety of rural topics. These include adding a definition of farm, mitigating impacts associated with limited breweries, limited distilleries, and Virginia farm wineries, livery stables, and equine event

[00:47:16] facilities, indoor recreation, and outdoor lighting and music hours. They are conflicting public sentiments for both more and less regulation on these matters. The 2019 general plan provides no policy support to add stringent regulations or to eliminate existing regulations. So in many instances, zoning regulations for rural economy uses were carried over from the current ordinance and remain largely unchanged. Staff recommends the creation of additional policy guidance and separate public engagement on these topics following the adoption of the new zoning ordinance.

[00:47:49] The Planning Commission also recommended that these issues be addressed in a future CPAM and ZOAM. I'd also like to pause here to acknowledge some community concerns that were relayed to staff today, that the draft zoning ordinance would make it illegal to have farming operations on less than five acres of land. While a prior draft included a definition of farm that specified a five-acre minimum. That has been removed in the current draft, so that concern is not one that is located in this draft. We have

received thousands of public comments, and these comments have been a driving factor in the way staff and the Commission have discussed ideas. Staff continues

[00:48:27] to meet with stakeholders to attempt to resolve any issues, and at any time throughout the project anyone can submit comments through various methods. We encourage the public to visit [loudon.gov slash zoning ordinance rewrite](https://loudon.gov/slash/zoning-ordinance-rewrite) for more information. This concludes staff's presentation, and at this time Michelle Frank, Chair of the Planning Commission, and Eric Combs, Vice Chair of the Planning Commission, would like to say a few words.

[00:48:51] Chair Frank and Vice Chair Combs, you guys have put so much time and effort and energy into this. I really appreciate all the leadership meetings we've had with Mr. Turner as Chair of T-Luck, and I have a feeling you're not sad to pass this off to the board.

[00:49:07] And I appreciate it and appreciate you. Thank you. Ready when you are. Thank you, Chair Randall. Supervisors, Michelle Frank. I'm the Broad Run District Commissioner as well as this year's chair. I'm joined by Eric Combs, our Vice Chair and the Ashburn District Commissioner. We're honored to be here. Yes, we are. We are looking forward to handing it off, though I don't expect that this will be the last we'll ever talk to you about this.

[00:49:33] We are here tonight to really present some of the narrative and the color behind the action we took. I think Dan and Brian really kind of covered the process and where we've been. I look at this as a long-distance relay race. You all fired a gun, started the process, ZOC did their work, they handed a baton over to staff and consultants who did some more work, who handed a baton over to us, and now we're handing a baton to you.

[00:49:57] So this is a process. Yes, as Mr. Galindo said, we think it's a very good product in front of you, but we realize that there are some things that warrant a little more work and scrutiny and discussion. So we have done a lot in the 10 months since our first public hearing. Yes, there were 25 dedicated ZOR meetings from the Planning Commission. But beyond that, there have been countless meetings, discussions with stakeholders held by individual commissioners, a number of calls, meetings, teams, meetings with staff every time we had a question needed. It needed an explanation from stakeholders to staff to community members.

[00:50:35] The inputs, expertise, and support has been such a valuable part of us getting to where we are today, and we're incredibly grateful, and it really did improve the draft that you have before you right now. Really just want to kind of start with a couple of the areas we took deep dives into that the current draft addresses.

[00:50:58] I don't want to repeat things that staff has said. So if I don't mention something, it doesn't mean we weren't excited about it. But for the sake of time, I'm going to kind of go with signs as one of those. That was on at least six of our agendas. So we think we covered it pretty thoroughly.

[00:51:15] And I think staff highlighted the changes we made there fairly well. As far as attainable housing, in addition to things staff mentioned, we have parking reductions that are now automatic in this draft. no longer requiring a specs to make the projects more affordable and better positioned when they go out seeking incentives from the state and the federal government. We've simplified the timing and the phasing process for affordable units that are part of a larger market rate developments by reducing the

tiered timeline approach from three benchmarks we currently have to two, which we're hoping gives flexibility and certainty to those developers as they're

[00:51:52] constructing the overall development and removes the current barrier to affordable housing. As far as environment and natural resources, staff mentioned a whole bunch of items in this draft, but this draft also sets a minimum native plant requirements at 80% to provide for a greater number of opportunities to achieve the wildlife habitat policies in the comprehensive plan, while still providing a degree of flexibility to adapt to site-specific needs and restrictions.

[00:52:20] We also provided increased buffers on the broad-run risker in this draft. Can you say what a risker is, please? river and stream corridor it's my alphabet soup quiz for the day i know i appreciate it um open space open space is another item that we spent a lot of time on as staff said we we really worked to get this draft to apply and address open space consistently in all the zoning districts

[00:52:52] with a focus on quality so we we did set up the three sort of levels of value you know you get bonus for tree conservations, linear parks, historic and wildlife resources being preserved. We also, when you see that 50%, we almost needed reminded. We did so much work on it, what we did there. But I want to point out that that 50% credit that is for open space for land dedicated to the county, you might think, why only 50%? It was zero before this draft. So recognizing that

[00:53:28] we need land particularly in eastern loudon for parks schools libraries police stations whatever it may be we thought that putting that in there as an open space to allow that to count towards open space might be an additional incentive to help to help make that happen there was a large amount of stakeholder feedback on open space and I'm sure you'll hear some of it more tonight as staff has said we had some test cases prepared for us by a consultant and it was probably one of the most valuable tools that we had in that discussion and really overall in this process was just getting the opportunity to run it up the flagpole and see what it looked like, test drive it, so to speak.

[00:54:08] And I think that it was reassuring in most ways that it worked the way we were looking for it to. It wasn't overly restrictive. It gave us an opportunity to make a couple small tweaks. So that was a very valuable tool. As far as uses and standards, that was a separate uses subcommittee was formed that met another half a dozen times, independent from the commission.

[00:54:30] There was a lot of discussion, as the staff has said, on flex buildings, data center standards. The data center standards also now, the draft before you includes enhanced design and architectural features and landscaping buffers between other uses. As far as process and procedures, this is another one I suspect you'll hear a good amount about tonight, particularly modifications.

[00:54:59] As by better aligning the zoning districts and the place types, the ZO and the use standards provide more certainty for residents and businesses in the county by creating explicit, predictable development standards that don't rely on modifications to meet place types and uses.

[00:55:15] So there are still ways for applicants to pursue modifications. Another way we think we've improved that process in this draft is that zoning applications can come to the Planning Commission after three rounds of referrals, unless all parties want to do more or less, they can agree to deviate, but they can come to us after three.

[00:55:37] We're hoping that that standard provides a streamlined process for applicants and also as a better use of staff resources, whereas sometimes we see resubmissions that really don't have many

material changes and add months on to a process. The other thing that staff did mention as far as process and procedures is the planned unit development zoning district.

[00:56:01] Where folks are concerned about modifications, I keep coming back to this. This is really designed to give you the ultimate flexibility. You no longer have to fit a square peg in a round hole. You don't need the modifications. You can bring forward an application that's innovative and exciting and different, and let it be judged on that merit. And it can go through a legislative process, and it can be determined whether it's the appropriate thing for that particular place.

[00:56:29] So there's a lot of flexibility here that I don't want, we don't want folks to lose sight of. Parking regulations. This was another subcommittee. We focus primarily on residential parking.

[00:56:47] And if you'll indulge me, I'm going to go a slight bit down a rabbit hole. Vice Chair Combs has already chuckled about what I spent my afternoon doing, so this is my gift to Charles. It's my free consulting. I did a case study for you. So one of the things we did, and this isn't my case study, is we proposed lower parking requirements for residential units in the urban and transit cores compared to the suburban and transition areas.

[00:57:12] We also gave multiple opportunities for further reduction when a development is near or includes bus stops. It's near metro. It has pedestrian facilities. We want to incent as much of this in those core areas as we can, which lowers the parking requirement. So that's sort of our intent there.

[00:57:30] One of the things that we have seen, and I know there are offices struggling with it now, is that many of the higher-density, smaller-lot residential plans in eastern Loudoun County that are coming before us, a number of which have been approved, a number here now, and I suspect a lot more are coming.

[00:57:48] They're just not providing enough parking. It's not functioning right. It leads to safety issues, quality of life, property value issues. This actually came to my attention, and this is funny. This is an area that several of us commissioners know exactly where this neighborhood is, and it's kind of our, we know it's an issue.

[00:58:08] And it came to light again last week through the Broad Run office because they're trying to work with their constituents to fix this problem. So I did a quick analysis. This parcel is TRC zoning in the urban area. It's 124 multifamily stacked units, currently parked at 2.2 spots per unit.

[00:58:30] Included in there is 22 off-lot parking spots. There are more than 30 cars in those red circles parked on the grass across a four-lane road illegally in land that, honestly, is going to be developed as the development around the Metro Rail grows the way we want it to and the way we anticipate.

[00:58:49] So those folks are then running across that road. Using the ratios and the formulas that we have proposed in the draft before you, they would benefit from being close to Metro. We do have new requirements. We do change the way the garages are counted. Taking all that into account, conservatively, this development would be required to provide an additional 35 off-lot spots under the draft we have now.

[00:59:17] There's about 32 cars parked illegally across the street. It's only one case study, but it's a quick look at are we getting close to where the need really is. We say you need to give us 35 more spots. There's at least 32 right there. So there's more work that needs to be done.

[00:59:35] We'll talk about those case studies, but that's sort of where we were trying to go. There's no increase in parking out in the rural areas. There's no increase, you know, single-family detached isn't really going to see a big bump, except in small, narrow lots, because there's no street curb frontage for people to park.

[00:59:53] And a lot of those developments are coming forward with narrower streets that don't allow parking on both sides for fire and safety reasons. So it's just something that we've seen evolve, and we're now dealing with some of the places where it didn't work so well, this is our opportunity to hopefully fix it and improve it.

[01:00:12] So those are kind of where we dove deep. We dove deep on a lot of things, but those are the highlights. As far as additional focus as you guys go forward, staff has already mentioned just about all of this. These are things that we think we've worked on, but we recognize that you're going to hear from some stakeholders, and they may warrant some additional discussion and work.

[01:00:35] So energy storage facilities, open space. We really feel like we got there, but dig deeper, by all means, and run through the scenarios. I know staff will share those with you. Modifications and Exhibit C in your big binder, that's another area that we think would be really great to use case studies.

[01:00:58] Run it through. See what it looks like. Modifications, zoning and specs applications. Recently, it's come to our attention that some folks are not super confident in using the AMI-based formula for attainable unit parking ratios.

[01:01:15] If that's the case, run a case. Like, they think we're going to end up with more. Our intent was to give them less parking requirements to make them more competitive. If that's the case, then let's find a different way to do it. But I think the way you figure that out is through those case studies.

[01:01:31] So we found those to be just incredibly valuable and suspect you will as well. So as you're scoping out what you want the consultants to work on, those are just some suggestions we had. As far as the future initiatives, things that we just couldn't get to, mostly because they're outside of the scope of the zoning ordinance rewrite.

[01:01:54] We had these eight items. The commission ranked them, and I will tell you that when you put every individual commissioner's votes all together into a spreadsheet, there were very obvious three groups that emerged. The top two were pretty close in their score.

[01:02:09] the data center environmental sustainability standards, which, quite candidly, you've already initiated a CPAM to undertake additional review and policy changes related to data center uses beyond the standards that are already addressed in the scope of this zoning ordinance rewrite.

[01:02:26] So I don't know that we have anything to add there. You obviously see a priority. Ms. Frank, sure, Frank. Let me just, I'm going to ask you what I asked, Frank. I would like you to expand on the thought that Western Loudoun, as it's listed, that it's beyond the scope of what the zoning ordinance rewrite is supposed to do.

[01:02:43] Western Loudoun is Loudoun. Right. And quite frankly, by land use, two-thirds of Loudoun. And so can you be more specific? Because just to say Western Loudoun is beyond the scope just doesn't, it's just, and just by the way, this area, these lights right here from the Planning Commission, this is the first time we're seeing these.

[01:03:01] We haven't received a briefing on these lights yet. Right. And so we're seeing these with everybody. But I don't, I'm having a hard time understanding what you're saying there. Absolutely, Chair. Funny enough, that's my entire last page is what I'm looking for.

[01:03:19] Because I think we anticipated that there's, I think it's helpful for you to understand how it evolved while we were working on it. And then what we understood is why we kind of paused. And hopefully everybody, I think staff and county admin, we were working, you know, lockstep with them as we were having these discussions.

[01:03:37] So I think we're all on board, but Western Loudoun, as Mr. Glendo said, is limited breweries, limited distilleries, Virginia farm winery uses and use standards, stable livery and equine event facility uses and use standards, indoor recreation and outdoor lighting and music hours.

[01:03:55] It became a very big. So it's not residential. No, no, not residential. Nothing related to the soil, nothing like that. The other separate initiatives. To me, Western Loudoun became the data centers of the West.

[01:04:14] What we found here with our business in Western Loudoun, our economy, is that the industry grew, thrived, and it looks nothing like what it did 20 years ago, just like data centers in the East. So what started as a wonderful agribusiness idea at Great Country Farms and Doug Fabioli's wineries has just blossomed.

[01:04:35] And it's a wonderful, wonderful economy and feel to our rural economy out there. What happened was we started down this path, and staff had the intention to codify the current administration and interpretation, what they felt like they'd been doing all these years that just, again, it's been 20 years since we updated the document.

[01:04:54] We didn't have it in the document. We were going as, you know, doing as we went, kind of. We discovered that in the conversations with stakeholders in our subcommittee meetings that a number of our agribusiness, winery, brewery, distillery businesses are really kind of currently operating today with the current zoning and various stages of compliance.

[01:05:19] So for a couple of reasons, that kind of slowed everybody down. One, I think the general thing is we didn't think it was responsible to add new standards and regulations when there's clearly a disconnect with where we are currently today.

[01:05:37] We were concerned about the impacts that that would make and what it would do to both the thriving and important rural economy as well as the neighboring residents. So candidly, that kind of made a stop and pause. Consulting with the county attorney's office, we also knew that proposed changes in the Virginia Code with regards to some of the ABC-regulated and ag uses as far as what the county is even permitted to do or not on those uses, we're in flux.

[01:06:06] They were changing, just as some other things changed on July 1st, and some other things are still in process. So we didn't even really have all the information we needed to know to handle the issues and be compliant with what Richmond is doing. So we had a timing disconnect as well.

[01:06:22] So knowing that we had talked to stakeholders, that this was a bigger undertaking than I think any of us anticipated six months ago, and that we had a bit of a timing issue as far as what was going on and what we were permitted to do on some of these things, it just kind of left us where we were.

[01:06:44] I believe it was probably April or so when we all put our heads together and said, could we do this in six months? Like, if we had another six months, could we do it? We didn't know that we could. And so that was where we got to the point where we said this is probably a separate standalone effort that warrants because it needs to be done thoughtfully and carefully.

[01:07:08] And, you know, so that was that's kind of how we got where we are. We agree. That's the one issue of the eight that probably might have technically fallen into the scope of what the ZOR was going to allow us to do, but we had those other issues going on that made it a bigger undertaking.

[01:07:33] I don't want to go through all those other issues. I think some of them are very self-explanatory. Some in Group 3, again, were waiting on federal regulations to be able to do things. You know, you guys have already Evergreen Mills corridor plan. You're familiar with what that would look like.

[01:07:49] We just sort of wanted to flag it as something that as we're seeing applications and things coming in, maybe it's important to move that up the list. That was your mother, and that's my nine-year-old FaceTiming me. So anyway, hopefully he doesn't do it again.

[01:08:07] All right. So really, I mean, I think obviously we're here to answer any questions and walk through and, you know, share as much as we can. You know, we learned some lessons going through this that we just felt like we wouldn't be doing our jobs if we didn't kind of make some suggestions at this point.

[01:08:29] As you started with, Chair Randall, waiting 20 years to do this is probably not the best idea. Absolutely not. I mean, 30 years since a rewrite, 20 years since a revision. It's not manageable. I think looking back now, four years in, we all kind of understand that.

[01:08:47] I don't have to convince anyone. We would recommend considering breaking this into the parts and having one part kind of always in progress as you move forward. We encourage that this being part of the work plan for the department and committing dedicated staff resources to it going forward, because this has been an exceptional undertaking for staff, and we all know that it has probably exhausted them.

[01:09:14] it's pulled resources from other efforts we have probably had staff turnover that we could tie to this it's it's been tough um so i think there's a lot of reasons it's just not in the best interest of the county probably either but but to have an ongoing dedicated staff would probably function a lot better perhaps we could even run cpams and zoams on the same subjects concurrently or right behind each other so that there isn't four or five-year lags. You know, we recognize like the comprehensive plan, the general plan, the zoning ordinance is not going to be a static document.

[01:09:50] There will be CPAMs, ZOAMs, interpretations needed along the way. There's so much change and so many people impacted by the draft before you just because it's been so long and the world has changed. Laws have changed. Interpretations have changed. That there's going to be a steep learning curve. So we're hopeful that everybody will take a moment and do exactly what you all encouraged, ask the questions. Let's talk through it, because we had a lot of those discussions with stakeholders and staff ourselves, and they were almost always incredibly productive. And so I

[01:10:26] would encourage folks to continue to do that. That cooperative approach is how we're going to get there. So really, yes, it's the last leg of the relay race. We are handing the baton over to you, But we're still here, and we will support in any way we can until you get to the finish line.

[01:10:43] Well, I ran track in high school and college, and I often ran the anchor leg, so I'll take it. There you go. I'll take it. Thank you both, and thank you to all the planning commissioners and all the staff that supported the planning commissioner. All right, so I'm going to go to questions now from colleagues, and then we'll do the public comments.

[01:11:01] So first, Mr. Turner, on the line, do you have any questions? Well, I think staff and the Planning Commission have laid out the framework for future discussions. I really like the chapter-by-chapter work sessions that we're going to go into. So at this level, I really have no questions.

[01:11:20] I will point out that the staff's presentation and the Planning Commission's presentation separates out various discussions about data center performance standards, environmental standards and that sort of thing. As the board knows, I think that the answer and I think staff would agree that the answer for data centers is to have a CPAM, ZOAM coordinated single project that moves forward. I'll propose that in October to begin in January, presumably after we

[01:11:54] finish this zoning ordinance rewrite. But I think it's absolutely essential that we tackle, as Chair Frank just sort of alluded to that we tackle the data center issue as a coordinated plan zoning ordinance combined project to get it done as quickly as possible that's all I have thank you that's great work thank you very much thank you very much as well Mr. Buffington thank you Madam Chair uh since for planning commission first since you went uh just now uh first off thank you for all the work I know you guys have your regular work and then on top of all of that regular work You had this, which was a huge job, probably just as big as all the other regular work that you did.

[01:12:32] So basically, you probably had twice as many, if not more, meetings than you would normally have if we weren't doing this particular project. So thank you again. My question is regarding slide 33, where group one, it says Western Loudoun, if we could go back to that.

[01:12:51] And I also saw that staff in slide four on yours, when it had the eight different blocks up there, and one of them just said Western Loudoun. So my question on that, I'm trying to better understand that myself. I'm sure a lot of the public is trying to better understand that.

[01:13:07] And I'm gathering that what you mean by that is rural economy uses. Is that what you, that's it? That is probably the most accurate summary, yes. Okay. Yeah. Staff? I would agree. Okay. I actually would agree with that because I simply don't believe that we have enough time left between now and, you know, December 31st of this year to tackle that and give that enough attention that it deserves.

[01:13:34] So I do think that that should be separated out of here and be given a time, a dedicated time and space later on when our resources can focus more on that. We can get more public input. There's a lot of disagreement on that.

[01:13:52] Where I stand is that I want our rural economy uses to be successful. And I want their neighbors to have a high quality of life. And we've got to find the right balance on that. And that's, there's a lot, it's a tough, tough thing to try and do. And so I agree with staff and the Planning Commission on that.

[01:14:09] It's not something we should try and hurry up and do just to get it done before January. So thank you for that. And, Madam Chair, do I have any more time? You do. You have 58 more seconds. Oh, okay. I didn't know if we were in Committee of the Whole or what. Okay, thank you.

[01:14:26] For staff, the appendices, I didn't get any copies of that. Is that something that exists already? Yes, appendices A through C should have been in your binder, but if not, we'll make sure to get them. They weren't in my particular binder. My office got three binders.

[01:14:42] Maybe mine just didn't include it, but I'll ask my staff to check with you all and try and get those appendices. Chair Randall has hers, so I just must have missed mine. So we'll get those. Can you say a little more on the mountainside slide 12 staff with the mountainside overlay district?

[01:15:04] The spring feature setback was increased from 100 to 300 feet. Is there any more background you could provide on that decision? So 300 feet is the distance of buffers along other water features in the county.

[01:15:20] And so that was increased to make that more consistent. Overall, the work on that particular area district was trying to focus on the actual or the most sensitive environmental features on those properties.

[01:15:35] And so that was one of the ones identified and is why the work was changed on that spot. Thanks. I'm out of time. If we need a second round, we can do that. Ms. Glass. Thank you, Madam Chair. And thank you, Commissioner Frank, for all the work, all the commissioners for just a stellar job that you're doing.

[01:15:53] I know it's, as Supervisor Buffington said, I know it was a really yeoman's job that you all have done. When you were talking about parking, parking in the residential areas, today I actually went to visit some constituents that were concerned about parking off of, oh gosh, I think it's Silverbrook and it'll soon be your district.

[01:16:27] I can't believe I can't remember the name, but it was a corner where there are a lot of commercial trucks, 18-wheelers that are parking on the side of the road, and people can't see when they are making a left or right-hand turn just because of how the road goes.

[01:16:54] And so my concern is that there seem to be fewer and fewer parking spaces for commercial vehicles. And is that something that you all looked into where they would be able to park?

[01:17:13] I know, you know, in some places they have put no parking signs, but that just takes those vehicles to another part of Loudoun County to find a place to park. I'm thinking of maybe these smaller businesses that can't, you know, they can't place their vehicle in their neighborhood, so they're trying to find a place to park.

[01:17:37] Did you all look into that? As far as regulations on street parking and such, in non-residential neighborhoods, on commercial vehicles and such, we didn't get into that. I believe there's already standards in place, and I don't think that the zoning ordinance proposed many changes to them.

[01:17:56] One thing that we did do that may be somewhat helpful is particularly in the uses and standards section on flex industrial buildings. We did make some small changes that would allow a little bit more parking in the rear of those buildings of things like landscape vehicles or, you know, with small trailers.

[01:18:18] They couldn't put a small trailer on the park in the back of those buildings before. There was some interpretation question whether they could. so we did make some small changes on things like that that I think might help some of what you're describing if somebody's got a business space in one of those

buildings it's going to be a little easier for them to park that in the back of the building now and it be permitted but I'm not I don't believe we really did too much as far as changing what's permitted on streets okay thank you mr. Sainz thank you madam chair and I think you're speaking of silver

[01:18:53] Brooks Center Drive and Shaw Road yeah yeah that's a Shaw Road is definitely packed with a lot of trucks and trailers and such not well thank you to staff and the Planning Commission for all their work on this and bringing it to this point now first question is there are several uses that are currently special exceptions or the applications have to come in front of us for for approval but But do the recommendations actually change some of those uses from special exception to a buy-right use?

[01:19:29] Can you explain a little bit further how we go from having to come in front of us to making these now all of a sudden buy-right? So one example would be hotels, right? We went back and we looked at all of the approvals for hotels in the recent past.

[01:19:44] And the conditions that were placed on those were always a consistent set of conditions. So we incorporated those as use standards that are required in the ordinance. And so they would still have to comply with the same kind of regulations that you had previously put on as a condition, but now it would just be right by right to save them time and money to save time for the board.

[01:20:06] And you have numerous items on your agendas at every meeting. So we thought that that was something where the balance seemed to me that it was extra work that wasn't really providing a whole lot of extra regulation from the perspective of the actual outcomes of those applications.

[01:20:23] Okay. All right. Next, there's a recommendation. Requires all projects with 24 or more dwelling units served by public water and sewer to provide ADUs. Why 24? I remember in this board term out of application that probably can't remember the exact number, but it was definitely, I believe, lower than 24 units, and we were able to get some ADUs in there.

[01:20:47] So you're saying if there's an application that has 15 units or 20 units, does that mean they're not going to have any ADUs? If it's below that threshold, yes. Why 24? I don't know that off the top of my head, and I would have to get back to you with an answer on that. Okay, we'll definitely have to look at that because, again, like I said, we've had some applications where there's lower than 24, and we still were able to get ADUs.

[01:21:07] So now we're saying, oh, 24 is an above ADUs, everything else underneath that, no ADUs. So we've got to look at that. So what is, right now we have flex industrial spaces, I guess, defined right now, and then there are ordinances proposing to change it to flex buildings.

[01:21:27] What are flex buildings? So the previous terminology was oriented towards spaces that at the time were considered to be industrial or production. What we have found over time in the past few decades is that the actual users of those sites have turned into things like churches and indoor recreation facilities.

[01:21:48] So we have created the use in the term of a flex building because that building has the flexibility to be used for different types of uses, which we have primarily limited to other uses allowed in the district. Like a smaller business like you're right.

[01:22:04] So it was an attempt to try to standardize and simplify things. We also discovered that there had been some issues with the implementation from a permitting and site plan standpoint at different

points. And so we were trying to kind of address all of those issues in this new set of standards. Thank you.

[01:22:20] Thank you. I might need a second round myself because I have quite a bit. So to the data center issue on page 10, we talked about data center setback in residential areas. Am I to assume that those are data centers that would be by right? Because we really don't want data centers in residential areas.

[01:22:36] So these setbacks and standards that you have for those, can we assume that those would be by right data centers and they go there because that's a by-right use that was set down years and years ago? Is that a correct assumption? So are you asking if those standards would apply to them regardless of area?

[01:22:55] No, obviously the standards would apply regardless of area, but I'm saying that I guess I'm asking are you all aware that we don't want data centers that near homes, and so we would use these uses probably if only we had to because the data center in the residential area was a by-right data center.

[01:23:11] Yes, we are well aware of that, And that was sort of the thinking that where that conflict cannot be avoided because it is by right, they have the rights to do it, that it will increase the separation. I agree with everyone that the Western Loudoun County, you're talking about the rural economy. We should probably change that and say rural economy uses because just to say Western Loudoun County is way too broad and leads me to the other question.

[01:23:34] I understand why we wouldn't do rural economy uses right now. But is there nothing else in Western Loudoun County except rural economy uses that we do not think we could have, and right now it's probably too late, but could have addressed in this zoning ordinance? Are you expecting that everything is rural economy?

[01:23:51] And if we are going to address rural economy later on in a CPAM next term, I believe we should actually engage REDC, engage DED, and engage Visit Loudoun as we have all those discussions. On page 16 about parking, and I know that this is not a popular opinion, and I've said it before, and I'm going to stick to this opinion.

[01:24:15] I don't believe a garage use should be a half a parking space. If people want to use their garages for storage, okay, do that. But a garage is supposed to be for a car, because if you use it for half a parking space, that means you have to now have more parking spaces, which means you have more impervious surfaces, which is not particularly good for the environment or anything else.

[01:24:37] And so I think we should use the full garage space as to be considered as parking and not say a garage is a half a parking space. I've said that before. I still believe that a parking space is a parking space. Madam Chair? Yes, sir. Could I respond to your inquiry about Western Loudoun?

[01:24:56] Can I just finish this and then come back to you? I will come back to you, Mr. Jett. Thank you. On page 17, for sign uses, we didn't talk about murals and signs. I think we had talked about that before, that part of the sign chapter includes murals and art and things like that.

[01:25:13] And so let's have that discussion when we get there. On page 18, there's been no discussion at all of the tiny homes and what we can, if that's possible, if we have any land use designation for that, if we can get to that as far as attainable homes, the tiny homes question.

[01:25:32] I will need a second round, but those are some of the things I'm going to start asking later. Mr. Yett? I think the discussion between the board just a minute ago and the leadership of the Planning Commission was very good about capturing the additional effort that's needed for rural economy type

uses, but there may be a few things that you feel inclined to address as we move through the um the uses discussion that that have that chapter discussion with you at the work session for example um planning commission made recommendations

[01:26:09] after spending time on the definition and use specific standards on stables and livery uses equestrian uses also ag processing is a is a topic that keeps coming up there was a motion by the planning commission that was incorporated into the draft we think redc will have additional tweaks to that language so there may be some things that come up in the um in the use discussion with you that you'll want to make slight adjustment however that bigger picture working with stakeholders explaining to businesses the impact on their existing operations

[01:26:49] um that's going to take a lot more time absolutely absolutely yeah and that is why Charles Yacht is so important to this whole discussion. So we'll do a second round, then we'll go to public comments. Mr. Buffington. Thank you, Madam Chair. Staff, can you go back to slide 15, please, regarding the open space values and how we're doing that differently going forward?

[01:27:11] Yes, thank you. How would that be verified? So if someone comes forward with a plan written down and tells you that, you know, we're providing this much of the highest value open space. Is that something that staff just relies on their word, or do you do some work to actually verify that what they're saying they're providing is actually being provided?

[01:27:34] So there is some verification done by staff depending on the type of open space they'd be providing. A lot of this may get shown in a more general way in a legislative application, but ultimately when it gets to site plan, in particular subdivision plat, those areas would actually be called out and set aside for the tree conservation area definitively that you'd have those kind of boundaries defined or linear parks and trails. I just want to make sure we're keeping everybody everybody's being honest with each other and we're there's some sort of trust but verify going on. The new planned unit development can that be done in the rural policy area? No. Okay

[01:28:12] so that's is that everywhere but the rural policy area? I believe so but I'll verify all of the other policy areas okay the emerging use for energy storage facilities you said you wanted some board feedback on that yeah you want us to take a vote on that or you just want individual members to speak on it so the the Commission's guidance on that was to expand it and to add some standards but those standards are not fully there yet I think even to the to the point that the Commission desired and we have worked with some interested parties on that to try to get a better understanding of it the question I think the ultimate question

[01:28:47] is, do we feel comfortable establishing standards now, or do we want to pull that back and make that another action in the future? I feel like we pull that back and make it another process and leave it as specs as we currently have it for now until we have time to do that process. That way, we're able to do it right rather than just rushing it and just trying to do it just to do it.

[01:29:08] And I think that's going to be the next boom that we see as far as applications coming forward. We had the data center boom. It's still happening. I think energy storage facility boom, which is a field full of batteries, would be the next boom that we're going to have. That's it. Thank you, Madam Chair.

[01:29:28] Thank you, Mr. Buckley. If I may, Madam Chair. Yes, the answer is that it's allowed in every other policy area other than the rural policy area for the PUD. Thank you. Ms. Glass. Thank you, Madam

Chair. I wanted to touch on a little bit about flex buildings. So I know in my district we have a number of them, and the flex buildings can have a variety of businesses there.

[01:29:54] We have dancing, there's a swimming pool for swimming lessons, breweries are there, all sorts of things. But I know there was one business that had continued to contact my office that was an archery business that had a really hard time to find a space there, to find a space because they really wanted to be in the Broadburn District, which I was really glad that they wanted to, but it took them a really hard time to find something

[01:30:30] because I believe they had to have a special exception for their business. And so I kind of wanted to know, you know, for businesses that have a niche like that, are they still going to have a hard time to, you know, to find a space?

[01:30:56] Because I know, you know, once they found out that they had to go through this process, those buildings were, you know, they were, you know, other businesses came in and, you know, took that space, spaces for them.

[01:31:14] So the details of those kinds of things are obviously very important. The draft has broadened the number of uses that could go into flex spaces. Some of those would still be special exceptions. Some would be by right, depending on what the ordinance in that district allows.

[01:31:31] But if there are particular areas or particular uses that the board thinks we should ensure they can go there by either of those means, then we can definitely take a look at that when we're getting into the work sessions. Okay. Thank you. Just very quickly, Ms. Frank, you're completely right.

[01:31:48] You know, when we took office or some of us took office last term, we got, after 18 years, So they have to get the comprehensive plan done and then to turn around this term and do the zoning ordinance. And as I've talked to the county administrator and others, what we think we should do probably going forward for anybody who gets the blessing of sitting on this day is every year do one or the other.

[01:32:11] So, you know, one term do the comprehensive plan update, the general plan update. The next term do the zoning plan update. So you just keep revolving them and they just remain updated. We just never again should any boards let these things lag for this amount of time.

[01:32:27] I do have two questions that are for our planning commissioners, and it is on page 33 that you said that are more for future initiatives. And I don't mind that they're for future initiatives. That makes sense if it's just too big. But I don't know. My unrest is, is it for future initiatives because it's just too much to get done right now, I would say for future initiatives because you don't feel it falls like under the scope of the ZOR.

[01:32:53] And my two questions would be group 2.1, the repurposing commercial retail office residential, which is also called adaptive use. I can't imagine why that would not be under the scope of the ZOR. And then I don't know what land in lieu of affordable dwelling units really means.

[01:33:11] I know what cash in lieu means, but I'm not sure what land in lieu means. And that goes back to the same question. Is it not, are we saying we're going to put that off for a CPAM or a ZOM because we just don't have time? Or do you not think it falls under the scope of a ZOM because I would respectfully disagree with you that those two things do fall under the scope of a ZOM, we just may not have time to do them.

[01:33:36] So the first thing I'll do is look at Ms. Sidnor. Were those two of the items that we were told we couldn't go too far into? Okay. I can speak to the Land and Leo of Affordable Dwelling Units. That was in one of the drafts as an idea of ideas that we have to increase opportunities and be innovative in how we can facilitate affordable housing.

[01:33:59] The problem was that it didn't have enough regulation behind it for how we would do it. It was proposed as, instead of doing ADUs, you can just give us land, and then we, the county, will go and develop on it.

[01:34:15] And that needs to be thought out a lot more. So it wasn't that we didn't think it was a good idea. We just didn't have enough regulation to implement that at this time. And then the one on the adapter for use, what's...

[01:34:33] So there has been some discussion of that. the reason that it was put aside for additional work is that it's complicated to figure out all the different things that would change from going from one use to another, as well as the fact that we have the proffer system. A lot of, you cannot necessarily simply change from one of those uses to residential by right. It would require a legislative application in a lot of instances, and so there's more things to work through to make that. So then the answer is, it's not so much that it may not fall under the scope, it just would take more time. Correct. That's a great answer.

[01:35:04] That's a great answer. Adaptive reuse, I want to focus on if I'm able to next term. So, wonderful. Thank you all. Do you have something you want to say? I was just going to add a quick distinction there, Madam Chair. With adaptive reuse, we focused on historical structures.

[01:35:21] And we were calling reuse of historical structures. That is a huge difference. We call that adaptive reuse. Okay, no, that's not, yeah, that's a huge difference. What this is intended to capture is repurposing, as it says, commercial retail and office. Like the strip mall that's gone on use. - That are non-historic structures.

[01:35:36] - Okay, that is, thank you. - As Mr. Galindo referenced, that would likely come through a rezoning. - Absolutely. - We thought that whole effort would take more time apart from the historic adaptive reuse. - Then I'll have another question on that based on that answer, but that's a very important distinction, and it'll lead me to another question when we get there.

[01:35:54] But thank you. Okay, all right, we have 52 speakers. I actually, no kidding, thought we were gonna have 200 speakers. I did. And so I'm going to call on you, and I'll call you a little ahead so that you know that you're up next to bat.

[01:36:14] The first speaker we have is Gladys Lewis, followed by Colleen Gillis, followed by Tom Gates, followed by Patricia Cave. Good evening. Chairman Randall and members of the board, I'm Gladys Lewis, and I'm here tonight representing the Leesburg Garden Club and also Falker and Loudon, Percival, Catoctin, Upperville, and Middleburg Garden Clubs.

[01:36:38] The six clubs with several hundred members believe that the county and its rural areas must be protected from large and multiple signs. It would be difficult to find a rural resident who would not agree with us. It's 2023. Visitors go on the web.

[01:36:54] When driving out, they use map applications to direct them to the exact location. One nice sign identifying the location at the entrance will confirm that they're in the right place. Large or multiple signs

are obsolete. The ordinance that's written would allow rural businesses along our main roads, such as Route 7, to put up many signs, including 130 or 40 square feet.

[01:37:20] Indeed, if you own a half a mile frontage, you could put up a sign for a lighted 30 or 40 square foot sign every 500 feet, which for a half a mile would be five of these signs. With new businesses springing up and major roads being prime locations, how many of these signs will we see in the future?

[01:37:41] These signs are way too big and would be a detriment on our major roads and would make a real difference to driving in Loudoun. A new section, this time, allows subdivisions, an 80-square-foot sign at the rural entrance.

[01:37:57] This is way too big. A visit to wineries proves that large and multiple signs are necessary, unnecessary. Wineries with small signs such as Vanish on Route 15 and Sunset Hills on 287 have hundreds of visitors.

[01:38:13] They're thriving. They don't need bigger signs. With lights on large signs and murals, the impact on both neighbors and the night sky will be huge. Please put controls in place to make the impact on others as small as possible.

[01:38:30] The temporary sign category must be eliminated. Unlimited multiple signs of 32 square feet on any property is beyond belief. Without enforcement, the sign ordinance is useless. Enforcement is limited to erratic citizen complaints.

[01:38:46] Is that fair? Thank you very much for this opportunity, early opportunity, to comment on signs in rural areas. Ms. Lewis, are the signs you're showing us true to size for the specs that are in there now? 40 square foot sign, and that one's the 32 square foot sign.

[01:39:02] And that's the specs that we have there now. You're showing us the true to size signs. You're showing us how big they would actually be. That's how big a sign, if allowed, it would be that big. Is this an accurate size?

[01:39:18] Yes. Absolutely, I measured. Okay. 6.6 feet, then 6 feet. All right. Thank you. Four by eight. Thank you. Colleen Gillis, Tom Gates, and Patricia Cave. Good evening, Ms. Gillis. Good evening. My name is Colleen Gillis. I'm a land use attorney with Cooley, and more importantly, I'm a proud 20-plus-year resident of Loudoun County.

[01:39:37] I love Loudoun. You guys love Loudoun. And so I'm here to add to the discussion on ZOR. First, I'm here on behalf of the folks in my industry that are not here tonight. They're not here tonight because they believe that the ZOR is beyond repair and that the express intention of the Zohr changes is to bring all development to a screeching halt.

[01:39:58] By way of overview and their beliefs that are not here, they believe that the Zohr is very prescriptive and adds new requirements on top of new requirements from parking to increased affordable housing in terms of numbers and design to disqualifying certain types of open space that would not be disqualified today to overly restrictive and unworkable product mix requirements, so on and so on and so on.

[01:40:17] It's not any of these requirements in isolation. It's actually the cumulative effect of these increases that concerns the folks that are not in the room. Each and every one of these increased requirements makes a lot of sense, but it's the cumulative impact of that that increases the cost of

development, the cost of a business to locate here, the cost for a teacher, nurse, firefighter, sheriff's deputy to live in the community they deserve.

[01:40:40] Members of the business community I've spoken with have said that they won't move forward with new projects because they can't make the numbers work, won't be able to satisfy lenders, won't be able to satisfy the county's rightful objective to not only provide ADUs, but also to create adequately attainable housing. Without new applications and cooperations from our business community, how will we be able to compete for new businesses, deliver affordable housing, and continue to deliver excellence for our community? Our history of getting roads built, school sites dedicated, and affordable housing constructed, among other things, without overly burdening the taxpayer, was the direct result of public-private partnerships reflected in proffers, and was

[01:41:17] made possible because of the flexibility of our existing ordinance. I know you want specific recommendations and a number of my colleagues tonight will give you very specific recommendations. One specific recommendation that I have is to remove the language at the outset of each zoning district that requires that a zoning district only go in the corresponding comprehensive place type.

[01:41:38] We know from the last four years that the comp plan map has some places where despite your best efforts, our best efforts, we just got it wrong. Carrying that mistake forward by permitting only a rezoning that strictly matches the place type that was designated in the comp plan despite our oversight compounds that mistakes and ties your hands behind your back to exercise the discretion and power we want you all to have and with that i'm happy to answer any questions and thank you for your time the only question i have is miss gillis are you speaking formally on behalf of an organization or organizations no i'm speaking on behalf of broadly the community and and development industry i'm not here representing a specific organization that's my question thank

[01:42:17] I would love more time if you wanted to give it to me, but I'm going to be. I'm good. Thank you very much. And I know how to find your friend. Tom Gates, followed by Patricia Kay, followed by Marowash Copeland. Good evening, sir. Good evening.

[01:42:33] My name is Tom Gates, and as an officer of the board of directors, I am speaking on behalf of Visit Loudoun as Beth Erickson is on business travel. Visit Loudoun supports the use-specific language found in 4.08.05 Brewery Limited and suggests that it be duplicated for Distillery Limited.

[01:42:54] We support the simplification of the definition for limited breweries to align with the Code of Virginia. Brewery Limited, a brewery licensed as a limited brewery in accordance with Code of Virginia 4.1-206.1 as amended and subject to Section 4.08.05.

[01:43:20] We do not support the definition for Virginia farm wineries in the July 6 draft and instead suggest that it also be simplified to align with the Code of Virginia. We do not support the definition for farm building or structure in the July 6 draft and instead suggest that this is also aligned with the Code of Virginia, 13BAC 5-63-200.

[01:43:51] These simple edits to align with state code will ensure that when changes are made at state level, Loudoun is automatically updated, saving valuable time for staff. Finally, Visit Loudoun has been advocating for an indoor sports tournament facility in eastern Loudoun And 4.05.16, recreation and indoor recreation use in the urban zoning districts, transit-related center, and urban employment requires a special exception for buildings that exceed 10,000 square feet.

[01:44:27] However, we've defined that a facility that drives economic impact with community benefit would require a minimum of 100,000 square feet. So we request that a facility with a minimum of 100,000 square feet be permitted use.

[01:44:46] We thank the Planning Commission and staff for their hard work on this important document. Thank you for your consideration. Thank you, sir. Thank you. Patricia Kaye, followed by Mara Wash-Copeland, followed by Reverend Daniel Rivera. Good evening. Hello. Good evening, Supervisors.

[01:45:02] My name is Patricia Kaye. You can stay standing up if you'd like to while she speaks. That's fine. How's that? How do you get? I'm here to share concerns of the Hiddenwood community, who's sitting right here behind me, about certain aspects of the zoning ordinance rewrite. My husband and I live on Hiddenwood Lane in Aldi, Virginia, just off Route 50 past Stone Ridge with our two children.

[01:45:24] You may remember us from our opposition to a recent rezoning application that proposed to use property directly across from our neighborhood adjacent to us for data center use. At the time, we strongly opposed that proposal because it would result in a data center within 115 feet of some of our homes, which is the closest to our knowledge of any homes in the county that are close to a data center.

[01:45:50] Seeing that the rezoning ultimately was inevitable and there were other data centers planned directly outside our neighborhood, we banded together to create the Hiddenwood Assemblage to convert our neighborhood to industrial use consistent with the neighboring parcels. We had the opportunity to meet with some of you already, and I extend a personal invitation to the others we haven't yet met with, so you can hear about our personal stories and why our proposal is the net benefits of the county.

[01:46:18] Unfortunately, without targeted changes, the zoning ordinance rewrite would make our one-and-a-half-year effort as an assemblage all for naught. First, the board should adopt grandfathering provisions to allow applications officially accepted for review prior to adoption of the new ordinance to proceed under the revised 1993 ordinance.

[01:46:38] This will avoid changing the rules of the game after we and others have spent significant time and resources pursuing our applications. Second, the board should consider alternatives to using the residential property line as the starting point for setbacks. In our personal experience, the distance between the residential structure and the data center offers a far more effective and tailored measurement to minimize the real impacts on homeowners.

[01:47:04] My neighbors and I look forward to working with you and your staff to ensure the new zoning ordinance addresses well-founded community concerns about data centers, but still offers a flexible approach. Thank you. Okay, thank you. Thank you very much. Mara Walsh-Copeland, followed by Reverend Daniel Rivera, followed by Molly Novotny. Good evening.

[01:47:26] I'm Mara Walsh-Copeland. There's broad support to complete ZORD during this term instead of extending, with the caveat that required quality control issues be resolved. Completing these issues will shorten the list of future zoams, save time and cost, and address three years of public input highlighted in the comment analysis. Quality control requests already discussed with Charles and staff include equestrian use fixes incorrect since 2015 and in review, consistent setback

[01:48:00] regulations. Whether near data centers in the east or rural uses in the west, zoning must provide adequate setbacks. Agricultural processing standards that support farm producers. Clarifying standards for noise and exemptions. An easy fix for chapters four and seven is in review. The fix is needed

to help zoning administration not regulate based on advisory opinion and to address zoning enforcement issues and stakeholders have had since 2015 and were told would be fixed in

[01:48:35] ZOR. And of course, Charles' favorite, definition of farm, to provide support for staff's permitting and zoning enforcement and farm management plans. Contrary to TELUC in June, a definition is not a new request. It was requested by staff in 2017, TELUC and the board in 2019, and stakeholders throughout ZOR. There are other challenges, such as holding the line on modifications, and you've heard from Gladys about signs. Judy's concerns about staff relying on administration

[01:49:11] interpretations is on point. The PC reviewed text several times to fix this, worth a revisit. And Jason Hobby was right when he said in March, some Zor decisions are a political call, not legal ones. In closing, much has been accomplished in Zor, with some remaining quality control issues to address. Borrowing a word my neighbor, Madeline Albright, used, you collectively, figuratively, and literally have the cojones to get this done and to address the

[01:49:48] quality control issues now. You got this. I'll be happy to help. Thank you. Thank you, Ms. Copeland. Molly Novotny, I'm sorry, I'm sorry, Reverend Daniel Rivera, I'm sorry, Reverend, followed by Molly Novotny, and Bill, who I think is Hunda. Good evening. Good evening, Madam Chair, supervisors, fellow residents. I am the Reverend Daniel Velez Rivera, Vicar of St. Gabriel San Gabriel Episcopal Church in Leesburg. I speak in support of zoning amendments that will encourage

[01:50:23] and provide community growth in the broadest sense of the socioeconomic spectrum that will create a true One Loudon community. I want to highlight the urgency for more affordable housing so that essential workers in our community can also live and work.

[01:50:40] I'll speak about the urgency to provide affordable housing or workforce housing in its broadest sense. You know, I absolutely believe and support affordable housing for teachers, firefighters, police officers, health care workers, even clergy, and many other professionals and paraprofessionals who make our lives function, and also to provide affordable housing for families living under the 50% of the average median income.

[01:51:07] Average median income for a family of four in Loudoun County is \$76,050. You've heard the statement attainable housing here this evening. For a family of four, 81% to 120% is attainable housing, and that's \$121,700.

[01:51:25] I'm learning more about the financial viability for developers when it comes to affordable housing. And it has been explained to me that a 50% average median income and higher is the sweet spot for developers. So I ask our elected officials not to forget the essential workers who make one loud in one to include that 25%, 30%, 40% AMI resident, regardless of the profitability in some instances when you discuss amending zoning rules.

[01:52:01] I encourage and recommend government, nonprofits, and for-profit organizations to collaborate more effectively when we talk about affordable housing for that socioeconomic spectrum of residents that makes us one.

[01:52:16] As a parish priest of a diverse congregation, both socioeconomically and ethnically, I ask your support in changing rules that will help our community grow and prosper in a diverse way. Thank you. Good evening.

[01:52:32] Thank you very much, Father. I appreciate that. Molly Novotny, followed by Bill Junta, I believe, followed by Paul Farmer. Good evening. My name is Molly Novotny. I'm an urban planner at Cooley, and I'd like to speak on two topics tonight, parking rates and residential unit mix.

[01:52:49] First, parking. Today, a residential project with 200 townhouses and 100 stacked units would need 800 parking spaces. The new zoning ordinance would increase those rates such that the same project would require 950 parking spaces, adding half a space for each unit.

[01:53:06] This is a 19% increase in parking. This change is impactful and will add significant parking spaces to residential projects. However, the zoning rewrite goes further and revises how parking garages are counted, counting each garage as only a half space, despite it accommodating a car.

[01:53:22] This further limitation would require between a half and two and a half spaces in some instances of off-lot parking spaces for townhouses and stacked townhouses, causing a significant increase in impervious parking. Rather than incorporate both parking revisions, we urge you to continue to allow parking garage spaces to be counted, as the chair said, as a full parking space and not reduce them to a half space.

[01:53:46] In regards to residential districts, the draft ordinance establishes five districts in the suburban policy area, all but one that would require a mix of housing types. For parcels over 10 acres, the draft ordinance precludes projects of a single housing type. This means no more single-family detached neighborhoods or no more all-townhouse neighborhoods. And in most districts, you would even need a third housing type. The dwelling unit mix tables are unnecessarily prescriptive. They place a priority on multifamily housing in these all residential districts and eliminate any further all-townhouse or all single-family detached neighborhoods in eastern Loudoun.

[01:54:22] We urge you to remove the unit mix tables of 2.02.01-3 and 2.02.02-2 from the ordinance and instead continue to allow the dimensional standards to govern these districts.

[01:54:37] Thank you. Thank you. Give me one second, sir. I'm sorry about that. Bill Hunda, followed by Paul Farmer, followed by Matt Leslie.

[01:54:54] Good evening. Good evening. It's Bill Junda. Thank you for having us tonight. I'm a president at Gordon. I'm a local civil engineering firm. I'm a full-time local Loudoun resident. I've been working and living here for my entire career. I'm also a member of ZOC.

[01:55:11] However, today I'm speaking to you on behalf of NAOP, who are a commercial development organization representing millions and millions of square feet in Loudoun County, thousands and thousands of jobs, and your commercial tax base. We've been extremely invested in this process. We have a working group that's been involved for over a year, issued hundreds and hundreds of comments, met with Charles and his great staff.

[01:55:31] They've been super supportive and helpful. We worked with the Planning Commission throughout the entire spring in their work sessions. We're here ready to help you. The best way to dive into this is through examples and case studies, and we've done that on a lot of projects. Depends on which project you pick as to whether the new ordinance changes work.

[01:55:48] We do have some pretty serious concerns about the zoning modifications and that issue. It is a lot better now with the adoption of new, or the inclusion of Appendix C that's been added. However, not

every situation is appropriate for the new PUD district.

[01:56:05] And our concern is that you could have a special circumstance where that ZMOD is needed for something special, it's one of those one-offs. And Buddy Riser could come to us and say, hey, I have this user, I need a 10-acre site. Oh, sorry, we've only got a 9.9-acre site. We can't modify this.

[01:56:20] The board has no authority to modify that. There's no power to make that change. That business goes somewhere else, finds another home in another county. We did have a great meeting with staff today on zoning modifications. We feel like we're making a lot of progress. While a lot of vast improvements have been made to the ordinance, there is still a cumulative effect, as Colleen Gillis pointed out very effectively, the cumulative effect of so many small changes that are squeezing all of the air out of the balloon for development projects.

[01:56:50] It's not one thing, one or two things that change can be navigated can be can be worked through but it's the cumulative effect that are really going to squeeze development hurt density kill economic viability of certain projects and make a lot of things infeasible we also have serious concerns about how this ZOR will create legal non-conformities for most properties and businesses in Loudoun and that can happen when you have a draft ordinance that's adopted however the the non-conformity regulations around casualty reconstruction have been modified to the point where existing businesses will have trouble getting financing, getting leases extended, getting insurance.

[01:57:31] So with that, we know that chasing perfection is fool's gold. We want to ensure that the final draft is workable. Thank you very much. Thank you.

[01:57:38] Farmer, you'll be followed by Scott Petowitz.

[01:58:15] I think Matt Leslie has said he doesn't want to speak. And then that would be, after him, it would be Brittany Dow. Good evening, sir. Good evening, and thank you very much for allowing public comment and for future data centers owning in Loudoun. I'm Paul Farmer. I live in Aldi. I'm on Hiddenwood Lane, and trust me, you don't have to hear from all of us tonight, but we're here because it's important to all of us.

[01:58:40] So my comments this evening represent not just mine, but the sentiments of the Hiddenwood Lane community. Our community has been boxed in by previous and future rezoning by Loudoun County for industrial land development. The development effort is under construction now, and future development that will last upward of 10 years has already been approved by Loudon.

[01:59:01] Our community applied to rezone our combined properties to industrial development land, and our application was accepted by Loudon on June 1. As a community, we are in a crisis situation. As we now live in drive-through industrial construction to get to and from our homes, there are no other legal options for ingress or egress to our homes.

[01:59:24] Under the current circumstance, this will be our reality for the next 10 years unless we get our land rezoned. With that said, we can't emphasize enough the value of the Board reducing or permitting zoning modifications for the proposed data center use-specific standards.

[01:59:42] The proposed setbacks and stepbacks are unnecessarily large, arbitrary in nature, and would infringe on carefully calculated and well-buffered development plans. We support reverting back to the originally proposed building and parking setbacks of 100 feet and 50 feet, respectively.

[02:00:02] And we recommend the building setback triggering distance to be reduced to 150 feet. An allowance for the substitution of berms with the preservation of mature vegetation should be permitted. At the very least, zoning modifications of these restrictive standards should be allowed.

[02:00:21] I want to thank you for not just listening to us this evening, but for hearing and understanding our community's critical situation as you carefully consider the proposed data center use and standards and specific standards.

[02:00:38] Thank you for your time. Any questions, we're here for that. Please, for any of you, come visit us. We welcome the opportunity. Thank you. Thank you, sir. Good evening. Ready when you are, sir. Good evening. Good evening, Madam Chair, members of the board. Thank you.

[02:00:53] I am Scott Pedowitz and I work at the Apartment and Office Building Association of Metropolitan Washington. We represent the owners and managers of apartments and office buildings across our region including more than 2 million commercial square feet and nearly 12,000 residential units right here in Loudoun County. I'm joining today with others from our community to encourage amendments to allow greater flexibility in the zoning ordinance rewrite. In particular we're seeking amendments to allow applications to proceed under the current ordinance and to ensure that the Board of Supervisors retains the authority to grant exceptions and to authorize

[02:01:29] flexible applications of the ordinance. Now Loudoun truly is a world-class community and its high quality jobs, great schools, and overall attractiveness make it a desirable place for people to live and work. Unfortunately, as is true across Northern Virginia, the high cost and limited availability of housing at all price points makes it difficult for people to live here.

[02:01:52] And that drives up the cost of doing business here. The unmet housing needs strategic plan reflects that the Loudoun market is not producing enough housing to meet current and future demand. As noted, that's true across our region. But notwithstanding, it's vital that projects in the works be allowed to reach completion without delays or revisions to meet a new standard to get that housing. Likewise, the Board of Supervisors must be able to permit projects that are consistent with our community's goals under the new ordinance, even if requiring a slight modification to the zoning standard to make it fit. As it relates to both our residential and commercial development,

[02:02:31] the experience we're seeing around the region right now really shows why flexibility is key. Our neighbors inside and adjacent to the Beltway are currently contending with a surfeit of unoccupied commercial space. Once unthinkable, but it's forcing them rapidly to have to rethink their land use plans and doing that all in a very challenging market. Seeing this experience and aware of the limitations of our own clairvoyance, we know that Loudoun will benefit from adopting zoning policies and processes that are flexible and adaptable as the conditions change. An ordinance that is easily modifiable and clear for both applicants and staff will best position

[02:03:09] Loudoun to meet whatever the future has in store for us. We look forward to working on this with you. Thank you. Thank you. That wasn't actually him. Thank you, sir. Brittany Dow, followed by Frank Hardesey, followed by Matt Binder. Good evening. We're ready. We're waiting for the clock to reset. Okay. Good evening. I'm Brittany Dow. I work for Merit Properties, a commercial owner developer of a million and a half square feet in Loudoun that manages nearly 150 diverse tenants

[02:03:48] within the county we have been active throughout this rewrite process and have provided hundreds of specific section by section comments real world examples and solutions to staff and the planning commission to help correct the many unintended negative consequences of the rewrite especially as they impact flex light industrial and office currently there are still by right uses being unjustifiably moved to special exception or no longer permitted as well as some use specific standards that end up preventing certain uses, such as indoor recreation, from being in a flex

[02:04:25] or multi-tenant business park, which is a huge blow to economic diversity. Additionally, parking maximums in suburban and county-wide districts go against what many tenants and lenders require. The open space regulations probably need the most improvement. One of Merritt's recent projects approved and constructed last year that provided 29% open space when 20% was required under the current ordinance would only be able to provide 9% open space per the latest draft of the rewrite another project with 25%

[02:05:03] impervious cover and 75% open space would actually only be able to provide 16% open space due to the rewrite over defining and placing limitations on various kinds of open space, such as landscaping, buffers, setbacks, overhead utilities, and stormwater management ponds.

[02:05:21] Overall, less than a third of Merritt's projects in Loudoun would have met the rewrite's open space requirements, consequently denying hundreds of thousands of square feet of commercial space that supports dozens of local businesses. Please engage with industry professionals on their concerns and collaborate in revising the text so we can have an ordinance that will allow Loudoun to stay competitive with neighboring counties for decades to come. Thank you. Thank you. Frank Hardesty, followed by Matt

[02:05:51] Bender, followed by Angela Rias. Good evening. Good evening, Madam Chair and members of the board. My name is Frank Hardesty, and I'm here tonight representing the homeowners of the Hidden Wood Lane assemblage. Our community of only 20 properties faces 10 years of commercial and industrial development in very close proximity to our homes and on our only access road. We also have the smallest buffer between our homes and an approved data center of any in the county. This unfortunate reality has caused us to come together and submit our hidden wood assemblage rezoning application.

[02:06:28] As you are tasked with the zoning ordinance rewrite, please feel free to reach out for a site visit of our property. Our community is only 450 feet by 3,000 feet, but it provides thick natural tree cover and berms that protect the residential property behind us. As such, it serves as a great example that one measurement can't fit all in this type of development. Setback distances are arbitrary in nature and don't take into account what's in that distance. For example, a 200-foot setback with no intervening vegetation isn't nearly as effective as a 75-foot setback filled with mature trees. Using a set distance will only cause the county to miss opportunities

[02:07:07] to develop locations that naturally provide adequate protection to surrounding properties. We ask the board to permit screening and buffering mitigation measures in place of arbitrary setback distances. A change of the proposed setback and step-down regulations or the implementation of a zoning modification process will allow the county to continue developing its data center business without putting other residents in a situation such as ours. Thanks for your time. Thank you sir. Give me one

[02:07:41] second please. Matt Bender followed by Angela Rias followed by Aaron Swishelm. Good evening. Good evening. My name is Matt Bender and I'm the Director of community engagement at the Community Foundation for Loudoun and Northern Fauquier counties. Thank you for the opportunity to

speak here this evening and for all of your hard work on the zoning ordinance rewrite and all of the work that's yet to come. For over a year the Community Foundation has undertaken a public awareness campaign entitled Workforce Housing Now and one of our

[02:08:20] core beliefs is that those who work in Loudoun should be able to live in Loudoun. This can strengthen ties within our community and make it a great place to to grow up and grow old. We also believe that decent, safe, and sanitary housing should be our community's goal for all of its residents. And in order for that to happen, Loudoun's zoning requirements must remain flexible and supportive of workforce housing projects. Zoning that is too restrictive is correlated with housing shortages and higher prices that are out of reach for the average household. As communities evolve and needs change, the ability to adapt zoning rules becomes

[02:08:55] paramount by creating flexible and responsive zoning policies we empower developers to design innovative and cost-effective housing options that meet the changing demands of our population modifiability enables us to embrace new housing concepts respond to shifts in demographics and accommodate diverse housing types without compromising our quality of life in turn this fosters the development of more affordable housing units and paves the way for a sustainable and inclusive community where everyone can find a place to call home together we can find common

[02:09:30] ground and look forward to a bright future for everybody in loudon thank you thank you thank you very much angela um rossis i think it is followed by aaron swissam followed by steve bozzo good evening good evening chair and board members my name is angela rossis and tonight i represent toll brothers a national home builder who has built communities in loudon county since the 1990s

[02:09:56] I've been reviewing the various ZOR drafts and participating in opportunities to provide feedback and input throughout the ZOR process as an active member of many NBBA and Loudon Chamber.

[02:10:12] I'm encouraged by the reception to the comments and the work that staff, county admin, and the PC have made to date. I look forward to further coordination, updates, and refinements to the ordinance as there are still many opportunities for improvements before ultimate implementation.

[02:10:39] Specifically, changes in language related to modifiability, where appropriate, as you've heard this evening by many, additional language for fair grandfathering, timeframes for applications that are currently under review and in process, and revisions to specific criteria that need to be looked at collectively on a project, such as product and use mix, setbacks, parking, open space, attainable housing, and others, which impact the viability of projects and communities.

[02:10:59] As a resident of Loudoun County, I'm proud to live here, and I want the county to continue to thrive with successful businesses and communities, and we now have an opportunity to provide a variety of housing for all. I'm committed to providing my perspective to the very detailed chapters and requirements, and I'll continue to do so so that the zoning ordinance in hopes balances the great comprehensive plan policies but also works towards that housing need in the county, along with the viability to construct, deliver, and sell attainable homes in the county

[02:11:38] and in the communities where residents will love to live. I look forward to a continued community partnership with the county as you review the ordinance, chapter by chapter, detail by detail, over the next months. Thank you for your time. Chapter by chapter, detail by detail.

[02:11:56] Thank you. Erin Swishelm, followed by Steve Bozo, followed by Kevin Anderson. Good evening. Good evening, Chair Andaln, members of the board. My name is Erin Swishelm. I'm a land use attorney with Los Colucci in Leesburg. I want to thank you for the opportunity to speak to you this evening about the ZOR, and by extension, the future of land use development and prosperity in Loudoun County for years to come.

[02:12:16] I particularly want to thank staff and the Planning Commission for their hard work, as well as the care that U.S. board members are already showing to the review of this draft ordinance. My thoughts this evening are not only the result of the work I do with landowners and land use applicants, but as a person who loves living and working in Loudoun County.

[02:12:32] I know that we all share the same goal, a zoning ordinance that will work for the county, landowners, and applicants alike. Part of that is to ensure that the draft ordinance, sorry, part of ensuring that the draft ordinance will work for all stakeholders is ensuring that the board has enough time to digest and respond to comments from industry stakeholders as well as members of the general public.

[02:12:52] And I want to be clear that we've made a lot of progress so far, that there are still areas such as parking, zoning modifications, open space regulations, and changes to regulations regarding non-conforming uses where further work is needed. It is also vitally important that the board has time to review edits that it suggests to the draft text during each of its work sessions, and we hope that you will continue to allow real-time feedback from industry groups and residents during those reviews and take time during future work sessions to review those previously suggested edits.

[02:13:22] Finally, transition rules are vitally important to ensuring that the draft ordinance will be administered smoothly, and I want to join others in asking the board to address transition rules early in the review of the draft ordinance. These provisions are essential to ensure that landowners and applicants have clarity about the development rights and standards that apply to land in the county and to know which regulations will apply to applications that are appending in front of the county at the time of the ordinance's adoption.

[02:13:47] I want to thank you again for the care that you are showing and for the opportunity to speak this evening. Thank you. Mr. Yud and Ms. Signer, do we, because we've now heard this about six times, do we have something specific or in writing as of right now that says where an application is in this process and at what time will we grandfather our, based on the status of the application?

[02:14:19] And if so, can you send that to, can that be sent to all the board members so we can see that? Chair Reynold, we don't have that because that is a board decision, so that's something that we'll have to discuss with the board, and you all will have to decide how you want to handle that, so that's something we will provide you some context about how that works and what your options are, but ultimately that will need to be a decision for the board.

[02:14:43] Was that a discussion that happened at all during the time the Planning Commission had the... We discussed with the Planning Commission the legal issues around grandfathering because they were hearing from a lot of people in the community getting kind of free legal advice from people if they're hearing about it.

[02:15:03] So we had a conversation with them so they could hear from their own counsel, and I think that's a conversation we'll need to have with the board as well. Okay, all right, that sounds good. Thank you

very much. I'm sorry, sir. That's okay. You were Mr. Bozzo? Yep, you got it.

[02:15:19] You and Mr. Bozzo, okay. And then next, Mr. Anderson, and then Lucy Huber. Good evening. Good evening. Hi, I'm Steve Bozzo. I'm the owner of Bozzo Family Vineyards, northwest of Hillsboro, but I live in Leesburg in Supervisor Umsteads District. I'm here tonight to speak on behalf of my business. We are a small farm winery on about 17 acres. We produce about 2,500 cases a year, we have tiny buildings and tiny tractors and tiny people. I want to thank the board for

[02:15:52] and its predecessors for up to this point taking a quite light touch in local regulation of farm wineries. I think that light touch has resulted in the largest number of farm wineries in the state of Virginia, if you count by county. Farm wineries in Loudoun, as I'm sure you all know, since some of you have visited mine. Farm wineries are an anchor for agriculture in western Loudoun.

[02:16:17] I won't say it's the anchor, but it's a very dominant anchor. Without them, you don't have much of rural Loudoun in terms of agriculture. Farm wineries are also responsible for a fair amount of quality of life. They're a magnet for people wanting to visit Loudoun, people wanting to live in Loudoun, people wanting to work in Loudoun, and people wanting, like me, to invest in Loudoun. I'm originally a Fairfax County resident, but I moved to Loudoun quite a number of years ago. I'm very happy I did. And I wouldn't have invested in Fairfax County because they

[02:16:52] weren't friendly to farm wineries. In addition to everything I just noted, Visit Loudoun's done a number of studies that have shown that farm wineries produce a significant amount of local and state tax revenue. In 2018, it was \$27 million, actually a little higher than that.

[02:17:08] I'm sure with growth of foreign wineries that's larger than that today. Why am I saying all this great stuff? I'm saying because if you take a heavy hand to the regulation of foreign wineries and limited breweries and limited distilleries, you're going to upset that investment.

[02:17:24] You're also going to upset the number of jobs in the county, including my place. Why do I say this? Well, because staff has proposed regulations that would limit wine-related events, that would limit what kind of food we can serve, that would limit essentially how we operate.

[02:17:44] And my primary reasons for opposing this, and my nine seconds left, are the staff regulations, as proposed in April, which will be bumped to a new proceeding, probably violate Virginia law, which limits or prohibits the ability of the county to regulate wine production, harvesting, and agricultural production.

[02:18:05] So please look at that. thank you you're welcome thank you sir um supervisors and loud and we're going to do a couple more and then we're going to take just a quick break because we're on the day since six o'clock we'll just connect 10 minutes and then we'll come back so i'll do the two more will be um kevin anderson and lucy huber and then when we come back we'll start with uh tony howard um and theo stomatis but good evening mr anderson good evening board and thank you for allowing me to speak this evening okay okay my name is kevin anderson i'm the executive director of the Loudoun County Brewers Association.

[02:18:36] My past, I was a special agent with the Virginia Alcoholic Beverage Control in Northern Virginia. After that, I became a consultant to the industry, and now I'm the executive director of one of the best associations in Virginia. We have almost 40 breweries in Loudoun County.

[02:18:52] This is our home. The Loudoun County Brewers Association is concerned by, one, inappropriate remarks and actions recently made by members in zoning ordinance meetings. concerning Loudoun's vibrant brewing industry. As the LCBA and its members continue to monitor the unfolding dialogue is becoming increasingly clear that we must lend our voice to these conversations.

[02:19:29] The passing of Senate Bill 430 by the Virginia legislature in 2014 is what spurred the limited brewery movement in Virginia and also in Loudoun County. Our breweries span across urban, suburban and rural policy areas. But with a focus on rural policy area, let me share some crucial insights. An economic impact study commissioned by Visit Loudoun in 2018 revealed that Loudoun's agritourism business, a significant portion of which are farm breweries, welcomed over 1.2 million visitors, generating an economic impact of over \$400 million to the county.

[02:19:49] Notably, 60% of those visitors were Loudoun County residents. Limited breweries are major contributors to Loudoun County's revenue stream. A survey conducted by Loudoun Wineries Association, the Loudoun County Department of Economic development and visit loudon discovered that our wineries and farm breweries host nearly 800 000 visitors in 2018 accruing an estimated revenue of over 30 million dollars limited breweries also provided numerous job opportunities to loudon residents we have 14 breweries right now in the rural policy area employing over 110 full-time and 345 part-time employees these breweries conserve

[02:20:27] rural space, occupying over 1,350 acres, and even two of these farms have been purchased from developers. Most importantly, these breweries are owned by farmers, and they champion Loudon-grown products contributing to the local agricultural economy. Loudon Farm Breweries generate substantial tax revenue that fuels the quality of our schools, parks, facilities, infrastructure, and enables low residential rate taxes or tax rates. Loudon's farm breweries are a proud part of the Rural Economy Business Development Strategy, which continues to stimulate loud and strong economy.

[02:21:03] Even written in the Code of Virginia, it is the policy of the Commonwealth to preserve the economic liability of the Virginia beer industry. Thank you. Thank you very much, sir. Thank you very much. Our last speaker before a quick break would be Lacey Huber. Good evening. Good evening. Hi, my name's Lacey Huber, and I'm here to speak on behalf of Stone Tower Winery and our 185 employees, as well as a board member of the Virginia Winery, Association, which serves the Commonwealth's wine industry, including the 50 farm wineries that are located here in Loudoun County. I was born and raised here in Loudoun too, where my family has

[02:21:37] been farming for nearly 50 years. We're passionate about preserving farmland and continuing to have viable agriculture here in Loudoun. Due to the intensive nature of grape growing, the 2021 Virginia Commercial Grape Report shows that for every acre of vineyards that are planted, Over seven acres of farmland are preserved here in the Commonwealth.

[02:22:02] In order for our vineyards and wineries to remain economically viable, we need continued support from the board and through the zoning ordinance to maintain our current uses that add to our robust rural economy.

[02:22:18] Specifically tonight, I'm asking for the simplification of the definition for the Virginia farm wineries to align with the Code of Virginia. Please delete the text found within the July 6th draft and replace with winery comma Virginia farm, a winery licensed as a farm winery in accordance with the code of Virginia 4.1-219 as amended.

[02:22:40] And I just also like to echo everything that Steve Bozzo said, you know, in terms of what we do, it's so much of it is about supporting our community and preserving green space for people to come out and enjoy from all of your districts you know we think of ourselves as kind of loudness backyard that people can come and enjoy and it's really important that we take the time to um to just honor that and so i want to thank you all very much for your hard work on um on all of this so far and we'll look forward to working with you more in the future thank you

[02:23:20] miss huber and i love that loudness backyard that's a great that's great okay we're going take about a 10-minute break. We will be back, and when we come back, we will start with Tony

[02:23:28] Howard and Theo Stamatis. Thank you. Okay. Okay.

[02:47:32] We are back, and we're going to pick up where we left off with Tony Howard, followed by Theo Stamatis, followed by Toga Bakke. Good evening, Mr. Howard.

[02:47:49] Good evening, Madam Chair and members of the Latin Board of Supervisors. My name is Tony Howard, and I'm the President and CEO of the Loudoun Chamber of Commerce. I'm here tonight representing the Chamber and the more than 1,000 employers that comprise our membership. To begin, I want to start by expressing my gratitude and the Chamber's gratitude for a couple of things.

[02:48:07] Primarily for the spirit of collaboration and openness and engagement, the Loudoun County staff has shown the Chamber community and to the business community to work with us and meet with us and hear some of the concerns we've had about previous drafts and still this current draft of the zoning ordinance. We really appreciate that.

[02:48:22] I want to give specific praise to Mr. Charles Yudd, who many of you know headlined a chamber event where he explained to the chamber community where we were with the process at that point and where we were going, did a fabulous job. And Charles, I really think you've shepherded this document and process with tremendous pride, professionalism, and poise, and maybe a little bit of patience, too, as well, over the last year.

[02:48:42] And we appreciate you and you've been a great asset for this community, and we're going to miss you. I want to extend that compliment, too, as well, to the Planning Commission. I don't see Chair Frank and Vice Chair here, as well as to the Board of Supervisors. We met with them and continue to meet with members of the board to express our concerns. And the one I'd like to express tonight relates to attainable housing, if I may.

[02:49:00] So the biggest challenge that we believe Loudoun is facing in our continued prosperity, business growth, and quality of life is the shortage of skilled workers that we need to fill many of the jobs in the private and public sectors. The lack of affordable housing is making this workforce crisis worse.

[02:49:16] Loudoun simply doesn't have the housing inventory and housing at all price points needed to support our workforce. I want to thank this board for recognizing this situation and for making significant investments to address the economic and social costs of our affordable housing crisis. And the Chamber has supported those efforts, including the Unmet Housing Needs Strategic Plan, the creation of a revolving housing loan program, and the dedication of general fund revenues to help tackle this issue.

[02:49:40] These are serious investments, and they demand a zoning ordinance that is aligned with the board's housing goals. Sadly, we believe, as currently constructed, the draft store will likely make it more

difficult for the development of affordable housing and make it more costly to be built here in our community.

[02:49:56] Issues such as parking, mandated increases in ADUs and overly prescriptive language are issues that you will continue to hear about. So are the concerns about insufficient flexibility throughout the document that restricts the county's ability to address the unintended consequences that will result from a document that is so lengthy and so complex.

[02:50:15] I want to thank you very much for the opportunity to speak to you this evening. I want to thank you all for your service to our community. Thank you. Thank you very much. Mr. Stamatis, let me, before you go, Mr. Turner, are you still there? Okay, I will send him a text and tell me when he's back on.

[02:50:34] Okay, Mr. Stamatis, you will be followed by Togo Baki, followed by Sasha Brewer. Yes. Good evening. Good evening, Madam Chair and members of the Board of Supervisors. My name is Theo Stamatis. I'm the Government Relations Manager for the Loudoun Chamber of Commerce.

[02:50:50] On behalf of the Board of Directors and the 1,000 Employers and Entrepreneurs of the Loudoun Chamber, I'd like to express our thoughts on the draft zoning ordinance document that's now subject for review by this board. I first want to convey our appreciation for the work that Mr. Charles Yudd and county staff has done to get to the ZOR to this point in the process.

[02:51:06] We appreciate their efforts to engage with the business community on this ordinance. Despite those efforts by county staff, more work still needs to be done. Currently, the ZOR draft document still needs to certain areas addressed to ensure the county has the best workable document possible before final passage.

[02:51:24] The issues that must be addressed in the ZOR include expand the document's flexibility by increasing the ways that the board and staff can modify the zoning text without imposing increased time and expenses on applicants, matters related to attainable housing, battery entry storage, grandfathering, non-conformities, open space, and flexible regulations to help our robust rural economy.

[02:51:46] Currently, the draft ZOR is too restrictive when it comes to the number of potential mods it allows. Many of Loudoun's iconic and innovative developments could not have been built without flexible zoning modifications. These include one Loudoun, Loudoun Station, among others.

[02:52:01] Allowing modifications help prevent the unintended and unforeseen consequences that will only naturally result from a document as dense and complex as this ZOR. Another critical matter that must be addressed is the issue of deciding when an application that is already in the process is determined to be subject to the current zoning ordinance rather than the proposed new one.

[02:52:22] The draft ZOR does not include any language pertaining to grandfathering. Without that language, businesses with land use applications currently in the process may have to begin that process all over again in this new ordinance if it's adopted at the loss of significant time and expense.

[02:52:39] To address this issue, we ask that the ZOR not apply to any administrative and legislative applications that have already been accepted by county staff as of the effective date of the ordinance. Through the direct correspondence with this board in the coming weeks, the chamber will address specific challenges and offer proposed solutions regarding to attainable housing, battery entry storage, and data center design standards.

[02:53:02] I wanna say clearly, Madam Chair, that folks in the chamber and in this membership who have worked on this document love Loudoun, care about Loudoun, want Loudoun County to prosper going forward, and the need for a flexible zoning ordinance is now. I wanna thank you, Madam Chair, and this whole board for working with this document going forward, and thank you for your service to our county.

[02:53:23] - Thank you. Mr. DeVons, let me just understand what you on behalf of the chamber is asking. Are you saying no matter where in the process an applicant may be, even if they just put the application in, no matter where they are, we should grandfather that application in under the old process, is that the position?

[02:53:46] - From what our members have told us in the land-use community, that is just one of many suggestions that they'll offer to you in this whole process. All right. Thank you, sir. Tolga Baki, followed by Sasha, I think it's Brower, followed by Kelly Foltman.

[02:54:03] Good evening. Good evening, and thank you for this opportunity to address you, Madam Chair, and the rest of the supervisors. My name is Tolga Baki. I own Hillsborough Vineyards and Brewery, and Belly Love Brewing in Percival as well. I'm also the current Vice Chair of the Loudoun County Breweries Association.

[02:54:20] On behalf of our workforce of 30-plus people and our extensive clientele, at least 80% of which are county residents, I express my sincere gratitude to the Planning Commission and staff for all the work that they've actually put forth here. It couldn't have been easy, and I thank you.

[02:54:39] Supervisors, I do also thank you for acknowledging the significance of our industry to Loudoun County's vitality. It is a little unfortunate that after all this time we remain in limbo, but my peers and I will remain vigilant and hang out and work with you guys as best as we can to get better definition for us.

[02:54:58] As you know, the production and sale of alcoholic beverages are subject to extensive legislation and regulations necessitating compliance with numerous agencies from federal TTB, FDA, OSHA, Virginia ABC, VDAX, the list goes on, and of course, Loudoun County.

[02:55:15] These organizations exist to regulate the safe production and sale of wine, beer, and, of course, food. Layered on top of all of these stringent regulations are challenges of sustaining competitive pricing against national brands, offering competitive wages for our residents, and realizing a modest profit in a county regarded as one of the costliest in the United States.

[02:55:39] This demanding landscape has spurred the evolution of our industry over the past decade, It is driven primarily by consumer demand, but we're basically trying to struggle to maximize the best out of our businesses and just stay afloat.

[02:55:56] Therefore, I support linking the definition and the rights of limited breweries and farm wineries to their respective state codes. It simplifies compliance for everybody, it alleviates the county's workload when there are changes made at the state level, and it's much simpler and easier for, frankly, us who are regulated to our teeth to understand and comply to.

[02:56:17] It does dishearten me a little bit that the PC will be immediately working on amendments to this, and we will definitely work with them on that. And I just hope that the regulations and the suggestions that staff have presented priorly do not come back up, because it's fair to say that would be the end of most of us.

[02:56:37] Thank you for your time and consideration. Thank you, sir. Sasha Browell, followed by Kelly Fultman, followed by Ken Rochester. Good evening. Good evening. Good evening, Chair Randall and board members. My name is Sasha Brower. I'm a land use attorney with the law firm of Walsh Gallucci.

[02:56:53] Thank you for the opportunity to address you this evening on something that is of great importance to me, the future development and prosperity of Loudoun County. I'm speaking this evening not only from my experience helping property owners and land use applicants with rezonings every day, but I also live here in the county and am personally invested in this process.

[02:57:09] Over the past few years, my husband and I have begun to establish roots here in Loudoun County as a relatively young working couple. I also have a very large extended family that works and lives in Loudoun County in a wide variety of service and professional jobs. The low supply of housing and increasing costs is a grave concern that impacts my family and makes me really worried about Loudoun County.

[02:57:27] Many home builders are eager to come to the county, but the time and cost of working through a multi-year rezoning and site plan process deters many. I've seen the frustration in dealing with difficult-to-interpret regulations from both my clients and county staff with the current zoning ordinance. This ZOR is your opportunity to address these issues head on.

[02:57:44] I ask you to please take a look, a comprehensive look at zoning modifications. We need an ordinance that is easily modifiable and simple to navigate for both applicants and county staff. There are currently sections of the draft zoning ordinance that do not allow for modifications. I wanna be clear that this is not a request to remove regulations.

[02:58:01] This would simply allow for more opportunities for flexibility to be built into the rezoning process for builders to address the needs of the county in a creative way. As you all know, this zoning ordinance will be hugely impactful on the county and we really need to make the time to make it right. As others have said this evening, please continue to give stakeholders opportunities for substantive input as you review each chapter of the zoning ordinance.

[02:58:24] I really appreciate all the work that you all are doing, and I appreciate the work of county staff and others that have gotten us to this point. Thank you all for all you do, and best of luck. Thank you. Kelly Foltman, called by Ken Rochester, followed by Morgan Hatlock.

[02:58:40] Good evening. Hello. Thank you for this opportunity. I also want to thank zoning administrators and staff and the planning commissioners for their diligence and willingness to meet with board of members of the Loudoun County Equine Alliance. I'm Kelly Fultman, the current president of Loudoun County Equine Alliance.

[02:58:55] The Equine Alliance has several concerns due to unexpected changes made to equestrian uses during a 2015 ZOAM. Restrictions and requirements that added to business costs uniquely required of equine livery and equestrian event facilities. Such requirements make many long-established equestrian business facilities non-compliant with zoning and would require large numbers to be grandfathered.

[02:59:16] Planning commissioners recommended and staff worked in several of our requested short-term fixes, including reducing the minimum acreage requirement from 25 acres to 15 acres, increasing the total square footage allowance from 12,000 square feet to 30,000 square feet, and recommended adding equestrian uses to a future rural use of ZOAM.

[02:59:37] We thank you. LCEA still has additional concerns that we wish to be addressed during the zoning rewrite that will allow the equestrian industry to comply with the original intent of the 2015 ZOAM, which in large part was to streamline the number of equestrian uses by looking at the traffic generated during peak traffic hours.

[02:59:55] LCEA's requested additional changes will be reasonable stopgaps to reduce some unnecessary regulations, reduce business costs, and increase zoning compliance until a rural ZOAM can more fully address overall equestrian industry needs. LCEA will submit the revised text with the additional zoning changes we recommend to staff for the Board of Supervisors approval before the zoning rewrite is finished.

[03:00:19] Thank you. Thank you, Ms. Boatman. Thank you. Ken Rochester, followed by Morgan Hatlock, followed by Karen Iobian. Good evening. Good evening. Thank you. My name is Ken Rochester. I'm the Director of Business Development for Corporate Results, Inc. in Sterling, Virginia.

[03:00:36] And I've been a resident in the Lena Mill community in Aldi, Virginia, since 2016. I appreciate the opportunity to speak tonight before the board, especially to my district supervisor in the Blue Ridge District, Tony Buffington. I want to take a brief moment, I won't take much time here, to express my concern for the apparent lack of modifiability in the zoning ordinance rewrite that is currently under consideration.

[03:01:01] The current draft regulations are simply too prescriptive and won't encourage new residential development that Loudoun County desperately needs to attract and retain employees. The new parking standards run contrary to the county's desire to provide and support bus transit and reduce the environmental impacts in the communities that they are intended to serve.

[03:01:23] Lastly, the lack of flexibility to respond to current and future market trends being seen in our business community will result in businesses leaving Loudoun County for locations that they deem to be more business friendly. We don't want to find ourselves in a situation where there's never enough time to do things right the first time, but plenty enough time to do things right the second time when it comes to the ZOR.

[03:01:46] I encourage all involved in the process to take their time and get this right the first time, as we may not have a better time to adequately address these critical issues than we do right now when formulating the ZOR. I thank you again for your consideration and this opportunity to speak before the board tonight.

[03:02:04] Thank you, Mr. Rochester. Morgan Hadlock, followed by Karen Iovan, and followed by Leslie Thorpe. Good evening. Good evening, Madam Chair and members of the board. My name is Morgan Hadlock, and I'm a land use attorney with Walsh Colucci and a Leesburg resident.

[03:02:23] First of all, I'd like to echo the comments of others and thank Mr. Yed, county staff, and members of the Planning Commission for their hard work in preparing the draft ordinance for your consideration. I joined Walsh-Kaluchi last fall, and since then, I have watched as staff and commissioners have listened and responded to questions and concerns raised by all facets of the Loudoun community.

[03:02:43] This was no easy task, and their efforts in getting the draft to this point are truly appreciated. The final product of this rewrite process should foster appropriate development while allowing for the maintenance and restoration of what is already here. Nonconformities play an important role in striking

that balance, and the draft ordinance regulations regarding the restoration of nonconforming structures put landowners in a difficult situation if their nonconforming structure is damaged.

[03:03:08] As was noted earlier tonight, the draft ordinance limits a landowner's ability to repair a nonconforming structure to when that structure is damaged by a natural disaster or an act of God. This is a significant departure from what is permitted under the current zoning ordinance, which allows for repair when a structure suffers a casualty beyond an owner's reasonable control.

[03:03:28] The broader casualty language better protects landowners from occurrences that may not rise to the level of a natural disaster or an act of God, but have an equally devastating effect. For the sake of local landowners and business owners who count on these protections, Loudoun should carry that language forward.

[03:03:46] This is exactly the kind of seemingly minor change that can have a major impact on those who live and do business in Loudoun, and I ask you to take the time to work through these issues before adopting a new ordinance. We don't want the perfect to be the enemy of the good, but want to ensure that the good will continue to be good for Loudoun for years to come.

[03:04:04] Thank you for your time this evening and for your work going forward. Thank you. Thank you. Karen Iobin, followed by Leslie Tharp, followed by Josh Levy. Good evening. Good evening. First, board, thank you so much for navigating the last few years.

[03:04:21] As somebody who works in the health care profession, I understand that we probably all experienced a lot of adversity and difficulty, so thank you. Thank you. You're welcome. You may remember me, Chair Randall. I'm Dr. Karen Iovino, Supervisor Buffington. 2018-2019, we had discussions about the noise ordinance and the issues that we're facing with these event centers that are popping up in neighborhoods where people had already been established, set up their lives. Now we have unintended consequences from our desire to keep Western loud and rural, and I applaud you for that. But Chair Randall, you may remember we had

[03:04:59] a meeting with the Round Hill Sheriff where he openly admitted they have no way to measure the noise that is coming from these events. I personally live across from an event center and have noise till 11 o'clock at night. I am in bed by nine. I am up early and I work very hard.

[03:05:18] at work. My home is my place to restore and have some self-care. I no longer have that. In fact, I'm talking with my husband about moving. I don't want to move out of Loudoun. I'm urging you, we have a minute to discuss this, how are we going to move forward and investigate this noise ordinance, start restructuring it, potentially get noise dosimeters to the police so that they can measure the noise that I can hear in my house at nine o'clock at night while I'm trying to sleep.

[03:05:47] The idea of rural Loudoun is great, but there have been serious, serious unintended consequences. I guarantee you that the people that are going to these venues would not want this in their neighborhood. So I'm putting it back on you.

[03:06:05] How do we open this dialogue again? So if that's a question for right now, during public hearing, we don't do that. Okay. Because that's a question that deserves a lot more time than 31 seconds can give me, and I'd have to get people in the room and including the supervisor as well.

[03:06:24] However, I will say that we will do that, get people in the room and have a discussion. Well, I will reach out to your office again. Please do. Mr. Fairclough, will you bring a card down, please? Thank you. Thank you very much. Good evening. And Ms. Tharp, you'll be followed by Josh Levy, and Mr. Levy, you'll be followed by Michael Romero.

[03:06:46] Thank you, and we're ready when you are, ma'am. Thank you. Hello, my name is Leslie Tharp. I own Stone Gables Bed and Breakfast in Leesburg, Virginia. I am also the president of the Bowden Bed and Breakfast Guild, who I am representing tonight. I am responding to the most current zoning ordinance rewrite dated July 6th.

[03:07:05] I would like to call to your attention to a few items in Chapter 4.03 under Lodging for Bed and Breakfast Homestays and Bed and Breakfast Inns. First, Chapter 4 under B Approval, there seems to be a conflict with what has been proposed and what is in Chapter 10.06 under Site Plan.

[03:07:28] In Chapter 4, it reads that a zoning permit or site plan, as applicable, must be submitted for proposed use. In Chapter 10, it reads that B&B homestays and B&B inns are exempt from providing a site plan with less than 5,000 square feet of disturbance.

[03:07:47] The Guild recommends adding sketch plan to the Chapter 4 section so it reads that a zoning permit, site plan, or sketch plan, as applicable, must be submitted for the proposed use, so it is consistent to Chapter 10. I have sent a letter to the Board of Supervisors with this proposed language in a table that includes the current language, our recommendations, and the proposed language for your consideration.

[03:08:14] Also in Chapter 4, under Building Permits, the language currently states for B&B homestays, B&B inns, or county inns, private parties for more than a maximum daily attendees require approval of a building permit to allow the structure to be used for a private party.

[03:08:31] The key word here is being structure. Some locations do not only host their events in structures, but also host events outside, under tents, or just outside without a cover overhead.

[03:08:46] The Guild would simply like to add open air and tented options to this section. Where am I? Sorry. Oh, I'm over here. The Guild currently is working on specific language pertaining to another part of the management section to be more in line with short-term and management rentals, sorry, with short-term rentals and commercial whole house.

[03:09:21] We will be sending an updated letter with a specific language in a very near future. You guys did, that's where I got lost, you guys did change. Ms. Tharpe, I'm sorry. Oh, I'm sorry. Your time is up. I'm sorry your time is up.

[03:09:36] Anyways, we will send that language. Thank you. Thank you. Excuse me. Josh Levy, followed by Michael Romero, followed by Steve Donchess. Good evening, Mr. Levy.

[03:09:52] Good evening, Chair Randall. Josh Levy, president of the Data Center Coalition, a membership organization, including many of the county's leading data center owners and operators. Very appreciative of this opportunity to share some thoughts with you all today. I will do my best to cover our concerns in the time allotted tonight, but these are complex issues, and we will follow up with some written feedback and documentation, and we always stand ready to work with the county as these deliberations continue over the coming months.

[03:10:19] We want to be good neighbors, and we are very appreciative of the opportunity provided to work collaboratively with the county throughout this process. Since this process began last September, DCC and our members have been working with staff, to provide feedback and technical input on standards that address the concerns articulated by this board, while at the same time avoiding deleterious effects on the security operations and economic viability of data center sites in the county.

[03:10:45] I would just echo Mr. Howard's comments about the staff, professional, accessible, and just extraordinary, and we appreciate that. We also appreciate the opportunity to provide comments to the Planning Commission and their consideration of our comments, And I would just note that we continue to have significant concerns with several of the provisions that are proposed, some of which I think staff said they would come back and address in more detail when you all review Chapter 3.

[03:11:11] The building step-back requirements are not reflective of how multi-story data centers are constructed. Each floor needs to be the same size and have the same footprint. The step-back requirement effectively encourages single-story data center development, which further limits the economic impact to county revenues and I think runs contrary to this county's policy of encouraging multiple-story data centers.

[03:11:32] We remain concerned with the 30% fenestration requirement for principal facades. The proposed definition of fenestration is overly restrictive and would not include certain architectural elements and extensions that should be included, making the target even more difficult to achieve. We provided staff and will provide the board with examples of high-quality data center architecture that do not meet the fenestration requirement, including buildings that have been cited by this board and members of this board as being exemplary of what you are hoping to implement.

[03:12:01] We believe implementing a 20% fenestration requirement is both aspirational and achievable and will result in the types of attractive office-looking building facades the county's hoping to encourage. As drafted, the standards may result in requiring all four sides of a data center be principal facades based on adjacent roads or residential uses.

[03:12:19] Requiring four principal facades presents insurmountable operational challenges as it effectively precludes ground-mounted equipment yards, loading operations, and service areas. Again, Chair Randall, I will follow up with written comments, providing additional feedback, including some of the improvements we're going to suggest around the noise provisions in Chapter 7 as well.

[03:12:37] Thank you all very much. Thank you, Mr. Levy. Appreciate it. Michael Romeo, followed by Steve John Chess, followed by Michael Myers. Good evening. Good evening, Chair Randall, members of the board. In 1957, Loudoun County adopted a comprehensive plan that projected population trends out to 1980.

[03:12:53] It predicted a whopping 36% increase in population. Over 11,000 people were coming to Loudoun County at that time. In 1980, the population projection was just over 32,000 people. Fast forward to 2020, one year after the adoption of the 2019 general plan, the U.S. Census estimated the population to be just over 420,000.

[03:13:14] With history as a guide, land use change is inevitable in Loudoun County. By its very nature, a general plan is general. It is a guide with policies that enable the county to promote orderly growth. In contrast, a zoning ordinance, while inspired by the general plan, is not a policy document.

[03:13:32] It is a regulatory document in which specific requirements are set forth. Many of the general plan references in chapters 2, 7, and 10 unnecessarily restrict zoning implementation. Many of these references serve to codify the general plan, resulting in a level of interpretation and uncertainty that should not exist in the zoning ordinance.

[03:13:52] These general plan references should be removed. If they are not removed, applicant-initiated plan amendments should be permitted, which were allowed as recently as 2004. On another topic, I'd like to reiterate many of the comments that have been said earlier today about grandfathering.

[03:14:09] It's critical that grandfathering provisions be drafted now and be agreed upon well in advance of the zoning ordinance adoption. We have appreciated our working relationship with county staff. And we look forward to working with you to resolve the outstanding issues that require your attention. Thank you very much for all of your time that you put forward, and we look forward to the coming months ahead.

[03:14:27] Thank you, Mr. Romeo. It's going to be one second, sir. Thank you. Thank you. Mr. Dishis, you'll be followed by Michael Myers and Bill Hatch.

[03:14:43] Good evening, sir. Good evening, Chair and Board members. My name is Steve Donchess. I'm an attorney in Loudoun County with Neal Eslop, and I work on land use issues and energy issues and have represented energy clients for many years. You are going to confront many important issues in the next several months.

[03:15:05] But the issue I'm about to address should be near the top of that list. Why? Because it affects all 430,000 citizens in this county every second of every minute of every day. It is a tool, it is a very valuable tool, an energy asset, and it's battery energy storage.

[03:15:27] We've had the warmest month in the history of 173 years of recorded temperatures last month, and they're even higher in July. We're breaking global temperature records, ocean temperature records. Battery energy storage is a tool that helps address the issue of climate change.

[03:15:46] It helps with the decarbonization of the grid, and it advances the clean energy transition largely through the integration of renewable energy. But even if climate change is not your priority, it offers other benefits to the county. It improves the resiliency of the grid, and it bolsters the reliability of the grid, and there are economic benefits as well.

[03:16:07] Battery energy storage, which is important for Loudoun, can help defer transmission upgrades and even transmission build-outs. And it can do it with less intensive land use and in a more cost-efficient way with cleaner energy. So it offers many benefits for the county, and a county that has significant power demands like Loudoun.

[03:16:31] There are challenges, of course, fire safety, but there are national standards that adequately address fire safety and are in effect throughout the nation. There are also opponents who will say these are similar to data centers. That's a mischaracterization. It is a much smaller footprint, and it doesn't have the consistent noise levels of data centers.

[03:16:52] So for all the benefits that we'll provide, I would urge this board to support the Planning Commission's recommendations, the Planning Commission you appointed that recommended creating more fertile ground in this county for battery energy storage through by-right use in the industrial districts and other very favorable provisions.

[03:17:12] Thank you very much for your time. Thank you, sir. Michael Myers, followed by Bill Hatch, followed by Eric Zicht. Good evening. Hi, good evening. My name is Michael Myers, and I'm the Executive Director of the Law and Wildlife Conservancy.

[03:17:28] We are thankful for all of staff's and the Planning Commissioner's efforts during the zoning ordinance rewrite process. And we support the Board's efforts to approve the new zoning ordinance before the end of the year. Since the 2019 General Plan's adoption, there has been a great need to update the zoning regulations to assist with the implementation of the comprehensive plan.

[03:17:46] We appreciate language and revisions to the zoning ordinance that improve protections for the environment as envisioned in the 2019 General Plan. A lot of progress has been made including improved requirements for native plantings, larger buffers around sensitive features in the mountainside overlay district, and wildlife and habitat and natural heritage resource protections in open space areas and river and stream corridor resources, to name a few.

[03:18:10] While no document is perfect and there is still work to be done, it is important to get the zoning ordinance passed this term to put in place these new regulations as soon as it's feasible. We acknowledge that work will continue through updating the FSM and future ZOAMs and CPAMs and that some revisions to protect the environment will have to wait.

[03:18:30] In the meantime, we support other members of the Loudoun County Preservation and Conservation Coalition to provide solutions to quality control issues that can be implemented during the board's review of the zoning ordinance, such as technical edits to existing standards to limit noise and light impacts for all uses.

[03:18:48] We will provide more detailed comments in advance of your work session. on specific topics. We also look forward to providing future input on prioritization of future zoams and CPAMs to further protect wildlife habitat, clean water, and the environment in Loudoun County. We commend staff for including a fairly comprehensive list of the work still needed to be done. We also ask for the board to add into future considerations a deeper dive into environmental sustainability regulations to be able to adequately implement sustainability

[03:19:24] policies in the general plan. We thank you for your thoughtful consideration of the zoning ordinance, appreciate steps that have been made to protect natural resources, and look forward to continuing to provide input before and after the zoning ordinance is hopefully adopted later this year. Thank you for your time. Thank you, Mr. Myers. Bill Hatch followed by Eric Zick followed by Alexander Nance.

[03:19:48] Good evening. Good evening. Thank you all for staying so late. I know we're going to be here later. I'm Bill Hatch, and I'm going to speak about the rural economy. My family has been farming in Loudoun County for over 74 years. What I love about Loudoun County is the farms, and our customers do too.

[03:20:07] I'm past president of the Loudoun Wine Growers and Wineries Association, presently on the Loudoun County Wine Board, and I'm also a member of the REDC. My family dairy farmed for the first 50 years that we were here. Dairy farming went under water, and so we got out.

[03:20:26] So we, my brother and I, and my dad, tried to reinvent and are reinventing our farm so it can be sustainable, so we can stay on the land. That is our whole goal. We grow grass-fed Angus, grass-finished

Angus, I mean, and sheep and wine.

[03:20:44] The Loudoun County Board of Supervisors has provided great, good tools to incubate direct-to-consumer farming, and I really appreciate that. I thank everybody for helping do that.

[03:21:00] Balance is important. Guardrails are necessary in a free society. However, I do hesitate to hinder any business that sells things they grow and urge the Board of Supervisors to understand that agriculture is not inherently profitable.

[03:21:25] And so we must add value added to whatever we grow in Loudoun County. The investment in farming is huge. All you have to do is look around and see that there is a lot of investment to stay here in relation to the return.

[03:21:42] Loudoun County wine growers collaborate to grow the best world-class wine that we possibly can. And one would have to travel many, many miles, like 3,000 to 5,000 miles, to get the quality of wine that we're growing in Loudoun County and in Virginia.

[03:22:00] And I really appreciate that you all are supporting that right now. I hope you continue to support that. Thank you very much. Thank you. Thank you. Eric Zicht, followed by Alexander Nance, followed by Linda Colbert. Good evening.

[03:22:16] Madam Chairman and members of the Board of Supervisors. I have an office in Paoni and Springs. I've been there 20 years, and I'm here to talk expressly about that situation being in a village overlay district. I'm helping one of the other business people in the community to build a new office on the lot adjoining my office.

[03:22:40] We had to face one of the existing regulations as an average front yard. Well, how do you average when one of the houses that are next to you is in the right-of-way, another one is in the 10-foot buffer, the required setback, and another is right at the property line?

[03:23:02] You know, how do you handle that? With this new regulation, what's in the draft, there are more regulations of this type, average building height. You have to average the building height. Well, if I have a one-story building next to on one side of the lot and a two-story on the other, you can't build a two-story building because you have to meet the average there, plus or minus 25%.

[03:23:28] The same thing with average side yards. Usually on one side of the yard, you've got extra yard width so that you can get driveway through. The other side's narrow, so now you've got to average the driveways. I'm going to have two medium-sized, neither of which are going to be wide enough to get a driveway to the rear.

[03:23:47] That's another new requirement that all garages be detached. Well, if you look at the community, most of the houses are fairly old and don't have garages at all. The second most common is to have an attached garage.

[03:24:06] And so this is going completely against the character of at least this particular village. You've got to do an average rear yard. I don't know how you do that my lot happens to wrap around the the neighbor does that mean I can't put up another structure in my backyard or my back of my building has to line up with the back of his building uh variation in lot sizes well how are you going to match side yard widths when you've got variations of lot widths um there are other requirements to match roof lines

[03:24:41] and roof types, to have porches, if their neighbors have porches, matching number of stories. When I was on ZOAC, we were told that there weren't going to be any changes in this district until there have been area studies.

[03:24:57] Thank you. Thank you very much. Alexander Nance, followed by Linda Colbert, followed by Sofia De La Torre. Mr. Nance here, going once, going twice? No? Okay.

[03:25:12] Linda Colbert, followed by Sofia De La Torre, followed by Karen Backe. Hello, and thank you for having us tonight. I'm Linda Colbert, and I'm chairman of the Government Affairs Committee for the Dulles Association of Realtors.

[03:25:29] I'm sent here to speak on the zoning changes and how they'll impact attainable housing. Like many people we've heard from tonight, and I'm so glad to hear that that's an issue for so many, is the attainable housing.

[03:25:47] Our clients are your constituents, but we put them in our car, they walk in our office, and they need a home. And there are very few homes out there and very few that meet the needs of the people that walk into the office and are looking for a place to live.

[03:26:04] Our one concern, probably our strongest concern is the ADU program. As far as when we hear about zoning and how involved it is for a developer, and then you put on top of it the ADU program.

[03:26:20] So just going over your ordinances, we came up with three things that we want you to consider when you're doing ADUs or the unmet housing is the modifications. To make it as easy and as inexpensive as possible, Adding more administrative modifications and less legislative modifications to the list, especially when you're dealing with ADUs.

[03:26:50] Also, the compatibility issue. Yes, structurally, we want top notch, but there's, you know, functions and there's fixtures and there are finishes that could be adjusted to make doing ADUs more affordable, more agreeable, And because we, as we all know, at the end of the day, all those prices are getting passed on, if not to the ADU, to the consumer on the next door.

[03:27:18] So we just would like you to consider that. The other issue we said is parking, that maybe the ADUs could have 1.5 spaces instead of the standard. I think there was an Institute of Transportation thought that that would be acceptable.

[03:27:35] I think their number was even a little bit lower than that. We would just ask you to do whatever you can to increase the availability of attainable housing, because we're on your team, and we're working with you, and we would love to see our clients have more opportunity.

[03:27:55] Thank you. Thank you very much, Ms. Colbert. Sophia De La Torre, followed by Kareem Bakke, followed by John Fug. Good evening. Good evening. Nice to see all of you. My name is Sifia De La Torre, and I'm the Government Affairs Director at the Dulles Association of Realtors.

[03:28:15] DAR is concerned that the zoning ordinance draft will hinder smart growth within the county, and the untested nature of the document will have unintended consequences. It was great to hear from staff today that the intention is to test the zoning ordinance. It is one of DAR's main goals to bring more attainable housing to Loudoun County.

[03:28:34] We argue that compatibility standards applied to the new ADU units relative to the market rate units in development are over-prescriptive and rigid. The rigidity in this document is of the utmost

concern to the association, as well as the outlined Appendix C, which gives 79 limited terms which projects in the county are modifiable.

[03:28:56] During conversations with staff, it became apparent that the way the public interpreted Appendix C was different from the intentions of those who wrote it. We hope that the work sessions will provide an opportunity to improve language and the ability to modify projects to fit the public's needs while creating an environment that fosters attainable housing.

[03:29:16] While well-intentioned, the high ADU parking requirements have costs associated with them, which could deter ADUs and new developments. We suggest that instead of a system based on AMI, which could affect developer tax credits, the county moves to per unit ratios in the form of 1.5, which is still 50% above the studied rate of required parking for ADUs.

[03:29:39] There is also uncertainty amidst these changes. We suggest the county do some due diligence in testing of the zoning ordinance on current and past projects to look at viability and constraints. And we recommend that the county include grandfathering language that protects current development while allowing staff to familiarize themselves with the document.

[03:30:01] While I approve of the board's intentions with this document, the areas for concern I have addressed have practical impacts that ZOC and staff may not have considered. We urge the board to address these issues with the zoning ordinance implemented.

[03:30:18] And I'd like to say out of a 600-page document, we've heard the same five, six things over and over again tonight. That is impressive work on the staff that they were able to narrowly scrape by on just a few public comments.

[03:30:31] We have impressive staff. Can I ask you a quick question, Ms. Delatore? Same thing that I asked Mr. Theo. Are you all suggesting, as you're speaking on behalf of DAR, that no matter where someone is in an application that they set in, that they put in, are you suggesting if the application went in just last week that everyone who has the application in it all gets grandfathered in?

[03:31:00] Our recommendation would be to do that. You know, it is the first step in the legislative process, which seems very early on. That being said, for developers and those who work on attainable housing, there is a year's worth of work that goes into providing you that first step.

[03:31:18] So to get to that first step is already a big point in their plans and a big cost to turn. So then that answer really is just a yes. Yes. Thank you, ma'am. I appreciate that. uh i'm sorry kareem baki baki followed by john foog followed by sharon wright good evening good evening my name is kareem baki and i'm the current president of the loudon wineries and wine growers association we'd like to thank the board of supervisors and loudon county staff for

[03:31:51] all the supporting and growth of our industry for the past 40 years thank you our primary goal as with the LWVA is to represent the 60 wineries that we have in Loudoun County, plus the 20 plus independent vineyards. We've developed an industry here making what is called Loudoun Wine.

[03:32:18] We created this brand. And our primary advisors is the county. Visit Loudoun, the DED. We rely on them tremendously. They developed the term, the phrase, we are D.C.'s wine country, and we are the backyard of Eastern Loudoun, and we're proud to be here. We do support Visit Loudoun's stance that the LWVA does not support the current draft definition of winery,

[03:32:51] Virginia Farm, as stated in the July 6, 2023 draft. We support the simplification of the definition for Virginia Farm wineries to align with the Code of Virginia. This is for two primary reasons. One, to ensure ease of incorporation of any changes made by the state. There was recently one in July. And secondly, to allow Lowne wineries to keep a competitive edge in the state by having the same rights and regulations as other wineries in neighboring counties. The LWWA requests support from the Board of Supervisors and urges zoning staff to delete text found in the July 6 draft

[03:33:31] and replace it with winery, Virginia Farm, a winery license as a farm winery in accordance with the Code of Virginia 4.1-219 as amended. We understand that much of the zoning rewrite is meant to work with our adapting industry and how the county is growing and we are here to stay and we want to be here to stay we want to work with you the lwwa is here to communicate with you in all regards please reach out to us and we'd be happy to answer any questions that you have

[03:34:10] we want to be a part of the situation thank you thank you very much i appreciate that Is John Fuchs still in the room? Did he leave? I think he did. So we'll go to Sharon Wright, followed by Kristen Longhorn, followed by Stephan Warfield. Good evening.

[03:34:29] Good evening, Chair Randall and members of the Board of Supervisors. My name is Sharon Wright, and I'm the founder and CEO of Loudon Clear Marketing. I'm here this evening to convey my thoughts regarding the zoning ordinance rewrite. I believe in Loudoun County. I've made it my home for the past 24 years, and I chose to raise my children and establish my business. I believe in the future prosperity of Loudoun County, so much so that I have taken active leadership roles with our county's chamber as well as with the School Business Partnership Council at LCPS. I also work on the Workforce Housing Now campaign. I know you share the same desire as me. We want Loudoun County

[03:35:06] to prosper for decades to come. Loudoun has taken a reputation hit over the past year, not only locally, regionally, but nationally. Our county's reputation is also taking a hit as a difficult place to do business, according to land use planners, many of whom you've heard from tonight.

[03:35:25] We cannot afford for Loudoun's reputation to suffer if our goal is to continue to prosper. As a business who makes its living helping counsel clients on reputation, let me offer you this. We should put our money where our mouth is. We are actively recruiting businesses to come to Loudoun County and set up their operations, yet we are making it difficult for them to become established.

[03:35:46] Small businesses in Loudoun County find it difficult, costly, and challenging to make simple modifications. Let's not make Loudoun so difficult to work with. We should make modifications allowable. Some of the most successful developments in Loudoun County would not be possible today under the draft zoning ordinance without allowing modifications to exist.

[03:36:06] We should make Loudoun a pro-business county. We all want businesses to prosper. Are we following through on walking the pro-business talk? The economic development offices, both at the town and the county level, are doing a remarkable job of recruiting businesses to come to Loudoun.

[03:36:22] Yet those businesses often experience a rude awakening when they learn how many zoning barriers are in place. We all want Loudoun to continue to prosper. That starts with common sense, modifiable zoning ordinances and a pro-business mindset. Let's make it easier for businesses to succeed and to fuel our economy so our community will continue to prosper for years to come.

[03:36:45] I thank you for your time and for all the hard work that the staff and your team has been doing and will continue to do to get us through this difficult process. Thank you. Thank you, Ms. Wright. Thank you very much. I think our next three people are on the WebEx. They are Kristen Langhorne, Stephan Warfield, and Jim Bingle.

[03:37:03] I think they're all on. Chair Randall, I'm here. Oh, hi. How are you? How are you? Good to see you, Ms. Langhorne. Good to see you, too. And Jim, well, listen, my sheet is incorrect then. But okay, well then, just strike everything I just said, since all three of them are actually here.

[03:37:22] Crystal Lancorn, Stephan Warfield, and Jim Bingle. Ms. Lancorn, I'm ready for when you are. All right, thank you. I will start by thanking you all for being here. I really appreciate the opportunity. I also want to thank the staff, the Planning Commission, and the Zohar Committee.

[03:37:37] You all have been putting so much work into this. Everyone on this side of the room is here to protect something in which they are invested. For the record, my reason for being here is I associate myself with Father Daniel's remarks and Matt Bender's remarks and want to just share that.

[03:37:54] Your huge task is to evaluate and assess all of our independent priorities into regulations that will best serve our county and its citizens for years to come. I intended to come here and ask for your consideration in slowing this process down so you'll have ample time to study the issues, weigh their benefits, and set the course that could define our county's viability and culture.

[03:38:20] I believe thoughtful incremental changes over the course of repeated five-year rewrites would result in the best vetted and embraced policies. However, if you conclude this is the season to work on this process and put a pin in it, not put a pin in it, please incorporate as many tools for modifiability as you possibly can. As you work towards a more diversified base, I know that that's one of your board's goals.

[03:38:52] I'm certain you'll appreciate having flexibility to adapt to changing demographics, industries, and consumer needs. Thanks so much. Thank you. Stephen Warfield, followed by Jim Bingle, followed by Tia Ehrman. Good evening. Good evening, board.

[03:39:09] I am Steve Warfield. I have lived in Loudoun County for 23 years, currently reside and have a commercial real estate consulting business in Percival. I want to thank the planning staff and commission for their work so far on the rewrite. Of particular interest to me is the recognition of the need to provide a means to develop utility-scale battery electric storage systems, or as we've cut it down, BESS.

[03:39:33] Their creation of electric power is costly and can be harmful to our environment. Up until recently, the phrase, use it or lose it, was a very appropriate description for our electric grid. This meant we had to build the grid to meet peak demand or put up with power outages.

[03:39:49] State-of-the-art battery technology now allows significant storage of electricity during periods of slower demand and the ability to put it back on the grid when demand is high. And as an example, an 80,000 square foot best facility located near a major substation could store 200 megawatts and provide instantaneous power in the heart of Loudoun County for up to 200,000 homes, could reduce the need for new transmission lines and substations, could reduce the risk of brownouts or blackouts, would result in reduction of average wholesale power costs, could reduce local pollution,

[03:40:28] and will provide an efficient and reliable integration of renewable energy into the grid system. An 80,000-square-foot dedicated-use single-tenant building would, for the most part, look like every other

flex building in the county. The approval process for BESS has been thoughtfully and thoroughly addressed in the rewrite by the staff.

[03:40:48] Part of the ordinance provides ongoing, rigorous national, state, and local building and operating restrictions. However, there are currently three issues that could make it almost impossible to locate a facility near any of the larger substations. The current draft has a five-acre minimum acreage, although I note that the slide that was shown to start the meeting had cut that down to three, which would be obviously much more desirable.

[03:41:16] It was looking at a one-mile radius away from any historic resource, and that's not just something on the historic registry, but any resource. And I noticed on the slide that was down to a third of a mile. That certainly would be much more acceptable.

[03:41:32] Also, the draft has a 100-foot setback from all sides. The slide had a 100-foot setback only from residential, which would also be preferable. Thank you. Thank you, sir. Thank you. Jim Bingo, followed by Tia Ehrman, followed by Kate Surchmead.

[03:41:48] Good evening. Good evening, Chair Randall and board members. Thank you for holding out. I'm Jim Bingo, speaking for the Piedmont Environmental Council. Much has been accomplished in achieving the goals outlined at the beginning of the Zoning Ordinance Rewrite Project.

[03:42:03] We thank staff for their hard work and the sacrifices that they've made to keep the draft moving forward, despite the pandemic's early wrenching effects. In participating on the Zohr Project since its inception, there are a couple of observations that I'd ask you to consider as you embark on this final phase.

[03:42:23] The current 93 ordinance has become unbalanced and weakened over many years in protecting the health, safety, and welfare of residents and the resources they hold dear in favor of business interests. And regulations intended to protect important resources haven't had all the desired results.

[03:42:43] But the ZOR draft, with the prime soils and cluster ZOAM together, start us in the right direction. In particular, we support the new environmental and historic resource regulations that match the policies in the 2019 COMP plan.

[03:42:59] We need these to protect our natural systems and cultural heritage. And we endorse measures to reduce data center impacts on residential properties to protect residents' quality of life, because economic achievements that negatively impact the daily lives of residents results in unhappy communities, as you heard this evening.

[03:43:22] My comments tonight are not specific to section detail, and there are other improvements we support, and work is still needed. We know that not everything that should be done will be accomplished with this project, but please focus on measures that do further protect residents' quality of life, that support the farmers and land-based businesses essential to the production of food and fiber, and include short-term technical fixes for light and noise impacts to help restore balance to the ordinance. We will continue to stay engaged and provide detailed comments for your consideration

[03:43:58] and ask that you adopt the final draft this year so that Loudoun residents can reap its benefits. Thank you. Thank you, Ms. Bingo. Tia Ehrman, followed by Kate Zurchme, followed by Mitra Satish, because everybody I know is in the room right now with me. It's wonderful.

[03:44:16] Good evening, all. Nice to see you all again. How are you? Thanks for sticking it out. We are here as long as you all are, that's for sure. For the record, I'm Tia Ehrman speaking tonight as the President of the Loudoun County Farm Bureau. As our representative on ZOC, I've been involved in this process since its beginning, and it has been quite a lift, and staff has been quite amazing throughout this entire process.

[03:44:36] I sincerely hope we're moving towards a comp plan zoning ordinance update on a regular rotating basis to make this a much more manageable task in the future. Farm Bureau will be submitting many detailed comments on the current draft, and certainly as we go forward, too, not enough time tonight to go through all of our concerns.

[03:44:53] The largest, most pressing issues are some fine-tuning to the agricultural processing definition. We're really, really close on that one. The uneven standards of operation for Western Latin businesses, which have left agriculturally-based businesses facing more stringent regulations than our commercial non-farming counterparts in a rural policy area.

[03:45:13] And lastly, the need to add a definition of farm, everyone's favorite topic, as many other counties do legally and without issue. Twice during this process, staff has presented definitions, both were vetted by the county's attorney's office, and both were very, very close. Farm Bureau is really happy to help get either one of those across the finish line.

[03:45:31] This will also provide county staff with clarity on when to direct people to Loudoun Soil and Water for a conservation farm plan and when to provide other avenues for compliance for ENS, clearing, and grading issues, no longer forcing soil and water staff to act as a regulatory position, which they shouldn't be doing.

[03:45:52] This board has spoken for years about the need of preserving Western Loudoun, and our comp plan certainly goes into great lengths about that. I want to make sure, wearing my planner's hat, that you understand there's nothing in this zoning ordinance right now that is going to slow or curb the pace of residential subdivision of western Loudoun county our staff's numbers estimate 11 000 more very large all completely non-affordable single-family homes coming via cluster subdivision developments nearing the end of 2023 we still have not yet passed our prime soils cluster subdivision zoam so we're watching this happen all around us without

[03:46:30] even preserving small acreage farms that are viable. Please prioritize finish the prime soils zoam as soon as possible. Fix what can be fixed and pass this zoam now, this year, and then prioritize the coming western Loudoun zoam because we all know how long they take and how large it's going to be. Thank you so much. Yeah, yeah, thank you. Thank you very much. Kate Zurchme, followed by Mir, I'm sorry, Mia, I'm sorry, made sure I said your name incorrectly, and you will be followed by Avis Renshaw.

[03:47:01] Good evening, Ms. Zurchmeade. Hi. I brought props tonight. I just got laid on the agenda. So I brought my family to be part of my conversation today. Hey, Ms. Zurchmeade, I'm going to ask you to run to the mic so we can hear you.

[03:47:16] Yes. Okay. Let me get started. I'm sorry. And face us if you can. Okay. Thank you very much. All right. Good evening. My name is Kate Zurchmeade, and I'm one of the founding family members of Bluemont Vineyard, Dirt Farm Brewing, and Great Country Farms. which was founded in 1993, ironically the same year as the last Mason Stone overhaul.

[03:47:36] We have Loudoun Economic Development to thank for introducing us to a community-supported agriculture, which enabled us to purchase our first personal farmland. I'll never forget the realtor laughing at our closing, at our dream of farming, and telling us to come back next year when we are ready to build houses.

[03:47:58] Well, we took that challenge, and over the past 30 years, as Loudoun has grown and flourished, so has our farm. I brought this photo so you can see some of the faces of our farm family. It's a bit dated because there's 11 great-grandchildren and three more on the way who are not in the photo, but over two-thirds of these faces make 100% of their living on our farm businesses.

[03:48:23] As you embark on this final phase of review and decision-making, I urge you to be wary of unintended consequences and astronomical costs lurking in this rewrite. For when you redefine terms such as farm and the uses allowed on them, you are redefining the future of our family and countless others.

[03:48:43] I encourage you to ensure this ordinance aligns with state regulation and allows for business creativity and flexibility. The bottom line is that small businesses are part of the fabric that is Loudoun County. We are the apple orchard and pumpkin patch that Loudoun families visit year after year.

[03:49:04] We are a farm vineyard where families celebrate life moments over a shared glass of wine and a farm brewery making award-winning craft beers from our own tart cherries that line the lane of our drive. Our next generation would like to continue to thrive under this new zoning ordinance as we have under the old.

[03:49:24] This is your historic opportunity to ensure this zoning ordinance enables a bright future for all small farmers who want to bring their dreams to life in Loudoun County, just as we did 30 years ago. We're here to work with you to get this right.

[03:49:41] Thank you so much. Thank you. You do have a beautiful family. Good evening. And after you, Mitchell, you're going to be followed by Avis Renshaw and John Benedict. Good evening. Good evening. I would like to start by thanking Charles and his team, as well as the Planning Commission members, for working so hard on creating this massive and wonderful and desperately needed document. This zoning ordinance rewrite has had an unexpected side effect people across industries various business owners developers data centers have

[03:50:18] come together over discussions over this document the chamber has been gathering business owners and experts and going thoroughly over as thoroughly as possible over every page so so many pages of this document I've been I've had the privilege to be present at many of these exchanges and I can tell you that for the most part, for the big majority, maybe not everybody, but for the most part, the comments that you receive come from a love for this county. Loudoun County has become

[03:50:58] the fastest growing and the most affluent county in our nation for a big part due to its reputation for being business friendly. And I personally can 100% attest to that. However, the issues and the buzz around these issues with this document and mostly the lack of flexibility is causing small to major businesses to pause and look at our surrounding counties. It feels like they're benefiting from just a glitch while we are going through this document. So to remain competitive,

[03:51:37] Loudoun's owning policies and procedures need to be flexible and adaptive to the changes that our community faces continuously. I am asking that this board allow the necessary time to address at least

the major issues and discrepancies in this current version before approving it.

[03:51:58] Since I have just a little bit more time, I want to touch very quickly on a subject that I know you guys are painfully aware of, and I know you all work very, very hard at it, housing. I own and operate on International Training Center. And of course, like everybody else, we have a hard time employing people because of housing. I want to leave you with two numbers. I have 128 employees and only 24 of them own homes in Loudoun County. Thank you very, very much for everything that you do and for tonight. Those are two important numbers, I will say. Avis Rinshaw, you'll be

[03:52:37] followed by Joan Benedict and Chris Suarez. Good evening, Ms. Rinshaw. Thank you. Good evening to you guys. I'm Avis Renshaw and our family's Lost Corner Farm is in the Catoctin District and it provides the produce for our mom's apple pie bakery. We are a farm-based value-added processing business. In terms of moving the Zohr forward in the western part, the two things that I'm most concerned about are providing a definition of farm. You guys are almost there. You've got two to choose from, not too much to split hairs about. The other is currently the on-farm processing,

[03:53:15] part of it is advocating for 51% of the products being processed come from the farm where the processing plant is. We'd like you to tweak that and make it 51% loud and grown. The cost of processing facilities is very expensive. There are very few farmers that could afford to build a processing plant and use their own produce there, it would be much better to have a more communal aspect to that provision. The other thing I'm going to say is that in our family,

[03:53:53] we have already dealt with the intersection of residents and farms coming to a head. And that intersection is what you really need to pay attention to in the Zohar for Western alluding. It's really important to maintain a good balance and have businesses that respect residents and residents that respect businesses. Virginia's farm provisions, you know, you can't complain about the smells and sights on a farm, work pretty well for those of us in the ag business.

[03:54:27] I think when you get into the high-intensity entertainment businesses, it's a much bigger problem, as you've already heard. I align myself with a good doctor. I'd like to not have noise after nine o'clock at night. I don't think that's too much to ask for a rural business. If you want to have a big deal and, you know, a big venue that goes to one in the morning, do it in a place that's zoned for that. And don't encroach on your neighbors. By the same token, I know that wineries rely, especially on their entertainment business. You know, it's really hard to make a margin,

[03:55:01] even in winery businesses. Farmers are operating on a really small margin, and their entertainment aspects, their weddings, et cetera, that they host there can bring them up to that black line. And we don't want to curtail that, but we'd like to make it good for the residents as well.

[03:55:21] Thank you. Ms. Renshaw, thank you for everything. I may be calling you with a couple questions about some other things, too. Thank you. John Benedict, followed by Chris Suarez, and you will be followed by sarah brown good evening sir oh good evening uh john benedict live outside of middleburg there is much to applaud in the draft just one second it's i can't really hear him can we start his time and can you step a little closer and make sure his mic's up let's start again sir okay that better not a lot did his mic go out is his mic on okay okay well

[03:55:56] we'll try again okay thank you i'll speak up i'm jeb benedict live outside of middleburg There is much to applaud in the draft. It is disappointing, of course, that the rewrite fails to address the biggest

concern of residents of the rural policy area, which is the failure to properly manage high-intensity uses.

[03:56:17] Now, I realize that those issues are not being addressed now, but they need to be a priority in a CPM. High-intensity uses can have a profoundly negative effect on the community environment. Most are operations that would never be allowed in suburban areas.

[03:56:34] Now, the way to manage and limit high-intensity uses, especially on smaller parcels, would be including, you know, five elements. One is limiting site development for multiple and high-intensity uses, such as brewing taprooms and special event facilities.

[03:56:52] A second would be ensuring permitted uses are appropriate in scale to the intensity of use and the parcel size. Uses involving noise, crowds, or traffic should be limited or disallowed on small sites or minor roads. High-intensity use shouldn't be allowed close to neighboring farms, homes, livestock, or sensitive environmental resources.

[03:57:12] We need also, third, to improve protections against noise and light pollution and ensuring proper enforcement. Live bands, amplified music, PA systems aren't agriculture, and lighted fields are inappropriate when they affect neighbors or environment.

[03:57:28] We need to tighten requirements on well water and effluent projections for intensive uses. And in particular, we need to improve the definition of agriculture operations or farms to tighten up on so-called farm breweries. And too often, calling these farms or agriculture is really an insult to their farming neighbors.

[03:57:47] The county should require actual farming, real brewing, production on site, and disallow permanent food trucks. The rewrite is a large task, and we realize not everything can be addressed at one time. But the board has an obligation to rural residents and to the county's future to preserve the rural and true farming character of Western Loudoun.

[03:58:07] We want you to get it right, but please don't leave the issue of high-intensity uses unaddressed too long. Thank you. Thank you, Mr. Benedict. Chris Suarez, you will be followed, sir, by Sarah Brown, and you will be followed by Mark Nealus.

[03:58:25] Good evening. Good evening. My name is Chris Suarez. I'm the general manager of Bear Chase Brewing Company, chair of the Loudoun County Brewers Association, and vice president of partners for the Loudoun County Bed and Breakfast Association. I stand tonight before you as representing Bear Chase.

[03:58:41] You've already heard from the associations. On behalf of Bear Chase Brewing Company and our dedicated team of over 75 full-time and part-time employees, we extend the deepest gratitude to the Planning Commission and staff for the commitment to this draft language. We recognize the difficult journey this process has been, and we acknowledge there is still more to come.

[03:59:02] We strongly endorse the use-specific language in 4.08.05 Limited Brewery Without Any Modifications. We fully support the streamlined definition of limited breweries aligning the Code of Virginia with the July 6 draft. Additionally, we express our appreciations for the amendment made to the language concerning on-site management for bread and breakfast, now congruent with the commercial whole house regulations.

[03:59:27] While we understand the process is ongoing, I respectfully implore the Board of Supervisors to maintain the integrity of the current draft language for limited breweries. As you're aware, our industry is already subject to extensive regulations at the federal, state, and county levels.

[03:59:44] Introducing further regulations could have severe repercussions for limited breweries potentially hindering our operations. I offer my continued collaborations with the Board of Supervisors and other relevant groups to swiftly finalize this project, enabling all of us to move forward with our lives and businesses.

[04:00:01] Thank you for your time. Thank you. Mr. Swartz, are you using the words regulation and performance standards interchangeably? I might have been. Okay. Go through my, again, I've been reading real quick, I apologize. Okay, that's, no, because in my head, there are different things, and I just wasn't, you know what, that's okay, Chris, we'll talk.

[04:00:22] All right. All right, thank you. You have my number. I do. Thank you, sir. Sarah Brown, followed by Mark Nielis, followed by Chris Van Flock. Good evening. Good evening. Thank you guys for staying late and for listening to us all. I'm Sarah Brown. I own Oakland Green Farm in the Catoclin District.

[04:00:40] I raise beef, cattle, and have a small bed and breakfast. As part of the Loudoun County Farm Bureau Board, I've helped develop the suggestions that they have provided and will provide more later and fully stand behind all of those as they come in and you're made aware of them. Specifically, I like to think of diverse production agricultural landscape as a critical component to our community and not as nice to have and not as a museum exhibit.

[04:01:07] Importantly, all farms are not agribusiness and vice versa. Definitions are important. Certainly, you've heard tonight that some rural businesses are, quote, in varying states of compliance, the byproduct of a bursting, successful rural economy and regulations that haven't kept up very well.

[04:01:28] At the same time, there's cause for hope that we are diversifying and reengaging with production agriculture in a way that we haven't in a generation. This evening, I was at the Loudoun County Fair, where hundreds of kids have dedicated efforts to agricultural projects.

[04:01:44] There are more than 50 breeds of poultry represented. There are protein and fiber, sheep and goats, as well as non-ownership clubs that create farming opportunities for kids without farms of their own. And as long as we eat, farms will be needed.

[04:02:00] As for the Zohr and my suggestions, I continue to ask for a definition of a farm. But also, I'm delighted at the chair's suggestion and recommendation that the RADC be involved in the Western Loudoun Zohr process, which may be put off, but having them consulted in consideration of that rewrite.

[04:02:18] I thank you for planning for the future success of our unique spot in this world and for staying late tonight. Thank you. Thank you. Thank you very much. Mark Nielis, followed by Chris Van Black, followed by Bill White. Mr. Nielis, are you here?

[04:02:34] N-E-L-I-S, are you here? Going once, going twice? Okay, Mr. Van Black, how are you, sir? You will be followed by Bill White, who will be followed by John Adams. There's a whole song about that from Hamilton.

[04:02:52] Good evening. Thank you, Chair Randall and supervisors. I came tonight without sort of prepared remarks because I wanted to focus, really hone in on two specific topics. Obviously, Tia and Sarah and others and Avis and others from Farm Bureau have talked that we'll be providing you guys with specific input.

[04:03:08] But the two issues I really want to talk on that both interact with me personally, one more as a farmer, one more as an employee at the Soil and Water District, are the definitions for ag processing and the definitions for farm. On the ag processing side of things, if others have said we're really close to a good definition, and honestly, the only change that I would make is, again, change that 51% from the parcel that the processing takes place on to change it to from within Loudoun.

[04:03:37] And I say that is because there are lots of farmers that farm multiple different parcels. And if you're sourcing grain from five different fields that you farm, it can be a very light touch operation, but it's still coming from a lot of different farms. So when I'm rolling my oats or having a fellow come and help me clean the grain, it would be valuable to have that just be completely above board because it's all coming from within Loudoun County.

[04:04:02] And I think that also provides the flexibility, as Avis said, to provide resources to other farmers within the county if you're looking at processing other items as well. On the topic of a farm definition, I think both of the definitions that the county has proposed, The ones that didn't involve an acreage requirement are both fine.

[04:04:23] And dealing with my position at the Soil and Water District, it's important because under the current sort of vague reference, county staff sometimes feels as though they have to give people the option of coming and getting a conservation farm plan from us when they are found in violation of various ENS, grading, mountainside disturbance activities that don't really have no agricultural component. But they said, well, you can do these things without a grading permit if it's part of a farm conservation plan. And so folks come to me and say, oh, the county says, you do a farm plan for me, and then I'll be in compliance. And I say, well, what sort

[04:05:03] of farming are you doing? Well, I'm not farming. And then I say, well, you got to be farming. And then they say, oh, well, I was clearing it for something. And so it would really provide the county staff, I think, clarity in knowing when to send people over to us, because we are not a regulatory entity, and we provide these plans as a good faith advice, and it would keep it in that sector rather than making it a de facto regulatory document. So thank you all very much, and onward with the XOR. That was really great. That was a lot of stuff. Yeah. Bill White, followed by John Adams,

[04:05:39] followed by Donnie Walker. Good evening. Good evening. My name is Bill Waite, and I am the president of the Blue Ridge Mountain Civic Association. We don't have any businesses, we're just supporting the residents that are along the mountain ridge.

[04:05:55] And I want to thank you for your time tonight. I know this is late, I appreciate all the work that's gone in from the planning side as well as what you've gone through here. I do want to focus on a couple of things very quickly, not to take up a lot of time.

[04:06:13] So we, you know, as residents, our residents are supporting the approval of the zoning rewrite with a couple of caveats that have been raised by several speakers. And, you know, the critical piece here for us is making sure that the residents and the businesses have balance.

[04:06:31] We're not trying to drive businesses out of their business, but we want to have some type of balance that is acceptable to the residents that have purchased properties up there for years and have tried to maintain those properties in a manner that is comfortable for them.

[04:06:50] So we want to kind of keep that. So we're worried about things like noise. We're worried about setback, rules. And we can talk about these, as other people have said, later at other times on what we would recommend.

[04:07:05] But these are items that impact our residents. I think the definition of farm has come up several times. It needs to incorporate a number of things to make sure that the farmers do have an opportunity to make a living.

[04:07:21] We're not trying to stop that. That is not our intention. But we do want to be able to live in peace between the residents and the businesses. So I thank you for the work you're doing. I do want to make sure that the mountainside step and what's called Western Loudoun are addressed as soon as possible after this, if this is approved.

[04:07:46] So thank you very much. Thank you very much, Mr. Waite. John Adams, you will be followed by Donnie Walker, followed by Pete Holm. Good evening. Good evening, Chair Randall and members of the board. I'm John Adams. I'm a Lockett's farmer, and I'm here to second the comments that have been made by our president, Tia Ehrman of Farm Bureau, and others from Farm Bureau and the agriculture community.

[04:08:13] We definitely need a definition for farm. I know a farm when I see one, and when I see some of the other things that are happening in the county that aren't farms, I'm pretty amazed. I want to spend a moment on agriculture.

[04:08:31] I was reviewing the Kimberly Horn Zohr analysis of this whole process, and I was struck by the fact that Kimberly Horn, as a consultant to this whole process, put agriculture way up as a number one priority.

[04:08:49] And I mentioned that in terms of the previous conversation about Western Loudoun and open space. agriculture is the key to the open space in Western Loudoun. And I want to relay a conversation we had at a Farmers Club meeting recently in Lovettsville.

[04:09:10] A number of farmers commented that after these big rains, they don't see the creeks coming up quite like they used to. And I can tell you 50 years ago when I moved in to our farm near the river, I could never walk across the river most of the time of the year.

[04:09:28] now I can walk across the river without being swept away most of the year. Something's happening to our water supply. And I would urge this board to take seriously the importance of agriculture in Western Loudoun in terms of water supply for Eastern Loudoun.

[04:09:47] The last I checked, Eastern Loudoun gets their water supply from the Potomac River. And you need to think of Western Loudoun as a big sponge that's absorbing all this water that's going into the underground water, which is feeding the Potomac River.

[04:10:06] As we dig more wells in Western Loudoun and we interfere with that subterranean aquifer, that's less water going into the Potomac River. So, agriculture is really important for the future, and I would emphasize the importance of a ZOAM for agriculture.

[04:10:27] Thank you. Mr. Adams, I'm going to call on you, too, because I wonder if the water issue is not just your main to Loudoun County, but to the region for a lot of reasons that are not just about Loudoun County. So, yeah, yeah, yeah.

[04:10:44] It's important for Loudoun County, too. Absolutely, no. Yeah, absolutely. Good evening, Mr. Walker. Good evening, sir. You will be followed by Pete Holm, followed by, just give me a second, followed by Stephanie Rose.

[04:10:59] Good evening. Hi. The rural businesses in western Loudoun need a little bit less regulation to succeed and be successful. We need sketch plans, not site plans. Site plans are very expensive, time-consuming. We need less setbacks in certain areas.

[04:11:16] tripling setbacks like on our springs would cause existing farms to have to move buildings three times as far away from something they intended on using. If we're not polluting something, I don't see why we would need to move all of that back. We need to be able to come to the board with the request for special exceptions. We don't know what the future holds with unintended consequences. We need to come with our new ideas, our new businesses. And we also need a legacy plan. A lot of us have plans in place for things based off the 93 zoning ordinance. I

[04:11:49] personally bought 24 acres to turn into a bed and breakfast area with tree houses, and that would all change if we weren't able to continue with the plan that we have now. The bed and breakfast industry really should have some more options now that we have the short-term rental industry.

[04:12:08] Requiring now the manager to live on site is more restrictive than the existing 93 revisions that are in there. Currently, it says the owner or manager may live on the premises. I think we need to revisit the bed and breakfast policy and come up with some more guardrails that make sense.

[04:12:26] Make it to where the bed and breakfast owner could decide to rent their establishment to a family for a month and go overseas. Make it so that they are required to have on-site managers if they're having an event. but it needs to really, we need to boost the economy for the bed and breakfast industry.

[04:12:46] That's a lot to work on. I know you all have done a lot already, so I really appreciate everything that you all have done up here. So thank you. Thank you. Thank you. Tom, just give me one second, okay? Thank you very much.

[04:13:12] I appreciate that. Mr. Holm, you'll be followed by Steph, I'm sorry, it's Stephen Rose. It's Stephen Rose, followed by Madeline Skinner. Just rename somebody over there. Sorry. Ready for you, sir? Yep. Good evening. My name is Pete Hum, a proud resident of Loudoun County.

[04:13:29] Probably the only county where you can, last Saturday, I went to a polo match at Morvin Park. And then just last night, I went to the demolition derby at Loudoun County Fair. But more seriously, I'm here representing CloudHQ.

[04:13:45] CloudHQ is one of Loudoun's largest and local data center developers and property owners. We have been actively engaged throughout the zoning ordinance rewrite process over the last year, and we thank you for the opportunity to allow us to participate in the process.

[04:14:04] As a property owner here in Loudoun County, we have serious concerns about the ZOR, or how this ZOR will result in many of our existing properties' buildings becoming legally non-conforming. This is

also problematic for our phased development in that it may limit our ability to construct future buildings as planned under the revised 93 zoning ordinance.

[04:14:30] Most importantly, though, we have concerns with how the non-conforming regulations have been revised to narrow reconstruction rights after a casualty. We have relied on the current reconstruction rights language to purchase, finance, insure, and lease our commercial properties, and it jeopardizes our ability to finance, insure, and lease new commercial development.

[04:14:58] I ask that you change this draft language back to the current ordinance. Thank you. Thank you. Thank you, sir. Am I the last one?

[04:15:18] You are not. You are not, Mr. Rose. You are not. After you, sir, would be Madeline Skinner. And then we have on the phone Michael Cooper. Wow. Well, I wanted to give you guys a round of applause anyway, because you guys are amazing for having lasted this long, for staying awake and aware.

[04:15:35] and I really wanted to celebrate all of the constituents here, the farming community. I feel very proud to be representing the Loudoun County Farming Community and Farm Bureau. I've been farming here with my family for three generations now.

[04:15:52] I started farming in Fairfax County. My grandmother started a farm there in the 50s. And at that time, it was all cornfields and cow pastures all around. And through my 36 years, I watched it completely overrun with strip malls and suburban McMansions.

[04:16:11] And I feel like I've been given a very unique perspective. It's in one way is a cautionary tale about what happens when zoning regulations depart dramatically from the interests of those with the closest relationship to the land and to the life-sustaining practices that feed our communities.

[04:16:30] And also, it's been a really deeply meaningful experience to understand the true value of agriculture, to see hundreds of children come through on school tours every week, to see the meaning that farm workers, young farm workers are able to have, working on the farm, learning how to support their own needs to grow food.

[04:16:53] And it is heartbreaking every year to see all those farmers coming, wanting to learn from us wanting to know how they can start their own farm business and have to explain the grim reality in Loudoun County that it is simply not accessible to farmers who do not come from a background of wealth. I know it's been disheartening to a lot of the western Loudouners to see these issues get kicked down the line. I do think there is a potential silver lining to CPAM being created to allow you guys to give the necessary care. I support the idea of RAD. I'm

[04:17:32] also a serving member on that committee and Farm Bureau being given voice in that process. And I do think one principal issue that has not been addressed, which is of utmost importance, is the idea of attainable farm worker housing. And that's something that I would love to be able to talk more about, because I think we have a very unique and valuable perspective that we have made work, and I would love to be able to connect more around that. Thank you so much for all your time.

[04:18:02] Thank you. Thank you. Give me one sec. Okay. Thank you, Mr. Rose. Madeline Skinner, you will be followed by Michael Cooper, who is a remote speaker, and I do not have any speakers after Michael Cooper. Ms. Skinner, welcome.

[04:18:21] Ready when you are. Good evening, Chair Randall, fellow supervisors. My name is Madeline Skinner, Chair of the Loudoun Historic Village Alliance. I actually did not plan to speak tonight but because we have been so happy with our successes with the VCOD and adaptive reuse sections of ZOR. But hearing the previous comments of somebody about VCOD really brings me up here.

[04:18:44] Per the comp plan, it's all about compatibility within our rural historic villages. New builds, renovations, and additions we hope will always keep compatibility in mind. And the criteria we develop for VCOD and adaptive reuse further support that goal. Latin Historic Village Alliance will make no apologies for asking property owners to be diligent in their new designs.

[04:19:08] Latin Historic Village Alliance has worked for the last four years to get the appropriate warning and the comp plan and now the zoning that will uphold it. Sorry that some may be challenged by these revisions, but step up and take on the responsibility to preserve our rural historic villages. We lost multiple battles in Lincoln the past couple of years with a McFarm house. It would be great in a subdivision or on a five-acre property outside of a rural historic village, but it's not compatible and it violates even the Goose Creek Historic District guidelines.

[04:19:42] I'm concerned with our rural historic villages being forever changed because it seems to be acceptable to violate our comp plan and the zoning that we hope will, we hope that it will help enforce it. VCOD wording was thoughtfully developed to save our rural historic villages.

[04:19:58] So thank you, and please leave it as is. Thank you, Ms. Skinner. Our last speaker will be Mr. Michael Cooper, who is virtual or rather on the WebEx. Madam Chair, good evening. We intend to speak when Chapter 5 was being reconsidered for overlay districts, but there's been a lot of discussion tonight about grandfathering, and I might be helpful to call in. I'm Michael Cooper with the Metropolitan Washington Airport Authority, representing Washington Dallas

[04:20:38] International Airport. And one who called for grandfathering tonight, rather appropriately, I think, asked for grandfathering to be considered when projects are consistent with our community goals. And I would gently offer for the board's consideration that with respect to projects that are located within the airport impact overlay district, the updated contours that were

[04:21:09] adopted by the board of supervisors in January 2023, the issue of grandfathering was thoroughly discussed by the board in the planning commission in 2022 and again in January 2023 and the board directed that staff adopt the updated contours into the airport impact overlay district and only consider those projects that had been thoroughly vetted by staff at that time and I would hope that

[04:21:42] the board would continue in that vein as you had in January of 2023. And let's agree again tonight that putting new residential under existing flight paths is probably not a project that's fully consistent with our community goals. And so in closing, I do want to thank you, Madam Chair, the Board of Supervisors, the Planning Commission, Mr. Henry, Judge Galindo, and the planning staff for all your work in this matter.

[04:22:16] Thank you very much. Thank you, Mr. Cooper. So that concludes our speakers for this evening. Many of you came up and said, like, thank you for staying late. First of all, it's not that late for us, actually. But secondly, thank you for coming out and staying here and talking to us and staying late for us.

[04:22:36] this is our our last um time we're on the dates before our August break which is kind of really a good time because what it does is give us a little bit of time to you know for staff to go back and write up all

the notes that i see dan and you all taken so uh feverishly i i've taken ages of notes up here and then make phone calls to some of you who if i if we didn't quite understand what you were saying if you want to follow up if we want to get more information we can make phone calls and or follow up and just have discussions with you about about some things it was interesting because some of the things that were said were completely like in a you know

[04:23:15] completely opposite the person who just came before you and so but but that's what public input looks like sometime as I've said to you already we have a lot of opportunities to talk and through this whole process this is a first of two actual public hearings but you also can come to any board meeting you can email us you can call us um you know i get often stopped when i'm you know just trying to buy some chunky monkey ice cream um people ask me about something so anytime you all feel like you you know please talk to us and please talk to the staff as well

[04:23:50] um uh i don't believe um mr charles yet this is probably your last time on the day is with us before you are formally leaving, is that correct? That's correct.

[04:24:06] Mr. Yud, heesh, man. I think we've said a lot already and we'll say more, but it is such an honor to be on the dance with you for your last time up here. Having said that, all of us have your telephone number, and we will use it if we need to.

[04:24:27] You are, I know that might be. I'm going to turn my phone in. Mr. Yud, the comprehensive plan last term and the zoning ordinance rewrite up to this point this term could not have been accomplished without you.

[04:24:42] You were the driving force. Madam Chair, that row right there. That row right there is pretty impressive, too, but they're not all leaving, and you are. And so thank you, Mr. Yud. Thank you from people who don't even know that they allowed and should.

[04:24:58] Thank you. Thank you so much. You are absolutely phenomenal. know we wouldn't have gotten through these processes without you so thank you very much yeah and again we will be seeing you all and calling all supervisors uh make sure that we have we have the zoning ordinance draft um in front of us let's make sure that during the month of august this is your nighttime reading let's let's try to dive into it so when we come back after the break we are ready to go and and and very familiar with the plan until then and for

[04:25:34] the august break we are at recess all right we are adjourned we're adjourned



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