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Loudoun County Board of Supervisors, Committee of the Whole Work Session, Tuesday, September 26, 2023

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[00:03:59] Good evening, everyone. Welcome to the September 26th Board of Supervisors Zoning Board in its rewrite work session. This room has a hearing loop. If you need hearing assistance, switch your hearing aids to telecoil mode. If you need a headset, we have those available as well. Please see the clerk to request one. Please join me in the Pledge of Allegiance.

[00:04:17] Pledge of Allegiance to the flag of the states of America and to the republic for which it stands, one nation under God, indivisible. Well, thank you all for being here.

[00:04:38] I'm Mike Turner, Supervisor Mike Turner, the Ashburn Supervisor. Chair Randall has had a personal situation with her family and is out this week. Due to the work I've kind of done behind the scenes, a lot of work on the ZOR for quite some time. As a T-Luck chair, she asked that I chair this meeting, and so I was happy to do that.

[00:04:56] Let the record show that I really do want to thank her for putting me in charge of a meeting that has 49 motions that we're now going to address. A couple of things about how this is going to run tonight or how I'd like it to run, and we're going to have to pull a lot of horrors, I think, during the meeting.

[00:05:13] There's a tendency, I think, for all of us to look at the size of this meeting and think, oh, my God, we're going to be here forever. Well, let's get that out of our brains and think we're going to move through this efficiently and expeditiously, and I think you'll be surprised. It should move right along. I will get into the larger structure of how we're going to do the committee as a whole here when we enter that.

[00:05:36] But generally speaking, I want to try and give all the voices in the room a chance to voice their concerns and ask questions as we go through these motions. But I also don't want to tarry unnecessarily on motions that are pretty straightforward. They're either going to go up or down pretty fast and don't really need a whole lot of explanation and discussion.

[00:05:56] And there are some unique circumstances in the motions, and I'll get into those when we get into the committee of the whole. The sequence will, just to lay out the larger map of how we're going to proceed. First of all, remember if you're at the table to put your mic on. Nobody can hear us if you don't have your mic on, even though we can hear ourselves in this room.

[00:06:15] We will have a presentation on the information item by staff. Then we will do a round of three minutes of questions for the board members. And then staff will present the action item. We'll have another round of three minutes for the board members. Then we will ask the stakeholders to come up and speak for up to two and a half minutes for each stakeholder.

[00:06:35] Then we will go into a committee of the whole. That committee of the whole will not be time limited. We will stay in a committee of the whole until we address all 49 motions, and then we'll come out of the committee of the whole and adjourn. For processing, we are considering Chapter 12, Chapter 3, and Chapter 4 tonight.

[00:06:55] I will say up at the top that Supervisor Buffington cannot be here, and he has asked that we defer all of the rural motions until the next work session there is one of those for chapter three and I think there are four for chapter four four five which means we will not be voting on approving finally the chapter three and chapter four tonight that will happen at the next work session which I believe is October 2nd and so we will we and we will table those motions until the October 2nd meeting I'll get into some more details about the committee of whole when we I'll go into that committee, and right now, let's get into the first information item.

[00:07:34] If staff could present, that'd be great. Good evening, Chair Turner. I'm Judy Burkett with Planning and Zoning. I have with me several team members to my right. We have Teresa Miller, Brian Wegner. To my left, Dan Galindo, Mark Stultz, and Kate McConnell.

[00:07:52] And this evening, Brian Wegner will be presenting the item. Good evening. First, a couple reminders. And then we'll review a few outstanding issues.

[00:08:10] Use permissions are now presented in tabular format. And the tables are organized by zoning district category. So no two tables list the same zoning district. If you don't see the district that you're looking for in one table, just try looking at the next table.

[00:08:33] Use names are cleaned up and made consistent throughout the ordinance. Many use names did change during that process. Staff's intent was to maintain existing permissions as much as possible, except as listed in the board public hearing staff report.

[00:08:53] Chapter 4 replaces Section 5600 in the current ordinance and provides the standards that apply to specific uses. Staff is seeking board direction on whether to change agricultural processing as a principal use in the AR1 and AR2 districts from a special exception to a minor special exception.

[00:09:25] Agricultural processing is the processing and or preparation of agricultural products, including changes to the physical state or form of the product. It can include activities such as canning tomato sauce or animal meat processing.

[00:09:45] In the current ordinance, agricultural processing is defined as an accessory use to agriculture. The definition requires at least 51% of the products used in the processing to come from the on-site agricultural use.

[00:10:04] The draft ordinance maintains that permission for accessory agricultural processing that exists in the current ordinance and includes a new permission to allow agricultural processing as a standalone principal use in the AR1 and AR2 districts by special exception, provided at least 51 percent of products used for processing come from agricultural operations within the county. The commission made this change to address earlier public comment. The commission's

[00:10:43] change didn't achieve exactly what the public requested, but it was a compromise to meet halfway. The public comment theme at the board public hearing, I believe, was the same as it was at the planning commission level, and that was a request to permit agricultural processing as a principal buy-right use in all zoning districts where the use is permitted, provided 51 percent of the products come from any site in the county.

[00:11:15] This means that the use may no longer be accessory to agriculture in most cases like it is now. Staff and the Commission's concern is that this could result in stand-alone, principal agricultural processing uses at any scale with no regulations and with no opportunity to review applications.

[00:11:37] The Commission's change to allow Ag processing as a principal use in AR1 and AR2 recognize that it may be appropriate to permit the use as a principal stand-alone use, but it maintains the county's ability to review the use to address impacts to adjoining properties.

[00:11:59] This new stand-alone principal use is currently a special exception in the current ordinance, I'm sorry, in the draft ordinance, and staff is recommending that the special exception be changed to a minor special exception to reduce the application fees and timeline while keeping the ability to review the use for impact mitigation and compatibility with the character of Western Loudoun.

[00:12:29] Staff is seeking board direction on whether to revise or eliminate standards for livery stables. Standards were carried over from the current ordinance. Then the Commission revised them to make them less stringent.

[00:12:44] The public comment theme at the Board hearing requested that delivery-stable standards be removed. Staff suggests no changes. The standards in Section 40803 address traffic, aesthetic, noise, scale, light, and other potential impacts.

[00:13:02] The Commission already reduced the minimum required lot area, expanded hours of operation, and increased the maximum size of structures. The staff agrees with the Commission's changes and doesn't recommend any other revisions.

[00:13:21] Staff seek board direction on whether to defer Virginia farm, winery, limited brewery, and limited distillery regulations to a future CPAM and/or ZOAM. The county has received conflicting public comment on this topic. The Commission discussed possible regulations for these uses at multiple work sessions and ultimately recommended that the draft include no changes to regulations at this time and that the matter be addressed in a future CPAM and/or SOAM.

[00:13:52] So the draft doesn't include any changes to how these uses are permitted or regulated. And staff agrees with the Commission's recommendation. And lastly, a reminder that attachment 2 to the supplemental lists staff's recommended additional quality control changes to Chapters 3 and 4.

[00:14:13] And that concludes the presentation. thank you thank you can i clarify that was for chapter 12 chapter 3 and chapter 4 all as one presentation correct yes that's the only presentation okay questions for staff going once going twice supervisor umstein i think you were the first everyone all right thank you thank mr chair on the the 51 percent um requirement what is what is staff's thinking on why that is

[00:14:51] a good idea. What if, let's say it's a product where the farmer has a bad year and has to import product to process from elsewhere. What's wrong with that? I don't believe the county's position is that there's anything wrong with it. It's just there's no regulations in Chapter 4 that would control the scale of what that could become. So would it make sense to have scale regulations

[00:15:30] as opposed to a particular percentage? That's something that the board could direct staff to look into, yes. Okay, thank you. So TPA, if I read the draft plan right, it seems to allow townhomes in the transition compact neighborhood, but I recall a lot of discussion during the comp plan about how we didn't want to allow townhomes, period, in the TPA.

[00:16:09] So can somebody enlighten me on whether I'm reading that right or whether we are, in fact, allowing townhomes in the TPA? Would you like me to answer that, Dan, or do you want to? Go ahead. I'm going to look at the plan to confirm, but my understanding is that it's only...

[00:16:32] transition it's only single family attached duplex triplex and quadruplex it's not townhomes in transition compact neighborhood um it says single family attached which could also apply to those other unit types but it doesn't seem to exclude traditional single family attached which mostly we would consider to be townhomes so in the place type the introduction says for transition compact neighborhood include a variety of single family detached duplex triplex

[00:17:07] and accessory dwelling unit homes arranged around a focal point duplex triplex and quadruplex housing should be designed to be compatible with and should be dispersed throughout the single family detached residence yeah i don't think that's where i was referring to though i think it's down further i will say that within section 40207 which is listed in chapter three that is the use specific standard that applies 40207e speaks to the tcn zoning district requirements and it states the only types of single family attached permitted in the district are duplex triplex and quadruplex

[00:17:44] would say that again which number is it 40207 40207 okay thank you supervisor brittsman oh thank you um so on the breweries wineries and distilleries um so we are going to have that coming up assuming that we're still here in 24, in the DPZ work plan.

[00:18:07] Is that what you were saying? So the commission made a recommendation, which we showed at the public hearing, of a number of things that they thought should be added to the work plan. One of

them, if you recall, we kind of labeled as Western Loudoun, but it was a grouping of uses that would be in the rural policy area, and this was one of the subsets of those uses.

[00:18:29] So if that gets formally added to the work plan, then it could come up as soon as next year, depending on how the board wants to prioritize things. Right, right, okay. And is there some concern about state law might be changing in those areas? So some state laws changed effective July 1 this year, right?

[00:18:46] And when we were with the commission working through things, we had not received final guidance from the state on some of those matters. I'm not sure that we've received any further guidance since then, unless anyone else up here knows. So we're still waiting for some of that so that we can tell the board how best to respond to it.

[00:19:03] Okay, I see. And then the minimum acreage for a brewery, I believe, is five acres right now. And there was a recommendation to make it 10 acres, I believe, in what I was reading.

[00:19:19] Could you clarify that for me? And is that a state requirement, or do we get to make that requirement? Both the current and draft ordinances require 10 acres for breweries. Got it. Okay. Okay.

[00:19:34] And that's our decision. The state can't tell us to do five, right? I think it's the county's regulation. Yeah, that's what I thought. Okay, thank you. Any other questions? I have several.

[00:19:51] There are a number of places we're going to address tonight that talk about permits, commission permits, minor special exceptions, and special exceptions. Can you clarify for me? Let's walk from, I think, the simplest to the most complex. And my question is average cost and average time.

[00:20:11] So what's the difference between a permit and a commission permit? Presumably one requires planning commission approval, and then where does it go after that? I think that's what triggers the 68 o'clock when it comes to the board. So if you could walk me up, what does a permit usually cost and how long does it usually take to get, and then walk me up to a commission permit and then a minor special exception and then a special exception.

[00:20:35] And I know you can't have specific numbers, but take your best guess. A commission permit costs about \$7,000. Is there such a thing as just a permit, not a commission permit? Oh, a zoning permit, you mean? Just a zoning permit. There is.

[00:20:52] I think those fees are based on the specific application. I don't have it in front of you right now. And there's criteria. If you're going to build in Loudoun County, you've got to get a building permit. That's where we see the sign in the elevator. The permits is a two-part process. So there's a zoning permit and a building permit that typically go hand-in-hand.

[00:21:09] The zoning permit fees, residential, again, this is just the zoning portion. Residential is \$165. A commercial is \$210. That's your base fee. The building permit is based on the Virginia Statewide Building Code, and it is a percentage that is recalculated every July 1st.

[00:21:28] So that will vary depending on the square footage. Okay, and the next step up is, and I don't want to run out of time here, the next one is a commission permit, and you said that was \$7,000, Brent? How long does it take to get a commission permit? And I'm assuming the end is the commission approves the permit and the board of supervisors has 60 days.

[00:21:45] to say no, and if we are silent, then it's approved, correct? So in a number of cases, they tend to be bundled with other applications, which extends the time. If someone was processing just a commission permit, I'd say it could be six months, roughly, depending on after review and public hearing.

[00:22:03] Okay. And then minor special exception and special exception, rough cost and time frame. The land development application for a minor special exception can run anywhere from \$350 dollars to the approval of a child care home application to 10,000 square feet or more which is an 8,215 dollar fee okay and a special exception special exception again can be based on the square footage of land disturbance no land disturbance looks like about yeah 3100 and then it can go up to 15,000

[00:22:42] with 10,000 square feet or more land disturbance including sensitive environmental areas and both of those have to go full legislative approval Special exception is full, yes. Planning Commission and the board, potentially, yes. I'm out of time. All right. Thank you very much, staff.

[00:22:58] I appreciate that. Can we have the stakeholders, please? And I believe our first stakeholder is Ms. Erickson. Good evening.

[00:23:18] Are we on? Is Ms. Erickson's mic on? It doesn't sound like it is. Anyone? Not soft-spoken. There we go. There we are. So I just want to make sure, because I think I've got two minutes. Are you going to set the? There you go.

[00:23:33] We reset it. Oh, we can't see it. it's a mystery we'll let you know okay thank you so much we'll fix that um okay in table on chapter three table three dot zero two dot zero two dash one farm market off-site production um we are recommending to allow farm markets off-site production as a permitted use in the trc inner core trc outer core trc tdsa ue tc core tc fringe and cc uh the justification is if we can increase

[00:24:07] demand for access to ag products in high density high employment areas that would be a huge win chapter four uh chapter 4-03-01 i conferred with the bnb guild and they support the language as proposed by staff without change including the addition of and i quote if applicable after again quote require approval of building permit or site plan for that four dot zero five zero 16 indoor recreation and indoor recreation use trc and ue districts as we look at a facility that is an

[00:24:46] economic driver with community benefits i want to ensure that we have permitted uses in the right zoning districts and that a hundred thousand square foot at minimum which is what we have identified in the Finance Committee would be permitted so I just want to make sure it's not a typo currently it says 10,000 square feet so we are we are recommending a minimum of a hundred thousand square feet preferably a hundred and twenty five thousand square feet for that use thank you under the brewery limited understanding that the decisions that will be made this evening visit loud and agrees with staffs recommendations and supports the

[00:25:26] language in the draft document always aligning with the code of Virginia in this instance it's 4.01-206 as amended the Loudoun County Equine Alliance has asked me to share with you that they continue to have concerns with zoning requirements that restrict equine businesses most concerning are setbacks between 60 and 200 feet based on the square foot of structure moving forward to say that the screening requirements and those setbacks that continue to make existing facilities out of compliance and impose costly burdens for new startups the restrictions imposed

[00:26:04] by agriculture support do not align with the needs of an industry that require buildings to train and house animals store feed bedding equipment bedding and equipment furthermore these restrictions

do not succeed in addressing the original concerns of the 2015 zoam to reduce traffic during peak drive times finally in chapter 12 on definitions when you look at the definition of agricultural structure we are recommending that you align with the code of Virginia and again we have that code number to add the

[00:26:36] word sampling in on products produced on the farm thank you very much okay next

[00:27:18] speaker is Lacey Huber. Good evening. You can see the clock, right? I can see the clock. Hopefully I'll beat it. All right, good evening. I'm Lacey Huber, owner of Stone Tower Winery, board member of both Visit Loudoun and the VWA, the Virginia Winery's Association, and a member of the LWVA, which is the Loudoun Winery and Wine Growers Association. I'm speaking to you today on behalf of our local wine industry, who has not only tens of millions of dollars invested, but literally

[00:27:53] rooted in the ground here in Loudoun County. The wine industry is heavily regulated at both the state and federal levels. It is not a hobby, but an intensive undertaking with miles of red tape, huge upfront capital investment, and the uncertain nature of farming to contend with.

[00:28:11] In July, a new law went into effect that increased the level of regulations and qualifications needed for a Virginia Farm Winery license. The VWA lobbied for this increase in regulation because we recognized the loopholes for bad actors in the previous licensing requirements and wanted to safeguard our privileges as farm wineries for those who are actively engaged in agriculture.

[00:28:35] Loudoun County, D.C.'s wine country, has developed a successful wine industry starting 40 years ago when my neighbor, Lou Parker, bottled the first vintage at Willowcroft. In order to continue our success as an integral part of Loudoun's diverse economy, our industry requires the continued support of the county the lwva supports adopting a simple zoning regulation that aligns the county with the state code a farm winery must be fully licensed under as such under title 4.1 of the virginia code or a successor law a farm winery must be located on land in the county that is zoned for agricultural use the lwva does not support the specific use recommendations proposed

[00:29:15] by the RADC that you have on the basis that they are unnecessary, potentially in violation of or inconsistent with Virginia code, or have issues with enforcement. I'm grateful we chose Loudoun County for our vineyard and winery, as I know that you all are engaged and responsive to what our community needs to thrive.

[00:29:35] From serving on the VWA, I've seen the severe limitations based on wineries, most recently in Clark County that do not support this vital aspect of Virginia and Loudoun's economy the recent actions of the Clark Board of Supervisors are now being met with lawsuits and a lack of trust for their community as a passionate business owner and engaged community member I'll continue to work with the county to ensure that there are no unintended consequences for any actions taken thank you thank you very much Ms. Huber our next speaker is Bill Junda followed by Eric Dickman

[00:30:13] Good evening. For the record, my name is Bill Junda. I'm president of Gordon, a local engineering firm, and I'm representing the commercial development industry tonight. We have a couple of discussion topics on Chapter 3. Our group submitted 27 motions, several of which were included by some of your motions this evening, and we appreciate that.

[00:30:34] We wanted to highlight a couple of them. We made a number of use table change motions for uses that are typically located within flex buildings and industrial district projects like office, indoor

recreation, manufacturing, building landscape contractors, outdoor storage, event facilities, amongst others.

[00:30:53] We truly believe that these should either be by right in industrial districts or at least by right with performance standards rather than special exception uses. We also made a number of permitted accessory use and structure motions in industrial districts. Importantly, we are asking that accessory uses be allowed to occupy up to 49% of the GFA of a building, not 20%.

[00:31:14] This is very important in the age of small manufacturing and online commerce business where retail presence is needed. In Chapter 4, we submitted 20 motions. I'll highlight just a few of those. A number of the hotel motions that we made were proposed tonight by Supervisor Elmsted, and we support those, dropping the requirement for five of the things that hotels need to provide in order to be buy right down to three.

[00:31:44] Even some of the most premier hotels don't offer pools and conference centers in every single facility, so that's really important. I already mentioned that the retail sales, we would like that to be 49% of the GFA instead of 20%, again, for those online commerce businesses that are also doing manufacturing on-site.

[00:32:03] We are also asking that we remove the performance standards for office and indoor recreation in IP. We shouldn't be making it harder to build these uses. They very much belong in an IP and industrial districts, and we should be making it easier for them to locate there. So with that, I'd be happy to answer any questions you have on any of our motions and happy to talk about the other motions that are not yet in your packets.

[00:32:26] Thank you, Mr. Jinder. Next up is Eric Dickman, followed by Maura Walsh-Copeland.

[00:32:40] Members of the board, thank you for the opportunity to speak for you this evening. For the record, my name is Eric Dickman, and I work for Timber Ridge Management, a residential land development company based in Ashburn, Virginia. I am here tonight to speak about Chapters 3 and 4, which address the uses and standards in the rural transition and joint land management area zoning districts.

[00:33:01] I would like to start by thanking county staff and Planning Commission for their diligent efforts with respect to the zoning ordinance rewrite to date. The zoning ordinance rewrites a massive endeavor. The materials on Chapter 3 and 4 alone were so heavy I decided to leave them at the office rather than try to carry them here this evening.

[00:33:19] Your time and dedication to this task is not lost on the development community, and I wanted to be sure that despite the occasional disagreements, you know we appreciate your efforts. Specifically, with respect to Chapters 3 and 4, numerous motions have already been delivered, and rather than use two minutes of time to try to address each one of those, I'd rather try to address generally the notion that the specific standards with use-specific standards that contain in Chapter 4, we are trying to make sure there's some modifiability by minor special exception.

[00:33:58] We greatly appreciate the flexibility that a case-by-case evaluation provides. Every piece of real estate is unique, and it has its own attributes. Providing some form of modifiability recognizes this fact. As we continue to evaluate all the chapters contained in zoning ordinance rewrite, including Chapter 2, I hope that we remember that flexibility is not the enemy of good planning, but rather the hallmark of it.

[00:34:25] Thank you for the opportunity to speak to you tonight, and I'm available outside the setting of this meeting to answer any questions the Board may have about some of the other motions that have already been submitted. Thank you, Mr. Dickman. Thank you very much. Next up is Maura Walsh-Copeland, followed by Tia Ehrman.

[00:34:47] I'm Mara Walsh-Kopen, speaking for Stakeholder Group 5. We're pleased the board acted September 11th to mitigate impacts of by-right data centers to protect suburban residents, but troubled our motions to mitigate impacts of by-right uses to protect rural residents were not included in staff's packet.

[00:35:06] You listened to your constituents' voices who were angry, saying zoning is needed to manage noise, setbacks, and general quality of life in the environment. Those are the same reasons for the motions we included for rural uses. to correct the issues between chapters 4 and 7 that will cause noise standards to not apply equally to all uses and apply adequate setbacks.

[00:35:29] The 2015 Rural ZOM outlined requirements, but at the final vote in 2019, it was moved to the zoning rewrite. Your constituents did everything asked by Zora staff, providing comprehensive input over three years.

[00:35:45] Staff drafted language supported by preservation, conservation, residential, and RADC-majority stakeholder interests. But April 25th, the path took a detour without notice. Requests made over eight years were kicked to yet another future ZOAM, with timing undetermined.

[00:36:05] Also frustrating is Clark County just last week adopted zoning revisions that address some concerns in Loudoun, in line with Albemarle, Green, and other counties through legally defensible ordinances. We support wrapping up the rewrite this year, as well as grandfathering and reasonable modifiability to support existing businesses.

[00:36:26] We accept there'll be another ZOAM, but urge you to address the quality control corrections now to fix equine uses that enhance the character of Loudoun, support ag processing, and protect rural residents by addressing noise and setbacks, as you've done for suburban residents.

[00:36:45] Define farm, so that like data centers, rural uses will be in verified locations. To not force Loudoun Soil and Water to be a quasi-regulatory agency. To protect businesses against perjury for exemption forms.

[00:37:02] And to provide zoning enforcement evaluation criteria. Finally, we ask the board to establish collaborative and transparent ways to solve problems. with the final product, instead of further delaying beyond 2023. Thank you. Thank you, Ms. Walsh-Copeland.

[00:37:19] And our final speaker is Tia Ehrman. Good evening. Good evening, everyone. For the record, my name is Tia Ehrman, and I'm representing stakeholder group six. My time is brief this evening, but the issues certainly are not.

[00:37:36] I would like to support Beth's comments on farmer market off-site production locations. I'd also like to first and foremost emphasize we support a strong definition of farm. As Mara covered, three years of input from residents, farmers, and agricultural stakeholders, most of which were volunteers, is by and large not showing up in this zoning ordinance.

[00:37:56] In many aspects, our county's zoning ordinance is operating in the RPA in direct contradiction of our comp plan, policies, goals, and strategies. At this point, what I'm asking you for this evening is really bare minimum quality control issues, which should be easily achievable this year.

[00:38:12] Hopefully, we'll get this passed this year. First, the use-specific standard for ag processing. Many ag operations operating today lease multiple parcels of land and harvest product from it. Then at a single parcel, process that product for sale.

[00:38:29] As such, we ask for a straightforward adjustment to the current language. Instead of requiring 51% of that product being processed to come from any parcel, require that 51% of the product is grown within Loudoun County. Going forward with the language as it is will force current successful farming businesses out of compliance and stop projects in the works for a vegetable processing center.

[00:38:55] Second, as the term slaughterhouse has been added to the zoning ordinance and differentiates from all other forms of ag processing, there is no need for ag processing to ever be a legislative process. Requiring struggling farms to go through that expensive and lengthy process is going to have a chilling effect on adding any ag processing to our county in the future.

[00:39:14] Next, equine uses, stable library, is a standalone farm use and these businesses are agricultural operations and should be classified as such. This was the public input and is the public input. We're not asking for no standards. We're asking for it to not be a sub-use to be its own approved farm use with standards.

[00:39:35] These farms build don't detract from the character of Western Loudoun. It is troubling how extensively we regulate these and other ag operations, in particular when held up to the lack of regulation for high-intensity commercial, non-farming uses, which deeply impact the quality of life for residents in Western Loudoun.

[00:39:54] We support the numerous recommendations for simple fixes given to this board by the REDC and the Loudoun Equine Alliance. Lastly, there are places where high-intensity uses in Western Loudoun do not have basic design standards, which makes our noise and light ordinances unenforceable.

[00:40:09] so we'd support very basic design standards for farm distillery and farm winery. Thank you. Thank you, Mr. Irwin. A couple things I'd like to address before we go into the committee as a whole. First of all, in prepping for this meeting, the process really kind of crystallized a bit more in my mind about the best way, I think, to do this.

[00:40:29] I may be the last one to this game to figure this out, so if my colleagues are ahead of me, then I apologize. But just a level set for my own benefit and get corrected if I'm wrong. So it appears to me we're getting inundated with motions and questions and suggestions and changes.

[00:40:48] The ones I've focused in on to prep for this meeting are the motions. The motion packet has all the motions that staff has received, but staff cannot accept motions or is not accepting motions, my understanding is, from anyone. The motions have to come from supervisors.

[00:41:05] So it's basically the supervisors looked at the motion and blessed it and said, yes, this is a motion. credits the supervisor um stop because she has clearly grabbed a lot of the motions for chapter three and four from the chamber group and reiterated those as motions now they may vote up they may vote down but at least they're on the docket and we will discuss them and staff gets a chance to say we

agree we disagree here's why so um that's the process if you if you want to move the ball forward for three and four at the next work session and ultimately the future chapters chapter two, that's the way to do it. Send a motion to a supervisor. It can be your favorite

[00:41:42] supervisor. It can be all supervisors, but some supervisor has to pick those up and send them to staff to get them on the next docket. That's a fairly straightforward process. If you extend that process through the rural issues, my understanding, I could be wrong if I am, please correct me. My understanding on the rural process is there are a number of motions tonight, for example, that are best addressed, we believe, in a CPAM-ZOAM after the ZOR is completed.

[00:42:10] But to Ms. Ehrman's point that she just made, there are probably some critical ones that need to be made in the language right now with the ZOR as motions. So my suggestion is after tonight, get those motions to Supervisor Kirshner and Supervisor Buffington to get those entered into the hopper so they are purely addressed at the next work session. So we will have those on the docket to address those on ones that you believe need to be passed in the ZOR because a lot of them we're going to punt a lot of those to the ZOAM and the CPAM ZOAM follow-up and I don't want to inadvertently punt one that you guys consider really critical to have right now considered for

[00:42:47] the ZOR so get those to Supervisor Kirshner and Buffington as soon as you can and then lastly on remember this process as we go through the committee a whole is a straw poll vote this can all be reversed none of this locked in concrete at the final session we can go back over these We can readdress these.

[00:43:03] If someone says, oh, my God, the world is going to come to an end as we know it, you've got to change this, we want to know that before we go to the final resolution to pass. Even if we pass, and correct me if I'm wrong, Steph, even if we pass the chapters in the straw poll vote, we can still come back and readdress it before the final vote, correct? Yes, that's correct.

[00:43:19] Okay. So if you hear something, remember, it's reversible. Right now we're still in a reversible process. With that, I would like to make a motion that we go to a committee the whole. Do I have a second by Supervisor Glass? Any discussion on that motion?

[00:43:36] Hearing none, all those in favor, please say aye. Aye. Any opposed? That will pass. 1, 2, 3, 4, 5, 6, 0, 3. 6, 0, 3. So we are now in a committee of the whole. Normally, we would set a clock, but I wanted to get through all the motions here as a committee of the whole.

[00:43:54] I have identified, I've gone through, and this is the prerogative of the chair, but it's not absolute. But I will introduce each motion, and I will say at the start when I introduce it, I think this is a simple motion. I think this is a complex motion. That's a flag to the speakers and the board members.

[00:44:11] If I say I think it's a simple motion, what I'm saying is I don't see any big issues here, so please do not feel the need to talk for three minutes about this motion. Introduce the motion. If you want to say 30 seconds worth, and I'll be watching the clock. We've got a minute set on the clock.

[00:44:27] It's not going to be hard and fast. Introduce the motion, say what you need to say, and I'll open it for discussion, but we want to keep that discussion to a minimum because we don't think it's contentious. Now, if it is contentious, if it does have issues related to it, if staff wants to weigh in and say, no, there's a problem here, fine, we can do that.

[00:44:44] But the default position on that, if it's a simple motion, then it should be a simple motion. Let's not make a mountain out of a molehill. If I say it's a complex motion, then that suggests there is going to be a discussion because there are some complex issues that we have to walk through. Please try, we've got one minute on the clock, please try and make your points within that minute, but I'm not going to cut you off.

[00:45:03] I'm going to let the discussion flow freely as a committee of the whole, and we'll try and surface those issues. Any questions at all from anyone on that? I think it's pretty straightforward. We'll have to kind of go as we go. Yeah. It's not strictly on what you just said, but it's just a general question before we get into motion. So last time we were here, we had the discussion about modifiability, and I think you and I both share the opinion that a lot of these motions could probably evaporate should we get that issue resolved nevertheless i think we're sort of plowing ahead and so we may end up dealing with some of these things could we just ask staff though for an update as to where that discussion

[00:45:40] stands based on where we left things at the last meeting i think the next step was going to be for staff to sort of take the input from the board and start working on revisions to the modifiability uh we'll say posture in the zoning ordinance and i'm just curious kind of what we can expect from that timing wise and otherwise everybody here has more than a full days of work every day so i know i'm not i'm not asking it because i i understand so i'm saying that because i pulled another team of people together to go through all the documents that we looked at at the last meeting you're referring to um and we have gotten through about one and a half of those tables so far and three

[00:46:19] meetings we've had we've got more meetings scheduled this week and then thursday afternoon I'll be coming back to these great people and saying here's what this group that's not been in the weeds thinks you know and we're going to work through it and try to make sure we have a consistent message that we bring to you on October 4th when we meet again. So the bottom line is we should expect October 4th to be able to take that issue up. Yes. Okay um will there be anything between now and October 4th and are you going to share that with industry or is it going to come at the same time to the board or how is that going to work? We've been discussing that I don't have a definite answer to give you, but I'm leaning towards trying to provide something ahead of the meeting just to speed things along. I think that would be good, yeah. Okay.

[00:46:59] You're trying. So if I could just clarify, we're just going to go straight to motions is what you're saying. I'm sorry? We're just going straight to motions is basically what you said. Correct.

[00:47:27] Okay, thanks. Correct. And thank you for bringing that up, supervisor Letourneau. We do have the issue of modifiability. That is a sort of a parallel train running down the road. However that resolves that may affect a lot of the votes that we take so to the stakeholders when you see something changes by virtual modifiability that will change a motion that has already passed we will need a new motion to either unchanged or modified based on modifiability too many adjectives there but you follow my drift as the environment changes with the modifiability discussion going on on this side we need to keep up with what the motion should be on this side as we move forward with the process okay any

[00:48:04] other questions on the general process mr. chair yeah um so there are a number of staff motions in here that i don't think have been picked up by any particular supervisor and so i think our last session they fell through the cracks um how do you want to handle those some some of these i think i could support um but i i was focused on the motions i was bringing but i don't want staff's motions to get

lost my plan was for me to bring the staff motion so we can have a discussion right just to get them tabled and with that I think I'd just

[00:48:44] like to dive into the first motion I have this down as a complex motion and I just want to I just want to describe it briefly the issue here on motion number one which has to do with the ground floor in the UE zoning district either being as it is right now in the language 30% of the ground floor must contain commercial public civic or institutional uses staff has proposed a motion that is an alternative which describes the the facade and the building materials on that ground floor and doesn't restrict by uses and staff would like guidance from the board so I'm going to introduce that motion and then

[00:49:23] we can have a discussion and and we'll vote on the motion it's a long motion I move that the Board of Supervisors direct staff to revise urban employment zoning district section 2.01.02 point f building orientation placement and uses to replace ground floor use requirements with design requirements as follows building orientation placement and uses buildings and uses in the ue zoning district must be located as follows one organized to provide views pedestrian and bicycle connections and access to open space provided in the broad run floodplain two with primary facades and principal entrances or oriented toward adjacent local or collector roads

[00:50:01] or adjacent community open space three with principal uh i'm sorry with principal entrances to all buildings accessible from a sidewalk along a a local or collector road or an adjacent community open space for the building wall on any lot must be provided as follows a a minimum 50 of any lot width that is adjacent to a public or private road or plaza must be occupied by a building wall that is part of a principal building or accessory building built between the maximum

[00:50:34] permitted front yard and the front lot line b between 65 and 90 percent glazing and or building entrances and c a minimum of one of the following features on the ground floor of the building facade c sub one awning two frees three cornice or four marquee and d for buildings that are two or more stories one or more of the following building materials for the building facade must be different for the ground floor as compared to the stores above one brick to precast concrete three metal or metal panels four glass or clear architectural panels five stone or synthetic

[00:51:12] stone equivalent or six tile or terracotta five eaves are permitted to cantilever over the pedestrian walkway no more than three feet and six awnings canopies or trellises may overhang a sidewalk do i have a second second second by supervisor letourneau my discussion comments are So we are basically, again, in a nutshell, the current requirement is that 30% of the ground floor in an urban employment district has to be public or civic use.

[00:51:41] And staff is proposing that we replace that requirement with appearance facade requirements. They do note that if this motion passes to be based on ground floor materials rather than uses, would permit flex buildings and certain other uses to be located on the ground floor of buildings in the urban employment district.

[00:52:00] So that's one of the repercussions of that. And with that, I will open it up to any comments or discussion. Questions, Supervisor Brissman? Thank you. I guess I'm wondering why we couldn't do both, that we would require this sort of treatment if it's not a retail or a restaurant or some sort of civic use and still require 30% of it be that kind of a use.

[00:52:33] In other words, because I get very concerned that if we only are addressing this in the treatment of the building, we will have streets that have no destinations, that will not promote people walking to a coffee shop or dropping off their dry cleaning or getting their hair cut or all the other kind of, you know, going to the smoothie shop.

[00:52:59] So would staff object to having it be 30% retail and the rest of it be this sort of treatment? That is something that if the board directed us to do, that would be something that we could do.

[00:53:19] We were responding to public comment about the fact that in the Urban Employment Zoning District, which is updating the transit-related employment center zoning district, flex buildings are a use that's anticipated. um trying to incorporate that into the overall concept of the district um that still could be something that could occur with within that remaining 70 of the building uh and uh it is the intent you know to have a walkable district that's why we're going for the design requirements

[00:53:58] but also trying to balance the uses that are anticipated in that district okay thank you i'll i'll wait and see what the discussion is um from my colleagues but i might make it friendly to that Okay any other questions Supervisor, I think I'm coming at this from the other direction from Supervisor Briskman In general this looks like code-based zoning Which is something I actually like I like I like it when the outside of the building is aesthetically pleasing regardless of the use inside My fear about getting prescriptive with the uses inside is that markets change

[00:54:39] retail becomes less attractive, coffee shop may or may not make it. I think I would lean towards supporting staff's motion as recommended. I would feel more comfortable if I could hear from the chamber or anyone who puts retail in buildings. But I like the approach of allowing this to be flex space that looks really good. So I would tend to support this. Oh, I'm sorry. That's fine.

[00:55:14] Anybody else? Yeah, I tend to, I think I agree with Supervisor Umstead on this. I think my concern is just that it's overly prescriptive when we are not doing this. I mean, we have potentially a lot of this space to fill. And, you know, even with flex space, they could end up being uses that do drive traffic pedestrian traffic i mean in fact if you look at how a lot of our flex space is used today it is sort of consumer friendly type of uses there's breweries

[00:55:50] in there there's dance studios there's things like that so i don't think that just the fact that i mean we're going to have them anyway we're just trying to sort of set what they should look like ultimately the board's going to be looking at these applications as a whole and this is just one tiny little piece of that so if we have concerns over the exact mixed type on a given street of an application then that's something we can deal with as part of that review process but in the zoning ordinance I think supervisor um says right in that you know trying to address it from the standpoint of what it looks like instead of what's actually in it is probably a smart way to

[00:56:29] do it okay thank you any other comments my comment is I think I think this was an input from the chamber I think which basically said don't tell us how to build the ground floor in an urban employment area and my impression is staff took that to heart and said okay if we're not going to do that then here's an alternative and this is how we would craft the alternative that's it's that reasonable interpretation of where we are that's correct that's what I thought I I tend to fall on down on the favor of Supervisor I'm started to write a little turn on the side which is basically I don't want to tell the building industry

[00:57:06] how to suck an egg and it's I think this gives them more flexibility I think your point Supervisor Brisbane is the right is the right concern that it could get out of hand and it could be anything we could have no uses on the ground floor there's certain that's certainly risk I just think the other alternative is overly prescriptive you had mentioned you might want to make a friendly what would that friendly be well let me ask staff a couple more questions before I i decide if i'm going to make the friendly um with this with if we pass this motion would would

[00:57:42] the board still as supervisor letourneau suggested still have an opportunity to require certain uh mix of uses when an application comes through that's in the urban employment place type that's something that could be considered during the legislative process okay yeah okay and if this goes through, could we have a place like Ravana have nothing for anybody to walk to on the ground floor? Well, Ravana would be implemented by the transit-related center zoning district, not the

[00:58:13] urban employment. This is a 100% non-residential zoning district. Okay. Thank you. All right. I'll withhold my friendly because I don't think it's going to pass anyway. Thank you. Any other comments? All right. Motion has been made. I have no closing comments and seconded by Supervisor Latourna. All those in favor, please say aye. Aye. All opposed. That motion will pass 6-0-3.

[00:58:43] Next motion. I'm sorry, Mr. Chairman, before you go on to the next one, if I can just offer at the board's pleasure, I know you all wanted to do something different the last time. That was a long motion. Most of them are not that long. There is at least one other that is longer than that one.

[00:59:00] You can read the entire motion if you want. This is essentially taxed, but all of the motions are if you want to make the motion as it is thank you very much without any changes thank you very much similar to what you do on the consolidated public hearing I move that the board adopt motion number one in the packet and then go for it from that want to read the whole thing you're welcome to but it's maybe the most productive suggestion of the evening and with that I will segue to supervisor briskman listen taking into account what you just heard to make the second

[00:59:32] motion uh okay um so the template is i move that the board of supervisors endorse draft motion two as part of the um board of supervisors work session of september 26 2023 second okay okay great i didn't i missed the template somewhere but um i would consider this a simple motion so proceed This is a very, very simple motion.

[01:00:05] Staff supports the motion with the intent of the suburban neighborhood place type in Loudoun County, the 2019 general plan. Basically, it's revising the purpose statement to make things more pedestrian-friendly, multimodal forms of transportation-friendly.

[01:00:22] I believe this motion came to my office from PEC, and staff worked on making some revisions on it, which I completely agree with, and thank you. That's all I got. thank you very much any other comments motions moved and seconded all in favor please say aye aye any opposed that motion will pass 603 motion number three supervisor briskin thank you chair Turner I move that the board of supervisors endorse motion number three on section 2.020 to the purpose statement in the board of supervisors committee the whole work session of

[01:01:00] September 26th, 2023. Second, and Vice Chair Sains, opening comments. Thank you. So this is essentially the same thing, but just for the compact neighborhood place, suburban compact neighborhood place type. Again, to make things, you know, preserve open space a little bit more, make things more

pedestrian and bicycle friendly. Again, it was a suggestion of the PEC that I was happy to bring. Thank you. Thank you. Any other comments? No closing. All those in favor, please say aye aye aye aye any opposed that motion will pass 603 motion number four

[01:01:36] is a staff motion I move the board approved motion number four at the September 26th war session table 2.0 202 1 Town Center TC zoning district maximum height is there a second second by vice chair Sains brief discussion there are a number of motions that deal with this I believe number five is predicated on what we do with motion number four and motion number four simply removes the height restrictions and specifically says that the board direct

[01:02:13] staff to include the ability to modify the maximum height in the town center zoning district in the draft zoning ordinance which essentially absorbs motion number five any other discussion any other comments on this motion yeah thank you chair Turner I might have seconded this but hopefully my colleagues might remember I had a little bit of concern about this during our last work session because I do have a couple areas in Algonquian district that are town center and the last thing I want to see our buildings above 60 feet in the Cascades marketplace or a countryside or something like that so I

[01:02:50] did get a little bit nervous with the idea that a project could come in asking for the exception to have a 90 foot or 120 foot building in a place that's inappropriate so I worked with staff and and what we decided because we can't have differing requirements for a town center when it's in two different place types or districts that we revise the purpose statement and so hopefully after we pass this my colleagues will support a little bit of a revision in the purpose statement in motion 5 which just kind of aligns and encourages a town

[01:03:25] center development in in a district like Algonquian or Sterling that the building heights would be encouraged to follow the general plan suggestions thank you thank you very much any other comments motion has been moved and seconded all those in favor please say aye all right any opposed emotional pass 603 if I understood correctly then supervisor briskman your motion number five is supplemental motion number four and simply changes the purpose statement then go ahead and make that motion yes it does thank you chair Turner I move the

[01:04:04] Board of Supervisors endorse motion number five on section 2.0203 the purpose statement as reflected in the Board of Supervisors committee the whole work session item for September 26 2023 seconded by supervisor glass thank you thank you so again I worked with staff out of my concern about the two that the town center zoning that could go in a couple different types of place types and it would be more appropriate to have taller buildings over in the urban areas than it would in the suburban mixed-use areas so what we did was we

[01:04:43] put kind of a clarification we we put a little bit of a explainer in the purpose statement so that we can encourage applicants that come in not to ask for that exception in this place type and I really appreciate staff's help with that thank you and I'd just like to ask staff you're comfortable that this is compatible with the motion we just passed it is absolutely is okay go hand in hand thank you very much any other comments or questions all those in favor please say aye aye any opposed that motion will pass 603 the next Motion is Supervisor Letourneau's motion, a simple motion.

[01:05:23] Thank you. I move that the Board of Supervisors pass Draft Motion 6, Table 3-02-01-1 at the Board of Supervisors September 26th Committee of the Whole Work Session.

[01:05:40] Seconded by Vice Chair Sains. Discussion? Yeah, this would direct staff to change vehicle sales from buy right and CCSC and PD MUB to special exception. I think that vehicle sales is really not consistent with the intent of PD MUB, and vehicle sales, quite frankly, we've seen quite a proliferation of in terms of the amount of space it takes up and the impacts on parking and things like that.

[01:06:07] It can be a use that requires a great deal of attention. So it may be appropriate in some, especially CCSC, but it certainly should not be by right because it really could conflict with some other uses, I think, that are there. So staff does support this motion.

[01:06:25] Other comments? Questions? Questions? Yeah, questions. Thank you, Mr. Chair. Maybe this is a question for staff, maybe for Supervisor Letourneau. What kind of feedback do we have from car dealers on this?

[01:06:42] Do we have any input at all? No, not that I'm aware of, but my understanding, and staff can correct me, is that this was a change in the zoning ordinance from the existing ordinance, at least in terms of PDMUB, I believe.

[01:07:01] It was not.

[01:07:15] Yeah, they're very sticky. Do the little wave of magic over it. I'm gonna look and verify we we started this discussion at the previous work sessions and I know that um there was a use consolidation that was done and it was vehicle rental which was a separate use and then vehicle sales were combined so some of the permissions got a little mixed up where there were certain districts where vehicle rental was a permitted use but not the sales so that is I believe on one of the staff recommended changes sheet that you got in uh

[01:07:50] in one of the packages let me just quickly look at the pd mob districts I think that's the one you're asking about vehicle sales is currently a permitted use in the pd planned development commercial center shopping center the sc and the regional center rc those are currently permitted but the mob and let me double check that very quickly well as quick as my fingers will even if it is quite frankly it wouldn't make a lot of sense that it would be but we do have some of legacy things in the zoning area. The only reason I ask is I know how difficult it is for car

[01:08:29] dealers to find any space to store inventory. And maybe they should all convert to elevator storage so they don't take up as much land mass. I would like to support this, but I'll probably abstain because I'd want some input from the industry first. Thank you. Any other comments?

[01:08:53] Motion is made and seconded. All those in favor say aye. Aye. Any opposed? Abstentions? One abstention. That motion will pass 5-0-1-2-3. 5-0-1-3.

[01:09:11] The next motion is a staff motion, and I will make that, and I am going to move to table that. That is the first of the rural motions that Supervisor Buffington asked to defer to the October 2nd meeting. I move that we table motion number seven uh until the October second meeting that's seconded by supervisor Briskman uh I have no opening comment any questions or comments just Mr. Chairman I don't think you have to table it unless somebody makes it it's not on the table so if we're just going to skip it we can just not in the future for these we can just great that works for me right that's true yeah okay great then I withdraw the motion and we will just skip over this motion

[01:09:49] the next motion I will make and there are actually three motions that conflict with each other motion 8 9 and 10 all have to do with energy storage the reason I'm selecting my motion is there's like one extreme the other extreme and the middle and my motion is kind of in the middle and I'll explain that in my comments if my motion goes down then we will go back to the other two but if my motion passes I think it will obviate the need for the other two motions I I move that the Board of Supervisors to pass Motion Number 9, Section 3.0205-1, Energy Storage.

[01:10:27] Is there a second? Second. Second by Supervisor Letourneau. The issue here is utility-scale energy storage and just energy storage in general. The reason I made this motion, and my motion, and basically the motion number 9 is the blue sheet you should have in, oops, do I have it? Yeah, the blue sheet that you should have in front of you is my revised motion number nine, and I just want to read it in total just because, kind of clarify it. So I changed the use permission to a minor special exception in IP, GI, and MRHI. I changed the use permission

[01:11:04] to a special exception in OP. I affirmed the use permission to a special exception in TR-10, JLMA-1, JLMA-2, and JLMA-3, and I add the use permission to a special exception in RDP, CLI, and JLMA-20. And here's my logic. I understand the fire concerns that we have in TR-10 and the three JLMAs. I get that. That makes perfect sense.

[01:11:29] My feeling is this is an emerging technology, and we don't have enough information about this technology to either rule them in by right or exclude them in all cases in certain areas so what my motion does is basically says we want them to be able to be in any area in Loudoun County that is not obviously residential and but we want to make sure that they come before the board for a legislative approval and legislative discussion so we can weigh them on a case-by-case basis clearly if they're in tr10 and the three glmas under the current state of technology we would

[01:12:06] not approve those as a board because of the fire concerns. We get that. The object here is to allow the technology to advance in Loudoun County because we don't know where it's going to advance best and what's going to change. It is a critical component of the data center and could be a critical component of the data center industry. Could be a critical component in getting off fossil fuels. So that's why my motion basically says include them all but require the board to look at all of them. Questions and comments? Not a question. I just would like to commend you for your logical approach to this. I'm in complete agreement. I think that the fire concerns on this

[01:12:46] may eventually be rectified as we gain a better understanding with it, similar to what happened when we started having electric cars on the road and everybody was very concerned about how those are addressed by fire departments, but right now it is an emerging technology. I think there is reasons to be confident that a lot of the concerns that haven't expressed will be addressed and already are being addressed. There are other places that are pretty far ahead in this area.

[01:13:21] I've been to some of those facilities personally in different parts of the country, and, you know, they're managing this pretty well. I just think we need some more experience with it here in Loudoun. So I agree with the approach of, hey, let's, you know, let's allow this to move forward, but it's going to be, in most cases, except for the really industrial areas, there are going to be normal special exceptions that go through a process and allow us to, you know, ask those questions and work through that.

[01:13:48] So I will support this motion. Thank you. Other comments, questions? Supervisor. Thank you, Chair Turner. I just have a couple of questions for staff. um does every spmi and specs have a referral to

the fire department she's saying yes it does for the record they said yes it does so they would have an opportunity to say whether there were some concerns about putting one of these in these areas and these yeah okay great yes um and

[01:14:24] uh how difficult is it after we pass the zoning ordinance and we start we're starting to feel really comfortable with energy storage in the county we might want to make it a little easier for them to be established i'm afraid to ask this question but how difficult is it to change a process from a specs to an spmi in in a place type it would take a zoom so i'm going to change it here um okay partly the length of that is if the board would desire any additional public outreach beyond just the public hearings if there's a small narrow thing that you'll like to change we could do that faster just by relying on the public hearings okay so it's a zoe i'm not

[01:15:03] a c pam yeah and then my last question is i i did have a meeting with with some data storage organizations um i guess it was last week and uh they indicated that the um the industry already had to go through some kind of permitting process that already covers some of these bases um are you aware of that and do you think that we are duplicating efforts here by making it an SPMI

[01:15:31] or specs no I don't understand why red means it's on yeah it's green it's green in the other room I feel you I don't think you're duplicating efforts I think since it's a new developing industry the more you can look at it for that legislative review and add conditions the better okay all right well I'm very hopeful for the technology and looking forward to it thank you Thank you, Chair Turner.

[01:16:08] I would agree with you, Chair Turner, regarding having it as special exceptions, having it in the middle of the road. And as you said before, this is a new industry that's coming into the county.

[01:16:24] and we talk about you know our environment in and storage and I'm thinking about you know houses that have the solar panels on on the top and that we're trying to you know trying to be more environmentally friendly that this is a way that we can do this thank you thank you I sure say thank you no I appreciate your your motion that you're bringing forward with item nine I agree it needs to be a special exception this is a new industry that's coming to our area and so I feel we need to review these applications and make sure they're in the just the way I say it for data centers make sure that they're in the

[01:17:02] right location because I don't want to see this anywhere and everywhere make sure the designs are right look looking attractive have the exterior walls etc etc etc so I'm glad we're doing that but I have a question for staff so if we approve nine oh do we need to do eight or eight it's pretty much negated it's negated you don't need to do eight or ten all right yeah I will not be supporting 10 when that comes forward if it is brought forward but okay thank you I have no closing comments all those in favor of the motion please say aye aye any opposed that motion will

[01:17:38] pass 5-1-3 5-1-3 I'm going to give Supervisor Umstott the opportunity to make your motion if you would like to make it thank you thank you Mr. Chair this is motion number 10 and I move to affirm the Loudoun County Planning Commission's recommendations for energy storage use permissions under Table 3.02.05-1, and you can read the following. The reason I think that this should

[01:18:16] be allowed by right in industrial sectors is that we have plenty of uses in industrial areas that might be considered more intensive, let's say, than some of the other uses that do not go into heavy industrial sectors or even light industrial sectors. And I think this is an appropriate use in any area that is already zoned for industrial. So that is why. Other than the industrial sectors,

[01:18:55] You've got it down as a minor special exception in OP and a special exception in the transition and JLMA areas. And Supervisor Umstott, this is my bad. I don't think I heard a second.

[01:19:11] Is there a second to Supervisor Umstott's motion? I'm glad you got to make your comments, but that motion fails for lack of a second. Motion, that was my bad, I apologize. Motion number 11, Supervisor Umstott, if you'd like to make that motion, I think this is a simple motion.

[01:19:31] yes uh this is uh number number 11 on hotels and motels um you've heard from i think the chamber has made a very good point and the big pardon yeah i would move item number 11 is there and there's a second by supervisor i think the business community has made a very compelling argument that we do not need all five of these requirements these

[01:20:08] amenities in order for a hotel or motel to be a top-level facility and so I I would support reducing that to any three of the following amenities thank you any other comments or questions I got mr. right chair thank you well yeah I think it's fine to you know pick from the the list but hopefully uh and I pray one day that we get a hotel company that wants to come to Loudoun County and do all uh all five of them so we can get a full

[01:20:43] service um you know uh hotel that we can have banquet functions and and the like here in Loudoun County because currently right now well we don't have a hotel well Lansdowne I guess would probably be the only one in the salamander that's celebrating 10 years would be the the exceptions to that but after that those two none of our hotels currently here in Loudoun County meet the required tier for all five of them to be a full true full service hotel we're going to have banquet service and meetings and conventions oh and a conference center I guess as well so three out of as many hotels that we have in Loudoun County so hopefully Monday we'll get another hotel

[01:21:22] come in here to do all five so thank you any other comments questions closing comments all those in favor please say aye aye any opposed that motion will pass 6-0-3 Mr. Brzezumstadt motion number 12 is yours thank you Mr. Chairman I move that the board direct staff to revise section 4.0 4.0 1 point B to delete subsections B2 and B3 to remove use permissions based on square footage and that is

[01:22:01] motion number 12 is there a second going once or twice that motion will fail for lack of a second. Thank you. Motion number 13, Supervisor Armstead. All right. I move motion number 13 on business support services and retail sales. Is there a second? Second. Supervisor

[01:22:30] Luterno seconds. Supervisor Armstead, your opening comments. All right. This is an effort to to increase the areas in which retail is allowed as a principal use it's not an issue as the retail component would already be allowed and retail uses are

[01:23:02] complementary in chapter 2 I would just ask that we consider this this is a motion that was suggested by the chamber resident term so the question for staff so it seems like what we're saying is if we increased the square footage of a tasting room to 10 000 feet becomes a restaurant but why does it become a restaurant just because it's big i believe we're looking at

[01:23:37] motion 13 oh i'm on the wrong one which is retail sales well but business service sorry yeah you're Right. 13 was the part. So the concern on 13 is, yeah, it was, is, is it parking maybe with industrial zone areas?

[01:24:00] That would be one of the concerns is that parking for retail uses is double what would be for the business service use. And the parking for that would not be accommodated with that high of a percentage. Okay. I'll withdraw my second then, unless you all want to continue discussing it.

[01:24:23] Other and well, all right. Yeah, go ahead. Okay. So staff, your language, you would want this to go up to 25% for gross floor. Is that correct for this one? Yes. 25% would be consistent with what is allowed for other industrial principal use category. I will make a friendly for staff's motion. 25%. Yes. So brother, I'm sorry, you accept that friendly.

[01:24:51] So is the friendly to go from 20% to 25% as opposed to going to 49%? Yes. You want to just add five? Yes. And not 29%. I want to accept that as a friendly, as I think it defeats the thinking behind the motion.

[01:25:13] All right, I'll do an alternative motion. So to go from 20% to staff recommendation at 25%. That's an amendment. Propose an amendment. Is there a second to the amendment? There's a second from Supervisor Briskman.

[01:25:29] Discussion on the amendment? Just going with staff's recommendation. Okay. All those in favor of the amendment to accept the motion with a 25% limit, please say aye. Aye. Any opposed? Nay. That's Supervisor Glass, you were an aye on that one.

[01:25:47] That is one, two, three, four, five ayes, one nay, and three absent. to approve the amended motion number 13. Staff, do you have that one? Amended motion 13 with 25%. Yes, we have it. Thank you. Okay. Next, motion number 14, Supervisor Umstead.

[01:26:06] Yes, thank you. I move motion number 14, direct staff to change the maximum size of craft beverage manufacturing accessory tasting rooms from 5,000 square feet to 10,000 square feet.

[01:26:24] Second by Supervisor Letourneau. Open comments, Supervisor Armstrong. I think that one of the areas in which we've been criticized for being too prescriptive is in trying to tell people exactly and precisely how to run their business.

[01:26:42] 5,000 square feet is not very large at all. 10,000 square feet strikes me as being a very reasonable-sized tasting room, And I think that the business community would like to have that flexibility.

[01:27:01] So where's our return? Okay. Back to the question I was asking incorrectly on the last one. So we're saying 10,000 square feet is automatically a restaurant, but why is it just the size, number one? And number two, if the concern is to ensure that this is still essentially an accessory use, couldn't we do it as a percentage?

[01:27:19] I mean, you could have – some of these facilities are really large. So, you know, in a 200,000 square foot facility, 5,000 square feet is nothing. But we're treating everything the same. So those are my two questions. A percentage would be reasonable if the boards would choose to have direct staff in that direction, yeah.

[01:27:37] Okay. I guess it would be difficult off the top of our head to come up with said percentage, but I think that might be a better way to do this. So I guess what is it you're thinking of as an accessory use typically, 25% less, or do we need to just come back to this one if that's where we're going?

[01:27:58] I can explain why we do it the way we currently do and that might help your decision. So we allow this sort of a use basically three different ways. We have called it manufacturing, and that would be a

way to permit it in the industrial districts.

[01:28:16] And those are the larger scale brewery uses. And they're allowed to have an accessory restaurant, and it's generally about like 20 to 25 percent of the area. And then we have this use, which is a middle tier use, which falls somewhere in between the other two extremes.

[01:28:36] And then the other end of the spectrum is just a restaurant. Any restaurant can have an accessory brewery, and that means that the restaurant component must be the larger part. And that's the use that's permitted in the retail and service districts.

[01:28:54] And then craft beverage manufacturing is, I think, allowed in the OP and IP or something. So it's just a way to let them establish a use like this in three different ways in different parts of the county.

[01:29:10] And if I could just add to what Mr. Wagner said, the current draft says the lesser of 5,000 square feet or 49% of the square footage are the floor areas. So you could choose to strike the 5,000 square feet and just go with 49% of the floor area.

[01:29:32] And I'll just also chime in, but your original question was parking, and yes. For the majority of the districts, craft, beverage, manufacturing, and restaurants are both permitted uses. So we would just want to capture that parking that would be generated by that tasting room because they're also permitted to sell food and other things of that nature within the tasting room.

[01:29:53] So the concern is parking, yes. Questions? comments? Well, I would be interested sort of on what industry's perspective is on using a percentage instead of square footage. So I don't know that I'll be ready tonight to come to a final conclusion, but we'll see where the conversation goes. This is kind of out of the ballpark here.

[01:30:14] Is there an industry representative that wants to speak to that for a minute? I'll take you guys blindsided, but this is a golden opportunity if you'd like to weigh in on this. If not, that's fine. I'll just tell Tony you failed. When the opportunity was there, you failed.

[01:30:32] motion is made and seconded other comments yes mr. vice chair so who would this mostly affect where this will affect say a brewery that's in a flex industrial space more in the say eastern loudon portion of the county or where this affects somebody out it would be any district in eastern loudon anywhere anything anywhere it's the use is permitted in eastern loudon okay um yeah i think if you can get some industry information from you know on this that'll be good

[01:31:07] any other comments yes yes um i i kind of feel uncomfortable um voting on this because i i would like to hear from the from the industry regarding whether they think the percentage is a better way of doing that well we can vote on it and the industry can readjust and come back and we've got more straw poll votes that we're going to have so we can address it so we've got a motion and a second on the floor, so I'm inclined to vote on that.

[01:31:39] And however that goes, we can still entertain it later on in the process. Other questions? The motion is moved and seconded. All those in favor of the motion. I'm sorry. Chairman, so the suggestion from staff, I think, was we could just simply eliminate the 5,000 as a square in the ordinance.

[01:31:57] So perhaps to Supervisor Umstead, the maker of the motion, I may suggest that as a friendly amendment, instead of going from 5,000 to 10,000, we just eliminate the reference to 5,000 completely. Okay. uh and you accept a friend of the supervisor you want to confer yeah i mean for now anyway that

might be a way to deal with it and then yeah that's that's a good holding position i think so the friendly is to is that is that what you i don't want to mischaracterize what staff said so is that what you said no we're just saying that that would be one option there's a little

[01:32:36] bit of apprehension here at the staff table about 49 because what if it is one of those hundred thousand square foot buildings so we need to think about what's the right percentage is it 25% I'll also note that within and correct me if I'm wrong I heard you talking about the industrial oops the industrial district the use is a minor special exception and those districts now so they could also apply for an additional minor special exception to increase the square footage

[01:33:06] beyond the five thousand square feet if that suits their business model so the motion right now is to go from five to ten i think we ought to vote on the motion is seconded to go from five to ten if we want to readdress it downstream we come up with another one sounds good okay motions made and seconded all those in favor say aye aye any opposed say no nay nay uh that motion will

[01:33:39] Failed with a two yes, I was a no, and we have two no's, and an abstain and abstain. So that motion will fail, and we can come back to it. Chair Turner. Yeah.

[01:33:54] Can we just remind the board and the public that Chapter 4, these specific standards, are modifiable already in the draft, almost all of them. By? By minor special exception. Minor special exception. So that can help you as you think through some of these. Okay. Okay.

[01:34:12] Next motion is Supervisor Umstead. 15. All right. I make motion number 15, which would remove the requirement for an escape lane from the service lane in drive-through facilities. This motion has staff support.

[01:34:28] Is there a second? Second from Supervisor Glass. Discussion? No discussion? Yep. Supervisor Brisket. I guess my one question on this is, what does the fire department or the fire and rescue department think about not having a did we ask yes i did consult with the fire marshal's office i'll also point out that this is for retail uses retail uses that have pharmacies things of that nature this is not restaurants restaurants has a separate use specific standard that requires an

[01:35:07] escape lane so this would be your pharmacy your retail uses that have drive-through lanes i did speak to them and they do not have anything in their code that speaks to this okay and and so this would not apply to like a starbucks that is correct okay thank you any other comments motion is moved and seconded all those in favor please say aye aye any opposed that motion will pass 603 to browser umstat motion 16 all right number 16 i move uh number 16 this is office

[01:35:42] professional and office medical to remove use specific standards for office uses in the ip zoning district and then as follows i won't read all of them i have motion 16 is there a second once twice that motion will fail for lack of a second motion 17 supervisor i'm sorry all right i move motion 17 this is vehicle wholesale auction to remove the requirement that these auctions be at least partially located within the air packed impact Airport

[01:36:22] impact overlay district and to change minimum lot size from 50 acres to 20 acres second by Supervisor Letourneau opening statement now it's just this motion has staff support thank you any other comments questions Supervisor Richmond I'm sorry my notes say differently that staff doesn't support but staff does support this motion okay all right thank you moved and seconded all those in favor please say aye aye any opposed that motion will pass 603 uh supervisor umstop

[01:36:59] thank you mr chair number 18 i move motion number 18 this is on health and fitness centers to remove the requirement that they be located outside of the quarry notification overlay district this has staff support is there a second second by supervisor glass opening statement uh no opening statement any discussion comment supervisor brisbane i i have a question for staff um the quarry notification overlay district i'm not familiar with what that is does that mean that

[01:37:35] um that the quarries make noise and so that people would have to be notified if they were going to be putting a business next to a quarry basically that would be my assumption i'm not sure if it's noise or um vibrations vibrations of course and so staff thinks that it's not a problem if there's a fitness center closer i guess okay okay thank you any other comments or questions seeing none all those in favor please say aye aye aye any opposed motion pass 603 uh supervisor umstadt motion number 19.

[01:38:13] i move motion number 19. this is recreation development criteria criteria in the ip and gi districts to remove use specific standards for indoor recreation in the IP and GI districts is there a second I'll second but I'll be amending supervisor letourneau is the second opening statement supervisor I'm sorry uh no openings okay discussion supervisor so I would not be supportive of the motion as written we have quite a few of these in my area and we do have significant parking issues with them site access issues with um park the pickoff and drop-offs

[01:38:52] um i agree with staff that d1 and d5 could be removed and so i would make a friendly amendment that the motion be limited just to d1 and d5 only i'll accept that uh just to clarify that d1 and d5 be removed which would leave the motion that supervisor armstock made with two three and four in it no that um oh yeah well i don't know how you said that what i mean for is the ordinance should keep two three and four in it and we take one and five out is that correct staff that's what i thought so the motion is as supervisor um stop made it with only items two three and four in the

[01:39:31] motion correct yes any other discussion no i think it's backwards only not in the motion only yeah she was going to remove all of them we're only removing one and five yep i see what you're saying yes i see what you're saying okay let me restate it make sure i got it so everybody You can follow along.

[01:39:51] So the motion is to, oh, I just lost it. The motion is to, your motion originally was to delete all lined out language. As amended, the friendly, we are leaving all the lined out language except for 1 and 5, which we are deleting.

[01:40:10] Yes. Correct? Everybody understand that's what we're talking about? Okay. Superbaz, the rest of your light is still on. Do you have another comment? Okay. All those in favor of the amended motion, say aye. Aye. Any opposed? That amended motion will pass 603. Motion number 20, I will let either Supervisor Armstrong or Supervisor Lieutenant.

[01:40:33] I'll take it, sure. Since Supervisor Armstrong has so many motions, I have as many. I will move motion 20 of the work session packet related to recreation development criteria in TRC and UE districts.

[01:40:52] Second. And second by Supervisor Armstrong. Opening comment. So this would increase the allowable square footage for an indoor recreation facility in the TRC and the UE district. Staff does not support it, so full disclosure there. I think we just have a very different point of view on the opportunities that are out there.

[01:41:11] This motion would go from 10,000 square feet as a maximum to 150,000 square feet. And the reason for that is we need flexibility in attempting to try to recruit this type of use. We have a study from

Visit Loudon which tells us that an indoor recreation center could be massively revenue positive for the county and that there's an opportunity there for us.

[01:41:37] Larger ones for them to actually be useful. They have to be bigger than 10,000 square feet. We're talking about a facility that would host a tournament. So some of them are even bigger than 150,000 square feet, in which case you'd still have to do a special exception.

[01:41:52] But I think we should not be limiting our options, even in these districts. And I just don't see a reason to limit it to 10,000-core feet when we have – we know that there are users out there that are larger, and we've got to have the ability to try to recruit them.

[01:42:11] So that's the reason for the change. Other comments, questions? I have a question for staff. You don't support that. What's your response to Supervisor Letourneau's comments that he just made? Because they were, I think, persuasive.

[01:42:26] In looking at the general plan, this is a recreational use, which is typically a conditional use, so special exception use within these districts, and therefore we were supportive of increasing the size of the facility, but not to 150,000 square feet, which does not generate those first floor areas, the pedestrian areas and activities.

[01:42:55] Okay. Thank you. Chair, I'm sorry. I thought of a question. That's right. Supervisor. So did you say that if someone wanted to do something 150,000 square feet, they could come in with a special exception and ask for that? In this case, they could not. You cannot do a minor special exception to change a use permission.

[01:43:13] So if the Chapter 3 tables specify that the use is a full special exception, you cannot modify that by minor special exception. It would be, yes, the use would be, could request a special exception once it exceeds the 10,000 square feet.

[01:43:30] This is the allowance for a by-right facility. It's a maximum for the by-right. Anything larger than that would require the special exception. Okay. Okay, and so if I might ask Supervisor Letourneau, what's wrong with them coming in to do a special exception if they can still do it by special exception?

[01:43:50] Because you're asking for it to be by-right. I mean, we're not going to just get one of these facilities. This is a facility that the county will have to have skin in the game to recruit. So can you imagine we go out, we find a user, they have the willingness to work with us on a facility like this and then we tell them they have we have to go through a full-scale specs for something the county wants and is specifically recruiting for why don't we ask mr reiser how that works not to mention if i may i don't mean couldn't we fast track it or or or pay the fees for them or we could but i also want to just harken back to what staff said one of the reasons they're opposed to this is because it doesn't create the

[01:44:28] sort of first floor right traffic generation i completely disagree with that it absolutely does i mean if you think about what a tournament does you're going to have kids coming and going all the time it will feed off of businesses next door there'll be ice cream shops and all these ancillary things that will come with this type of facility and it absolutely will generate that kind of traffic in my opinion so i just don't agree with what the vision of what this is but you know others may i ask staff one more question is there another place in the county where this would be a buy right use because this is just for um the trc and the ue right but is there another

[01:45:07] area in the county that we there is a buy right for like 150 000 square foot facility like this we're checking for you okay thank you because i can kind of understand why we wouldn't want it in the in the urban employment or maybe around the metro trc although we might want it right around the metro because yeah people can metro there while staff is checking on getting sorry go ahead Risa Brisman's question and answer could ask the opinion of Visit Loudon.

[01:45:34] Sure. Or chair. I don't know. Certainly. Thank you so much. I'm trying to pull up. The Finance and Government Committee looked at this issue two years ago this month.

[01:45:52] And in the process of that discussion of how best to attract an indoor sports tournament facility, it was determined at that time that the ability to have an economic driver with community benefits, minimum within that was a hundred thousand square feet so the Finance Committee has already taken this item up I'm trying to pull specifically but my phone is not allowing me to open the item but I think it was two years ago this in September that that was discussed other comments questions I'm

[01:46:28] close supervisor I'll close your supervisor You know, I look at the ION facility in Leesburg, and that is, I don't know if it's 150,000 square feet, but it is a lot bigger than 10,000 square feet.

[01:46:47] They bring in tournaments. They can have multiple tournaments going at once. They've also turned into a concert venue. They can accommodate over 5,500 attendees through bleacher seats around their main arena, and they are in the process of expanding so they have been tremendously successful and with a large facility they could accommodate high school graduations and I think I think we need to allow this level of square footage okay I'm going to cut off debate at that point we have

[01:47:25] motion seconded to increase the limit to 150,000 square feet all those in favor I'm sorry I was just going to answer the question that was asked about what other districts would permit this this limitation only allows to the trc the transit related center and the ue districts so the other districts where it's permitted such as the town center tc the ip the gi these restrictions are not there for those uses okay thank you very much that even makes it better all those in favor of the motion do i get a closing you can you can have a closing well because i think absolutely because the issue then becomes these specific districts and i think it goes to the discussion

[01:48:01] we're having i think there could be some benefit to having this type of facility in these districts specifically because it is so pedestrian oriented and then to use subresor emphasis example and what's happening next to ion is a whole a whole row of restaurants have popped up that are being supported by that use okay motion made and seconded all those in favor please say aye aye uh so supervisor glass you're an eye that's a six zero three approval of that motion thank you

[01:48:32] um next motion is uh supervisor um stop motion 22 no 21. thank thank you mr i think this is a simple motion i move i move uh motion number 21 and it does have staff support is there a second i'll second i'll second uh any opening comment no uh any discussion item all those in favor please

[01:49:00] say aye aye any opposed that motion will pass 603 motion 22 supervisor um i move uh section i move motion number 22 this does not have staff support um and this is on the contractors in the intensity and character in the ip zoning district is there a second going once going twice hearing none that

[01:49:37] motion will fail for lack of a second uh motion number 23 supervisor sayings uh yes i'll not be making my motion this evening i'm going to be working with staff to um to revise the language we still have some work to do on it i had a conversation with staff last week but i think We had our conversation

crossed a little bit in what we're getting at, so we're going to take another step at it and bring it back later on.

[01:50:07] All right. Supervisor, I'm sorry, motion number 24. Yes, I move motion number 24. This would, the staff comment on this is that a similar motion failed on September 11th, and this is in relation to allowing two of the facades on data centers to be mechanical equipment facades.

[01:50:34] Motion made. Is there a second? Hearing none, that motion will fail. For lack of a second, motion 25, Supervisor Armstrong. All right. I move motion number 25. This is facade standards for data center mechanical equipment.

[01:50:57] Moved. Is there a second? Hearing none, that motion will fail for lack of a second. We're at motion 25. We are at one motion over halfway. What's the sense of the board? Now I understand why Chair Randall likes to keep going when you get a head of steam up.

[01:51:16] But I will defer to my colleagues. Are we ready for a break, or do we want to keep going on? We're making some great progress. Do they still have any breadsticks over on the phone? All right, we will keep moving on.

[01:51:32] Thank you very much, colleagues. All right, let's take a five-minute break, and we will be back. I'm going to go look at breadsticks.

[01:52:21] that's a five minute break not a 25 minute break thank you everybody board is back in session if

[02:02:03] you are waiting on us you are backing up okay uh supervisor saying vice chair saints uh motion number 26. uh yeah pretty much same thing like i said for your motion number 23 met with staff um somehow to have a disconnect on the conversation so we'll be working with staff to um to better drop a motion so i'll be not making this motion tonight thank you thank you uh supervisor i'm motion 27 yes uh thank you mr chair i move um item number 27 uh to direct staff to revise

[02:02:42] references to facing or being adjacent to residential to remove zoning district permitting residential uses so that the standard refers to existing residential development and approve cdp or plat or plan showing residential development only moved is there a second hearing none that motion will fail for lack of a second suicide motion 28 yes 28 I move item number 28 this is on general site design requirements and it would direct staff

[02:03:19] to allow for required buffers to be substituted with topography and preservation of existing vegetation supplemented by new vegetation if needed may be substituted for the above requirements if determined by the county urban forester to provide screening at the density depth and height equivalent to the buffer type c and that has staff support and that was moved and i hear supervisor glass and a loud and thunderous voice say second um opening comments uh no opening comments uh supervisor glass any comments any

[02:03:58] other comments from yeah yeah so i don't think i'm quite there on this i i am here on the concept i'm just not sure that type c is enough of a buffer i would prefer to see an enhancement to type c and some specifics language around like what could require what what what could meet this requirement like evergreens if we had evergreens i'm not sure that type c equivalent is is is enough for what i would want to see on this so i'm open to discussion i don't know if staff if we said

[02:04:30] enhanced type C buffer if that's too vague um but if that could be defined and I didn't do it between now and this meeting and maybe I should have but it could be something I go back to but do you think something could be developed that we define like enhanced type C buffer type of thing yes we could do that okay so I'm not going to support this for tonight but um this might be a wrap-up motion where I've come up with something working with staff that is more specific uh other comments supervisor glass yes so so my question is if we're talking about an

[02:05:07] existing natural berm that can be used can we have that and then have include even more you know add more vegetation to that because I my thought on it was that I wouldn't want to tear down something that's already naturally there and, you know, and, you know, and redo it if it's, if we already have a natural berm,

[02:05:37] but just include that in what the berm is or what the, you know, what we would do to, for topography for that. Yes, and your staff agrees with that. If there's nice trees already there, we want to say what's there, use that, and enhance it with the Abergreens like Supervisor Platerno mentioned.

[02:05:58] Supervisor Bressman. Thank you. So I'm not quite sure I'm understanding this. First of all, the type C buffer with an earthen berm is what is required right now. And then the motion would take away the berm requirement, which I believe is some kind of height.

[02:06:19] Six feet. Yeah, it's like it's a solid thing. And this would replace that with like existing trees and bushes? Yes, it would be to preserve the existing trees and bushes so that the overall outcome would be the same.

[02:06:36] And that's why they're asking for the county urban forester to kind of go onside and make that determination. And we use this language elsewhere throughout the zoning ordinance. And I think this came from the chamber, and that's what they're asking is that can we also add it for this particular section, consistent language that we use elsewhere.

[02:06:58] So somebody will sort of review the idea and what's there, and they will decide if it gives enough protection that a type C earthen berm would give. Yes, that's exactly right. Okay. All right.

[02:07:15] Okay. All right. What's your answer? Thank you. And you don't have to give me the answer now because it might not move forward. But which is the, I guess, better buffer?

[02:07:31] Is it type 3, type C? Is it 1, 2, A, B, C? can we the c is the most dense type of buffer um the one two threes go to road corridor buffers which are more for aesthetics depending on the type of the road your a b c buffers are your side and rear buffers and they go into intensity from a the least to c the most intensive screen but doesn't this motion remove road court the type three road buffer i believe this is i don't believe

[02:08:06] so I think this is replacing and correct me if I'm wrong Judy k2 which is the specific buffer and burn requirement where k3 is the road corridor buffer but you're correct supervisor sayings on the chambers original documentation that they submitted they wanted this to also apply to the roadway corridor buffers and so that's not been removed that is not reflected in this motion that is not reflected in this particular motion and staff would not find that appropriate because the road

[02:08:41] corridors those are specific to the county's gateways and it's a specific boulevard appearance that should be achieved with those specific gateway buffers so that motion is not reflected here okay

double check on this but thank you if you're there's language just above that in that same section of the table that is this, including that road corridor buffer type 3. So this is adding new language that would be below where that other language is, if that's what's confusing you.

[02:09:19] So I just want to make sure I understand this. So this is basically saying that the requirement for buffers can be replaced if the existing topography and preservation of existing vegetation meets the standards of a type C buffer. So that's an either or. If there's not vegetation there, you can build you got to build a type c buffer but there is vegetation there and the forester says that's like a type c buffer then you can use existing vegetation that's exactly what would happen the urban forester would go out to the site and make that decision okay and then i just

[02:09:53] want to point out and just really quickly my motion 30 basically says reduce parking requirements to 50 feet if the buffer is and then i propose a 10-foot berm with a 10-foot fence on top of the 10 foot berm which is substantially higher than a type c buffer um and i would kind of like to see that standard in this motion but i'm not gonna i'm not gonna go there i'll let the motion and seconder make that friendly if you'd like uh it's just a thought but right now the the motion so i restated i believe correctly so a type c buffer but if you've got vegetation that meets those

[02:10:31] requirements as determined by the forester then that's okay too right okay any other questions thoughts motions made and seconded all those in favor please say aye aye any opposed and Supervisor Turner's abstention all right so I have one two three four eyes no nose two abstentions and three absences did I get that right

[02:11:01] four zero two three okay all right motion number Supervisor Glass motion number 29 thank you chair Turner I'm gonna go ahead and read the motion I move that the board direct staff to take to add a new provision to table 4.06 point zero two dash two section G indicating that when a data center property and residential property are separated by principal arterial or lesser designated roadway per the countywide transportation plan the data

[02:11:41] center frontage is considered adjacent to residential and subject to a applicable setback and massing requirements second by Supervisor Brissman opening comment I just want to say that you know I think it's important that we listen to residents by clarifying that even if a data center is across the street from housing that frontage will be considered residential okay other comments yeah question mr. chair for staff so this this would

[02:12:20] apply or the presumption in this would apply even if there were a type c buffer between the data center structures and the major arterial or principal arterial or other roadway um the the road corridor buffer would be either a one two or three depending on the type of road

[02:12:57] With the arterial, I believe that would be a 3, so it's different from the type C, but it is the most intensive type of road corridor buffer. So in your opinion, would the most intensive road corridor buffer screen the buildings on the other side of the road from the residential?

[02:13:22] I'm just going to take a look really quickly at the plant units per linear feet to kind of give you a comparison. The other question I think I have is how wide is a major arterial or principal arterial road in feet?

[02:13:45] I think that's between 120 and I think at least 120 feet for the roadway, possibly larger, but not 100%. Okay. So what it seems to me is going on potentially is we are requiring more of a buffer or more of

a separation between a data center and residential where there's a road between them than if they backed up to each other. Is that correct?

[02:14:19] No, that's the opposite of what it's doing. Let me just, what I think it is, and since we're in the committee of the whole, what I think it is, right now, if there's a road between the data center and residential, it's not considered adjacent to residential because the road is the buffer.

[02:14:41] What this is saying is if there's a residential on the other side of the road from now on, as far as we're concerned, the data center is adjacent to residential. That would seem to be the case. Mark, did you have something?

[02:14:59] No, I was just going to add to that. Yeah, and in that case, the road, I'm assuming that the road will not count towards that setback. So it would be the road and the setback. Right, right. That's correct. If it's considered adjacent, then the setback would apply from the edge of the road, not from the other side of the road.

[02:15:20] And then in terms of screening a data center, I think it would depend on the scale of the data center. I doubt there's many that are going to totally screen a data center in terms of just the landscaping itself. Well, based on the motion we just passed, if there's a data center and a road, a principal road, and then residential, this motion would then trigger a type C buffer on the data center property because it's considered next to residential.

[02:15:48] Right. Okay. I'm just not sure a type C would totally screen a data center. Right. Are we still waiting on the answer? Yeah, to answer the previous question, the width difference is 20 feet wide for a road corridor type 3 versus 25 feet for a type C buffer.

[02:16:06] And 95 plant units versus 120, which is not a big difference in plant units. Okay. Any other comments, questions? Who is the second on that?

[02:16:23] Motion is made and second. All those in favor, please say aye. Aye. Any opposed? Aye. You and I? Okay. Motion passes 5103.

[02:16:41] No abstentions. 5103. Motion number 30 is mine. I move the board approve motion number 30. I'm going to read it because it's a little complicated. I move the board direct staff to revise table 4.0602-2 section G-A to allow a parking setback of 50 feet.

[02:17:03] If you all remember, we pushed parking back, I believe, 100 feet in a motion in the last work session. I'm allowing them to have parking setback back to 50 feet, provided existing forest or other natural screening exists within 50 feet of the lot line, and such forest and screening remains undisturbed or enhanced in accordance with Chapter 7, or if no forest or natural screening exists, berms are provided at least 10 feet in height, constructed to a maximum 2-to-1 slope on either side of the crown edge, and 10-foot-tall fencing and plantings are placed on top of the berm.

[02:17:37] Is there a second? Second from Supervisor Briskman. I had a discussion with the data center community related to the, I think it went to a 100-foot parking setback and a 200-foot building setback. And I said, if you've got adequate screening, I think we can relax that setback requirement.

[02:17:58] So that's what this does. It basically says if there's 50-foot undisturbed screening, or if not, a 10-foot berm with a 10-foot fence, then you can move parking back to a 50-foot setback from the property

line. That's my intent. Other questions or concerns? Comments? Mr. President. But unless you change the building setback, why does it really matter?

[02:18:16] If the building setback is still at 200 feet, then what's the advantage to them? Well, truthfully, in the last work session, I was going to make a motion to change that too, but the motion to push the building setback and the stepback all passed, so it became moving.

[02:18:33] So I'm introducing this now for the parking requirement to ease the parking burden. But the building setback still exists as we passed the last time, which is 200 feet. Okay. I'm just not sure why they would do it at this point.

[02:18:49] but right supervisor yeah um you've probably figured out the slopes that'll support a 10 foot high fence i imagine all right well it's two to one slope so it's going to be 20 feet on either side so 40 foot strip all right so would that be within the 50 feet yeah okay all right okay thank you okay other questions comments i have no clothes all those in favor please say aye

[02:19:19] Aye. Any opposed? One nay. You abstain. Okay.

[02:19:40] That will pass. 1, 2, 3, 4, 1, 0, 3. 4, 1, 0, 3, right? 4, 1, 1, 3, correct. 4, 1, 1, 3. Thank you very much. Yeah, yeah. Thank you very much. Okay. Motion number 31. Supervisor Rumpstock. Yes, yes. I make motion number 31, which would remove generator testing standards as follows.

[02:20:07] Generator use is limited to backup emergency use only. This motion was tabled on September 11th. However, it does have staff support. Second from Sue Vazer-Glass. Opening comment.

[02:20:22] No, no opening. Comments, questions? Vice Chair Sengel. My notes say that we asked for staff to get some information from DEQ. Oh, maybe I missed it, but did we get that information back yet? We got information from DEQ and the DCC, Department of Environmental Protection, quality.

[02:20:55] They did confirm what the data center coalition told us regarding not being able to do the testing due to ozone between those certain time frames. And we also heard from the data center coalition, Mr. Levy, today, and he was really unable to give a specific answer.

[02:21:18] I think you asked him at the last meeting, how often is generator testing needed to be, how often is it needed to be conducted? And his response was, it's so different based on the data center manufacturer. He couldn't provide a specific answer.

[02:21:35] But the data center manufacturers are not the ones actually producing the generators. Well, so what – The generators, so – He has not heard from anywhere close to a majority of the members of the coalition, so he was hesitant to put a lot of emphasis on each particular number. He said of the ones that had responded, their permits and the times and things available for each individual permit vary.

[02:21:57] There's no consistency in the feedback he has received thus far. All right. I will most likely not support him, but okay. Other questions, comments? Yeah. So are there specific time constraints on the permits that they're given by DEQ?

[02:22:15] That's the impression that I have. Oh, well, that would change things a little bit. So, I mean, my concern here is I think we generally do want to avoid having this happen at night when we can. I mean, and that was the comment that the PEC made at the last meeting.

[02:22:33] So I think this language now, except for generator testing or commissioning activities, it's limited to backup emergency use only. Well, yeah, no kidding. Like, we already know that. There's no point in having this in the zoning ordinance. That's just stating what the purpose is. It doesn't give any guidance to when it should occur.

[02:22:50] So I'm not going to support this motion because I don't think it makes any sense. I know staff supports it, but no offense. I would rather see us try to come up with some sort of a guideline when possible it should be limited during overnight hours or something like that, understanding that there are other authorities that, you know, at certain times of the year that's not possible and or there may be permit restrictions, but it doesn't sound like we necessarily still have a really clear picture on that yet.

[02:23:21] So tonight I'm not supportive of this. Either way, I wouldn't be supportive of putting this in the zoning ordinance because I don't know what the point of that would be. Point of information, Chair. I failed to ask, well, what was the information we received back from DEQ? When is the limitation?

[02:23:36] It's certain months, right? You didn't say. May 1st to September 30th. And then that's the only restrictions, correct? It's my understanding that it could change depending on the ozone. It could rain tomorrow, camp. I know.

[02:23:52] It's not hard and fast for sure. That's the indication that we have heard. Yeah, so I can't support this motion. Can I just add that the reason the Planning Commission added that language is with energy shortages, Their concern was that a data center would try to rely solely on generators as their power source.

[02:24:14] So that's why they added that language. But from what I understand, the state law requires them to operate the generators at night. And we had changed the zoning ordinance rewrite to operate during the day, which is in violation of state law.

[02:24:30] Am I not correct on that? Sorry? Only during certain times of the year when there's an ozone restriction. The rest of the year, we could have still done it. I think okay all right I have enough questions about this I'm not going to support it just because I'm there's too many unknowns in this in this motion any other comments or questions motions made and seconded all those in favor please say aye all those opposed no that motion will fail 5 1 3 motion number 32 which

[02:25:07] is mine I'm going to withdraw that motion that's the 45 decibels as measured at the receiving property line. I had a conversation with Mr. Levy and Data Center Coalition, and he brought up the point that in the last work session, we increased the setbacks for data centers, and I thought that was a reasonable accommodation, and therefore, I didn't want to fall on my sword over 45 versus current law, which is 55 decibels, the receiving line.

[02:25:33] We increased our setback, and I felt that was probably sufficient, so I will draw this motion. Next motion is number 33, Supervisor Armstrong. yes all right i move motion number 33 this would add text specifically allowing natural vegetation to count in lieu of buffer requirements um so use of natural topography and preservation of existing vegetation supplemented by new vegetation if needed may be substituted if determined by the county urban forester to provide an equivalent density depth and height to the required buffer

[02:26:12] type C in earth and berm this has staff support is there a second oh I'll second for Supervisor glass is a second opening comment on new open any questions comment discussion surprise glass yes I

have a question it it seems like this is similar to the motion that we recently just did yeah it it is

[02:26:49] The motion that we passed earlier is motion number 28, is that right? Yeah. Yeah, motion number 28. First, it's a different section of the ordinance, and second, this one says for this section of the ordinance, if the topography meets the requirements of the tight seat buffer, then you can just use the topography.

[02:27:16] This one says that it's basically the same thing, but it's a different section. I have that right staff it looks like it allows topography to count if it meets the type C requirement it looks like a duplicate to us I think on the motion 28 we didn't include KB but on this one we included KB but KB is what we were talking about before

[02:27:43] in 28 correct all right so this becomes additive if we pass this motion to include KB right yeah you're just restating this okay so we've already passed the first motion this is a simple then If we pass this motion, we add KB and we consolidate the two.

[02:28:06] Any other questions on that? I did have a question. Sorry, I thought it was a different area in the code, but I was reflecting on the last motion that we passed, number 28. Does this assume that the applicant or the data center owns the land that they're claiming that it is the buffer?

[02:28:31] Yes, they have to own it. it can't be like our neighbor has that no okay okay all right thanks okay motions made and Supervisor Armstrong motion is made and seconded all those in favor please say aye aye any opposed Vice Chair Sains is a nay and Supervisor Letourneau is an abstention so that motion will pass 1 2 3 4 1 1 3 motion number 34 that's a staff motion and I will make it I'm gonna read it it's

[02:29:07] short and I'm going to amend it a little bit as I read it and then ask staff if they're okay with the amendment I move to affirm the Planning Commission's revisions that one allow any use permit in the zoning district in a flex building and to codify an existing administrative practice that requires an applicant for each specific use to demonstrate conformance to use specific standards and parking rates at time of zoning permit staff you get that change

[02:29:34] Okay. Yes, we're fine with that. Thank you. Okay. Is there a second? Supervisor Glass seconds? Opening comment. I thought basically what we're saying here is should each specific use within a flex building be subjected to the same performance, use specific standards as the building as a whole? And I think they should. I mean, it's just, it's that simple. I think each use should have to conform to the parking requirements and all the use standards associated with that building.

[02:30:01] Any other questions, concerns? Question. Supervisor. I know we had had a discussion on this topic. There was, I think, concern in the business community that we were not allowing for flexibility of uses.

[02:30:22] Uses come and go within a flex area, and that they felt it was too prescriptive and they weren't going to be able, you know, as an owner of the building to lease out to the next tenant. Do you think you're addressing that concern in this? i i i understand that why that would be a concern and why i mean more difficult to rent out space within a flex building when you've got to apply use specific standards to each use but i think in the interest of of conformity to where the location is it kind of wouldn't make sense to me to say units a c and f don't have to comply with use standards but the rest of the

[02:30:59] units have to comply with use standards that just didn't make any sense so in the interest of conformity. I thought they all would apply. Other comments? Questions? Motion made and seconded. All those in favor, please say aye. Aye. Any opposed? Okay. That motion will pass 5013.

[02:31:24] 5013. Motion 35, Supervisor Armstrong. All right. I move motion number 35 to direct staff to remove the prohibition on outdoor storage between a structure and a road. Staff does not support this motion is there a second motion will fail for lack of a second motion 36 is a staff motion i'll make that uh i move to revise section 4.0702 as outlined in attachment 8 to the september 26th board of supervisors committee of the whole work session supplemental item and now i'm lost

[02:32:03] because it makes a reference to this basically just accepts attachment 8 as a definition of energy storage correct it's actually the fire safety standards that staff worked with the fire marshal on okay all right so we're codifying the fire marshal recommendations for energy storage yes okay is there a second second from supervisor briskman um that sounds like common sense to me i have no other open comments well can i ask a question was that drafted in collaboration with

[02:32:35] the energy storage industry we did talk with the energy storage industry and they were favorable for us to add the fire safety standards particularly if the uses were permitted by right but the fire marshal is recommending they be the minimum standards regardless if it's a by right or special exception okay i just wanted to make sure there wasn't i mean do we have somebody here that could could i you're welcome to come up sure yeah oh okay that's the fire marshal never mind

[02:33:10] yeah i just wanted it well i wanted to ask kind of where we came up with the standards that's all Yeah, they're from the National Fire Protection Association, that's Section 855. And the reason that we decided to go ahead and incorporate them into the zoning ordinance is there are some new standards that are going to be adopted in the next few months.

[02:33:33] And rather than wait for that in order to get something rolling and move forward with allowing this industry in Loudoun County, we just pulled some of the standards, the draft standards, into the zoning ordinance. Motion is made and seconded, and I have no close.

[02:33:51] All those in favor, please say aye. Aye. Any opposed? That motion will pass 603. Motion 37, Supervisor Armstrong. All right. Wait, you've got to turn on your mic. I'm going to make motion 37, which is to align the minimum area for utility scale facility with utility major use.

[02:34:20] Staff is not in support. They note that the minimum project area is half an acre for major utility and 36 and 38 would require a 3-acre minimum project size.

[02:34:39] Motion's made. Is there a second? That motion will fail for lack of a second. Motion 38, Supervisor Armstrong. All right. I move motion 38 to affirm the Planning Commission's recommended minimum three acre project area for energy storage facilities staff believes this motion is not needed as this requirement is already included in the draft zoning ordinance question mr chairman

[02:35:13] is it still in the draft yes it's already in there yes all right okay motion is made is there a second hearing not motion will fail for lack of a second motion 39 surprise arms out all right i move Motion number 39 to affirm the Planning Commission's recommendation that an energy storage facility must not be located within one-third of a mile of a historic resource.

[02:35:44] Staff says, again, this motion is not needed as the requirement is already included. And may I ask, Mr. Chair, is it still included? Yes, that's correct. Is there a second to the motion? Hearing none, that motion will fail for lack of a second.

[02:36:01] Motion 40. Supervisor, I'm sorry. All right. I'm sorry. Sorry, Mr. Chairman. I'm sorry. Can I just ask a question on this one? Sure. What exactly is a historic resource? Ms. Miller's going to look that up, but we have a specific definition in Chapter 12, and it's largely listed or eligible for listing in the National Register, the State Register, or a local county register. So it's very well.

[02:36:34] But why does having an energy, like a battery storage facility near that necessarily disrupt it? Well, in the event of an explosion or a fire, it would obviously destroy the historic resource and the community. And the community is always concerned about, you know, viewshed and proximity to a historic resource as well.

[02:36:55] I'll follow up on this, but could you look specifically at whether the Arcola Quarters for the Enslaved would qualify as a historic resource? Because there's a whole lot of flex that's being proposed near there. It definitely is. It's an historic resource.

[02:37:11] And we would therefore be saying we couldn't do energy storage in that location, which is next to most of the data centers in this area, and I'm not sure it makes sense to prohibit that. So I may want to revisit this topic. Let me clarify that. Let me clarify that. If this motion passes, it's already in the ordinance.

[02:37:28] It can't be within a third of a mile of the zoning line. So with that restriction, can they still apply to build energy storage with the specs? So the commission reduced it to a third of a mile. So that's less than it was before in the draft. And since it's still in Chapter 4, I believe, unless it's – yes, it can be modifiable.

[02:37:46] It is modifiable. It's modifiable. Yes. Okay. We need to – we should – about this one somewhere, though. Okay. Yeah, we can bring it back, but right now we've got a motion on the floor. No, no, no, we haven't voted on it yet. Oh, yeah, okay, I'm sorry.

[02:38:02] Oh, wait a minute. It failed. It failed. It failed because it's not necessary, but we weren't really dealing with the actual issue. It's failed, so for now it's failed, but we can bring back another motion if we want to readdress it in a future session. All right?

[02:38:19] I would just clarify, you would bring it back if you wanted to change it, because it's not necessary because the motion was to do what's already in the draft. So you'd only need to bring it back if you want to do something different. Correct. Correct. The motion failed. The language is already in the draft. So if we want to change the language in the current draft, we would come back with another motion to change current language.

[02:38:39] That's what I meant to say. Thank you. Okay. Motion 40, Supervisor Umstein. All right. I move motion 40. This would direct staff to remove the requirement that a by-right solar facility utility scale in the GI district be located on a parcel with a minimum size of 500 acres.

[02:39:05] Staff notes that these requirements are modifiable by a minor special exception. Staff does not support this motion. Is there a second? Hearing none, that motion will fail for lack of a second motion 41

all right well this is my last one of the night so I'm very sad that I can't keep making them all right I move item motion number 41 on solar facilities on size

[02:39:41] of use I move that the board directs staff to remove the requirement that a special exception solar facility utility scale in the GI and MRH1 districts be located on a lot with a minimum size of 20 acres? And staff does not support this. Motion is made. Is there a second? Hearing none, that motion will fail for lack of a second. Okay. Motion 42 is mine. I move that the board direct staff to remove references to accessory substations by revising section 4.0709C

[02:40:18] and deleting section 4.0709d i'll note that staff does not support this motion allowing accessory substations defined as those substations that are organic to the principal use on the property do i have that definition correct so the substation is organic basically support directly supporting the use on the property yeah we usually use the term dedicated if it's supposed to be i'm going to get into that further in my comments as i'm sure you know and i just want to make sure that Our first reaction was we don't support it.

[02:40:49] I'm sorry. You have to finish the motion first before we... Okay, that's fair enough. That was the reason I got sidetracked. Oh, I was reading, yeah, I was reading it, and I sidetracked myself. So basically, the staff doesn't support this for the reasons of allowing the accessory.

[02:41:05] Is there a second to the motion? Supervisor Letourneau seconds. Okay, opening comments. Here's the reason I brought this up. We've had extensive conversations with Dominion. Dominion does not recognize the concept of dedicated for distributive substation. They don't address, they don't even recognize an accessory substation.

[02:41:24] As far as Dominion is concerned, a substation is a substation. And even though it's used entirely by one data center, at some point in the future, it could become a distributive substation, and it can be, it's just a substation. Dominion does not recognize this distinction. And so what this motion is basically saying is, any substation should be subject to the same requirements as any other substation regardless of what its purpose is because that's how Dominion looks at it so that that's why and and and the there will be a motion right after this one that that talks about setbacks but our feeling is we

[02:42:04] are moving it into an environment now where data centers are expanding all over the county power lines and substations are expanding all over the county and we should start treating substations and treating them in terms of how we deal with them on the county staff exactly the way Dominion deals with them, which is they are a generic resource, a fungible resource.

[02:42:22] They apply everywhere to everybody, and that's how we all look at them in the zoning ordinance. So that's my logic behind this motion. Any other comments or questions? This is Wes Briscoe. Okay, I need to clarify with you what you're getting at here.

[02:42:39] So you want it to be that if there's a substation on data center property that it can be used by other users. no what i'm saying and staff correct me if i'm wrong might be clear right now if it's an accessory substation on a property and it's an integral use of the principal use on that property it does not require a commission permit correct that's correct oh but technically they're never really wholly dedicated dominion can't make that arrangement but they don't require a commission they do not my motion would require them to have a commission permit for any substation that gets

[02:43:17] built well who gives the permits it would go through the planning commission and would come to the board whether we're going to approve that submission permit okay okay i agree okay any other questions or comments all those in favor please say aye aye all those opposed nay that motion will carry five one three uh next motion is again mine uh i move that the board direct staff to revise section 4.0709 e to add a sentence at the end that says quote substations must be set back a minute of 100 feet from adjacent residential parcels, unquote.

[02:43:57] Second by Vice Chair of Sains. I think this is pretty self-explanatory. I don't really have much more to add. Any discussion or questions on the motion? The Vice President? Yes. But didn't we just in our last session make the motion that data centers had to be 200 feet from residential parcels?

[02:44:21] This is a substation, not a data center. I know. But why would we allow a substation that close to residential properties if we won't allow the data center? Because it could be an independent substation. There's substations all over the county that aren't more associated with data centers.

[02:44:37] There's substation on W&OD trails out in the middle of nowhere. What's the requirement now? Does this increase it or decrease it? Pretty sure it increases it. Or just it increases? Yeah, it would increase it.

[02:44:53] Okay, all right. I'll support it. Thank you. Any other? Yeah, Supervisor, I'm sorry. So the concern I have, not just on this, but I think we had another motion, is that you could have a property that had been zoned industrial and could accommodate a substation.

[02:45:12] It could have been zoned that way for 30 years, but no substation's been built. And then you have industrial land adjacent to it that is rezoned for residential. We have a case like that in my district.

[02:45:29] And then you're going to require that the substation that goes on the land that was always zoned for that has to be set back 100 feet from land that was more recently zoned for residential.

[02:45:48] And I just think we're making it more difficult to do business. And I understand the thinking, but I get worried when the industrial use was there and the residential was a later rezoning. Other questions, comments?

[02:46:07] All those in favor, please say aye. Aye. Any opposed? That motion will pass 5-1-3. And I move that we table the following motions, and I will discuss why here in a second. I move that we table, never mind.

[02:46:29] In that case, we are done. Any other closing comments or issues that anyone would like to discuss before we adjourn? Thank you all very much. That went very well. I really appreciate the efforts. And we are adjourned.

