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Loudoun County Board of Supervisors, Transportation and Land Use Committee, Thursday, June 20, 2024

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- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7704

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[00:09:44] good evening everyone um do i have a script here somewhere i hope don't think i do i don't think i do suddenly have a script thank you very much uh thank you all very much i'd like to call to order the june 20th 2024 transportation and land use committee meeting this room has a hearing loop if you need hearing assistance switch your hearing aids to telecoil mode if you need a headset we We have those available as well.

[00:10:16] Please see the clerk to request one. I am going to start with one of the items is going to be, we're going to have a motion to defer the item until the July meeting, and I will entertain a motion to do that. Thank you, Chair.

[00:10:33] I'm moving to defer item number eight, the unpaid roads program, to the July, I believe it's 17th TLEC meeting. I just want to make sure I have the right date. Okay. Motion made by Supervisor Kirshner, seconded by Supervisor Tacroni.

[00:10:51] Can we confirm that July delectate real quick? That's what I have on my calendar, but I know we've moved a few things around, so I just want to, it's on a Wednesday. Is that a Wednesday? Yep. Okay, that should be it. That is the third Wednesday. Yeah, that's it. All right. Okay. Motion made and seconded.

[00:11:07] Opening statement. The only thing I would say, Chair, and thank you for, is that this is, I came to the realization, as did some of the other supervisors here, that this is not quite ready for prime time. The goal really is to make sure we get this right. One month delay is going to make no difference, and we're going to meet with staff, probably VDOT, county administrator in our offices to make sure we fully understand the ramifications of how we proceed on this.

[00:11:34] So I think we'll be in much better shape at that time. Okay, any other questions, comments, closing? All those in favor, please say aye. Aye. Any opposed? That motion will pass 5-0, and that item is deferred.

[00:11:49] I'd like to propose the following items for consent. The item number three, which was on consent, as we've had a supervisor on the committee ask for that to come off consent, so item three is off consent.

[00:12:04] I would like to propose that items four, five, six, four, five, and six go on consent, and without objection, those will be placed on consent.

[00:12:20] I don't think we need a formal vote. Is there any objection to those as a consent items? Oh, I'm sorry. Mr. Amstey. I'm sorry. Thank you, Chair Randall. Just to confirm on your last item, on the record, July 17th is the next TLUC meeting.

[00:12:36] Thank you. Thank you. So without objection, those items number four, number five, and number six are on consent. Any discussion on, let me read those very quickly. Number four is FY 2024 Affordable Dwelling Unit Advisory Board Annual Report.

[00:12:52] Number five is the FY 2024 Housing Advisory Board Annual Report. Number six is the Planning Commission Bylaws Update and Presentation of the 2023 Annual Report. Any other questions or comments on the consent agenda? Hearing none, all those in favor, please say aye.

[00:13:08] Aye. Any opposed? That motion will pass 5-0 for the consent agenda. And for this evening, I would like to ask staff to come to the table. We're going to start with the rural CPAM item, number seven, and we'll begin with that.

[00:13:24] if I could get the staff to come forward. I hope I didn't catch them off guard. I'll bet I did. Chair Turner, for the record, who seconded the consent motion? I don't think we did. Supervisor DeCrony just said she'd second it.

[00:13:41] All right, thank you. Thank you. I apologize. There should not be this kind of administrative cleanup during a meeting, but we're all pretty rushed here today. And here is staff. Excellent. Thank you.

[00:14:03] A few more will be coming. One moment, please. Mr. Galindo, I expected a staff of thousands here. There's a few more. They will be running down the stairs as we speak.

[00:14:20] I apologize. I should have given you a heads up. Oh, eight, seven. Item seven. Rachel, one of you. Oh, Mr. Galindo, doing okay?

[00:14:38] I'm okay. And since we are waiting, let me pick up the third item, which I have neglected during this meeting thus far, and we're not five minutes into the meeting. Please join me. Wait, wait, we can't do that before we do my trivial moment. We can.

[00:14:54] No, we can't. We can't. This is Tealuck. We cannot do that. Two items that were invented and prospered during the Depression, which is pretty interesting, sliced bread. The inventor of sliced bread figured out a bread slicer in the late 20s and was trying to make a go of it.

[00:15:13] And the Depression hit, and he couldn't make a go of it, so Wonder Bread bought his machine. But it had a happy ending because Wonder Bread hired the guy who invented the bread slicer, and that's how the bread slicer came into being. Also, Scotch tape. The tape was invented just prior to the Depression, and during the Depression, one of the friends of the inventor of the Scotch tape asked him how come the tape, when it was originally designed, only had sticky on either side of the tape. The center of the tape was just cellophane. And he said, and this is a pejorative, a cultural pejorative that is not politically

[00:15:48] correct now, but he said, well, he said, why are you being so Scotch? Meaning, why are you being so stingy because that was a cultural pejorative at the time, and that's how it got the name Scotch Tate, so there you have it. Please join me in the Pledge of Allegiance. Thank you. My Pledge of Allegiance. To the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all. Thank you. With that relatively

[00:16:23] rocky start, let's get started. Thank you, Mr. Chair, members of the board, members of the committee. Today, we're here to discuss the Western Loudoun Rural Uses and Standards Project.

[00:16:42] This was discussed by the full board at the March business meeting. It's since been sent here to TLUC for discussion. Primarily, staff is looking from TLUC tonight for further definition on the project scope of the plan. In addition, the stakeholder representation makeup, how that's going to be selected, just further definition on how we are to proceed with this project scope when

[00:17:19] we move forward to the board. Based on the discussion at the last board meeting, staff has brought to you a revised project plan essentially we have changed this the process that we are proposing just to summarize what that new process would be we are proposing that the T luck host for spot for special meetings to discuss this with discuss this project with the stakeholders that would also include to

[00:17:56] planning commission members as part of this input process, we are suggesting that TLUC invite different representatives from different groups of stakeholders, essentially nine stakeholders at each of the three meetings.

[00:18:16] Let me move to this slide. This is a better representation. Essentially three meetings, each meeting involving a different topic. Within that meeting, TLUC would invite nine stakeholders to be essentially topic experts to help the board discuss the project and the issues that are involved.

[00:18:45] We've set aside a fourth meeting in case there are any outstanding issues unresolved. At that meeting, TLUC could invite the relevant stakeholders that are pertinent to that particular issue. Upon completion of the TLUX special meetings, the staff would take the information that was put forth and develop an ordinance language.

[00:19:17] With that ordinance language, we would then go to the Zornian Ordinance Committee, ZOC, for review. ZOC would review the draft language and provide feedback. Staff would then revise the draft text and go forward to the planning commission for work sessions and public hearing.

[00:19:40] Once it was complete at the planning commission, it would move forward to the full board for work sessions and a public hearing. Just to give you a rundown of the specific areas that we're looking to discuss regarding the uses, We've identified in the staff report six specific categories, farm wineries, limited breweries, and limited distilleries, definitions such as farm, rural signage, livery, stables, and outdoor recreation, the mountainside overlay district, and agricultural processing.

[00:20:19] These were the specific items that were identified during the Zohr process by the board that staff was directed to set aside and bring forward under this project.

[00:20:35] Looking at these items, TLUC needs to decide, is this project going to be specific to these particular items? Is there any wiggle room in this as far as the scope goes for additional miscellaneous items? or do we want to ensure that we don't have mission creep and essentially start expanding what we'll be discussing during the process.

[00:21:03] Looking at the actual CPAM proposed, the Comprehensive Plan Amendment, there was a lot of discussion at the board meeting regarding, you know, the extent of the amendments that would be necessary within the rural policy area.

[00:21:20] staff wants to emphasize that we were not expecting any major amendments to rural policy area as part of this project the primary purpose of the amendments would be just to ensure that the plan was aligned with the proposed zoning ordinance amendments in addition if there were any other minor miscellaneous items that needed to be corrected or amended as as part of this process we would do that then there's there's really no time in the schedule

[00:21:54] for and for any major type amendments to the rural policy area as part of this project we would like to further emphasize that density is certainly not something that's on the table we're not looking to change any major policies of the plan regarding the rural area as part of this project looking at the timeline, we've set aside two years for the entire process. The first year being primarily the four TLUC meetings with the stakeholders, as well as staff language, staff developing the

[00:22:33] proposed language and meeting with ZOC. Then the second year being essentially set aside for planning commission and board work sessions and public hearing. Staff is recommending that TLUC forward the project plan regarding the Western Loudoun Rural Uses and Standards Project to the board with a recommendation of approval. We would just like to, you know, emphasize that the makeup of the stakeholder representatives and the project scope are something that are of important

[00:23:08] significance that we would like to at least have the committee discuss tonight. Thank you. Thank you, Mr. Wilson. Before we begin, I want to lay out the procedures, I think, for, and I've discussed this with county staff. I believe this is in my prerogative as the chair, but I'm open to discussion, so if anybody has any objections to this going forward, please let me know.

[00:23:38] The key to a lot of this is the blue chart, the makeup of three stakeholders groups. What I would like to suggest is that I or other TLUC members nominate three people to act as coordinating leads for each of the three groups for the purpose of selecting the members, the invitees for each group for each meeting.

[00:24:05] So the invitees don't have to be the same. They can be three completely different people. can be the same all the way through but the coordinating lead will be responsible for submitting to me and the rest of the teluk which i'll distribute to the rest of the teluk members who the three invitees are for each

meeting as a as a suggestion i've already asked miss beth erickson the head of visit loudon if she would be the coordinating lead for the business tourism track i will leave it up to the agricultural conservation group i think we have some fairly prominent personalities that have been associated with that group during the ZOR process.

[00:24:42] So I'll leave it up to them to nominate a coordinating lead for their group. The one I was scratching my head on was the residential group. And I made a phone call on the way over here and have made a contact with someone who has some suggestions of who that might be.

[00:25:00] But what I've been worried about from the very beginning is that it's easy to seed, I don't know how else to say it parochial people or biased people into the residential group to add count to one of the other two categories and I don't know how to I don't know how to protect against that so what I have recommended here is we will decide TLUC I will recommend to TLUC and TLUC will then decide on a residential coordinating lead and that residential coordinating lead will suggest two or three invitees are to each meeting however what I would like to suggest is that each

[00:25:36] of the other groups, the business tourism group and the agricultural conservation group has up to three preemptory challenges of anybody nominated from the residential group. If they are going to preemptorily challenge, I want to see the names for the groups a month before each meeting. The meetings will be determined. I want to see the three recommended invitees for each group a month before the meeting. And if either of the other two groups are going to preemptorily challenge an invitee in the residential group for an upcoming meeting i want those pre-emptory challenges to be in and reconciled and done by two weeks prior to the meeting so that we have

[00:26:13] a solid three invitees for the residential group i was trying to figure out a way for for to make sure that that group is as impartial as it can be it may never come up there may never be pre-emptory challenges but i would like the other two groups to to say yes we think that those three people on residential group fairly represent the regional residential community as an example i don't think it would be fair to have someone who is next to a winery represent the residential group nor do i think it's fair to have somebody who owns a 300 acre farm to represent the residential group so i don't know the rural west uh as as well as obviously people who live out there so

[00:26:53] this was my attempt to come up with um a way to create the residential group in a fair and unbiased way. With that, I will stop talking and open it up to any comments or suggestions. Chair Randall. Thank you, Mr. Chairman. So I haven't talked to anybody about this yet because I just came up with this ingenious idea in the past couple of hours, but I know exactly how to get the residential group people because I think a preemptory challenge, I understand what you're doing. I understand why, but I also think that that could be, I mean, I think that could be tough.

[00:27:28] I think that Mr. Kirshner, Mr. Crony, and myself, being the three people on this board to represent the West, should each pick three residents for the residential group. If it's going to be nine people, then they can change.

[00:27:45] Mr. Kirshner, Mr. Crony, and myself, we probably would come up with a large pot of different people with different experiences and come here with different thoughts. And it would be, I think, a lot easier than finding someone to choose other people.

[00:28:01] And then those people may get challenged by a group for whatever reason. I think that could, unfortunately, can get dicey. And I do believe that with due respect to the other two people on T-Luck, you and Ms. Glass, I do think that there are three people who actually do represent areas of the West.

[00:28:22] And I think that if the three of us came up with three names apiece, it's an easier way for us to get there. And it assures that no finger is on the scale from either one of the other groups. That's the first thing. My second thing is, I think you've said it already, I don't think that it needs to be the same people.

[00:28:43] No matter what group it is, it could be the same people, different people. You know, if Ms. Erickson and or Mr. Howard were people who found someone for the business and tourism area, then they could choose one person in this meeting and another person in the next meeting or the same person if they thought they had the same qualifications.

[00:29:00] I think we leave that to those groups to do, and we need not jump into the middle of that because why? And thirdly, I will say I totally agree that the entire discussion about density doesn't need to be on the table, especially since we've just completed the PRIMAG farmland soil discussion, which actually answers a lot of the density question issues.

[00:29:22] I don't believe that those are not things that I've – the density discussion are not things that I've heard from constituents that they want to open up or talk about, again, having done just what we've just done.

[00:29:37] So I totally agree that the items that we've discussed before, But we kind of, for the most part, pushed off during the Zohar process are going to be the items to come back. I think we're going to spend forever on signage. That is a huge thing, signage.

[00:29:53] But I do think that the, I think it was six items that we discussed are the ones that make the most sense that came up through Zohar. And it's what we heard from people the most. And I do believe that what we're trying to do is respond to the need and not solve an issue that doesn't exist. So I would agree with that completely.

[00:30:09] Thank you, Mr. Chairman. Thank you, Madam Chair. Mr. Kirshner. Thank you, Mr. Chair. So I'm trying to figure out, we're just talking about kind of the committees, correct? Because I've got a lot of stuff to say, but I want to kind of assign my, in this time. So I kind of like the Chair's idea.

[00:30:27] That is a little bit ingenious. My idea, although I think. He sounds so surprised, doesn't he? Although I think yours may be better. My idea was rather than having a resident spot, what we would do, and maybe we could still do this, But is, you know, open up our portal for a, because remember, when we went through the ZOR process, a lot of folks in the West, you know, were not impacting the West.

[00:30:53] So there was, I think those who are a little more regulatory minded probably weighed in a lot more than those that were in the business. And so I think we're a little bit here starting from a regulatory concept. Just that's my perception of the item.

[00:31:09] But perhaps open that portal back up for people to make a lot of residents to make comments and then allow staff to condense that and then bring those condensed comments from the residents that weighed in during that portal.

[00:31:25] Because, I mean, we could open that up for three months and still not be, quite frankly, to that first meeting. When's the concept of the first meeting that we will have on this? Is it October, staff? We've

got October identified as the first meeting.

[00:31:42] As the first. so that could be July August September that could be three months so that's just the thought process for the community here to think about because again we we're not going to have the same kind of public hearing but that will at least allow I think those folks to potentially weigh in on before we get into those so we have some condensed thoughts um on all sides and because now everybody knows um as far as uh so I do but I do like the chair's idea as well and perhaps we can combine the two um as far as who should be members and maybe I'm going a little far afield what you're

[00:32:15] saying but I do and I brought this up to Mr Turner earlier today I I do think members who will also be looking at this item should probably not come before so for example members of ZOC they you know they can follow the process but actually being at the table during that whole process I think perhaps they they're already going to be reviewing this and and my thought process is I'm sorry ZOC my My apologies. Yes, ZOC.

[00:32:41] I have too many acronyms in this business. That perhaps they should not be at the ZOC members should not be at the table in terms of those that are selected. So I would recommend perhaps we exclude those from those sitting at the table before us as we formulate this process. And the only other thing I would have to say, and I'm in agreement that I think Beth Erickson is a great choice for the business.

[00:33:04] I think she just has a very well-rounded perspective of that side of things in the West. The only other thing is we've kind of lumped the preservationists and the agricultural folks into the same bucket. I think they're actually very different. They have very different thought processes.

[00:33:20] I would just want to make sure that however we approach that, that they are equally or reasonably weighted in terms of their representation to us at this table when we have those discussions in those meetings. Thank you. Supervisor DeGroney.

[00:33:36] Yeah, thank you, Chair Turner. I like the coordinating lead idea, but I'm wondering since we might have two coordinating leads for the business, tourism, you know, it might be, you know, Beth Erickson and someone from the chamber.

[00:33:57] Maybe we have two coordinating leads for the other topic, too, because what Supervisor Kirshner was saying is that Farm Bureau and conservation, we could have two separate coordinating leads that would help fill the spots.

[00:34:18] But I love Chair Randall's idea for the residential, and I don't think we'd need a coordinating lead in that case. I foresee us having to do four meetings with, you know, the unresolved issues. So maybe the three of us, you know, propose four different residents to serve.

[00:34:38] But I don't really like the challenge idea because I think that gets contentious. And I think it's better just to, you know, let the process play out and not make it contentious with a challenge.

[00:34:55] So that's how I look at it. I think the Coordinating League is a great idea, and I love Chair Randall's idea. And I don't think we should be talking about density. We should be sticking to the issues, although I do have a comment about the scope of this.

[00:35:11] But I have heard about density. People are concerned about rural density, but I don't think that should be part of this process. Thank you. Thank you. So let's make some decisions here based on

everything I just heard.

[00:35:28] first I think we're in agreement that the chairs idea for the three of you to determine the invitees for the residential group is a good one so we'll accept that that there's only one coordinating lead in each column so miss Erickson if she's free to get input from the chamber and and that's what the give-and-take is for the coordinating lead to figure out how to do so there's only one coordinating lead the challenge then for the chair Randall Supervisor Kirchner, Supervisor de Caroni group is to determine a coordinating lead.

[00:36:01] I have a good lead for that position. I will share it with you after the meeting if you'd like, but feel free to choose whoever you want, unless the three of you are going to act as the coordinating lead. Is that the intent? Mr. Chairman, we wouldn't need a coordinating lead. We would just, the three of us would just choose three people.

[00:36:18] Okay, that's great. Okay, then that's good. Coordinating lead for the agribusiness and tourism group and for the conservation farm group and the three members of the TELAC committee will act as the combined coordinating lead for the residential group.

[00:36:34] The question on the table is, should ZOC members be excluded from the stakeholders groups? And I will open that for opinion and discussion. Chair Rendell. Well, I had a question. I wasn't quite finished with the last subject.

[00:36:49] I'm sorry. Go ahead. If we can come back to that. Sure. We'll come back. So, are we saying that we, at this moment, we're saying that Beth Erickson, because she is both Visit Loudon and a member of the chamber, is the coordinating lead for that group?

[00:37:08] Are we making that determination right now? Because I just wasn't sure. It's fine either way. I'm just trying to have clarity. And then, did we say a coordinating lead for the preservation conservation group? Because I think we have to do it all at the same time.

[00:37:24] And I'm just, I don't know what, I'm not sure if we did both sides yet. I can answer that if you don't mind, Subraise Kirshner. Sorry, go ahead. I just want to answer that. You're absolutely right. We, the TILU committee, can decide on the coordinating leads, and what I suggest is we take nominations.

[00:37:40] Certainly, I think Ms. Erickson's name is in the hat for the ag business tourism lead, and we'll look at those. If there's other suggestions, we can accept those. What we'll do is reach out. We'll accept, basically, nominations for the coordinating leads from representatives from each of those three groups between now and the July TLEC meeting, and we'll decide who the – we've already decided who the residential coordinating lead is.

[00:38:05] That's the three of you. But we'll make a decision on the coordinating leads for the other two groups at the July meeting to answer your question. Okay? Anything else on – back to the question of should SOC members be allowed to serve on the stakeholders group? My response would be, my first response would be, I would prefer they not, even though there is such expertise on ZOC, it's good to have.

[00:38:33] My second question to that would be, what would we be doing with REDC? Would they be allowed to serve as well for the same questions about ZOC? So, you know, I would say that I want to have the voices that the coordinating leads or that the groups want to have.

[00:38:54] I would hope that they could maybe find different voices and not have the same voices that are on ZOC. But I wouldn't make a prohibition against it. Senator Kirscher. So as far as that's concerned, that was really, I think, what Chair Randall kind of summed it up, was what I was trying to get more voices involved in this process and in more, I guess, diversified viewpoints as a whole, and that's why I wanted to propose that.

[00:39:23] If this, I mean, I'd like to hear what the other committee members have to say about that. If we feel like, hey, that would be our preference as a board, but when that just doesn't work out, then okay, it's all right. I could live with that. But as diversified as we could be, I think that would be the preference, and that would be kind of the direction that we would try to give the coordinators.

[00:39:44] Try to be as diversified because the ZOC members are going to be able to look at, now if they just have the expertise that they're the best person, I get it, that's fine, but perhaps we can give that sort of direction. And if I could just clarify for the TLEC members, the reason this is an issue is because after, and staff, correct me if I'm wrong, after this is all done and the draft comes back, it's going to go to ZOC for review, correct?

[00:40:07] Yes, that's fair. Okay. That's why it's an issue. Because now you're involved in the development process, you go through that whole process, all those meetings, and suddenly it bounces back to ZOC. And people who could have been stakeholders in the argument are now on ZOC reviewing the first final draft.

[00:40:23] So that's why I brought it up. I should have laid that as a framework. So if that changes any of your comments. Mr. Chairman, that does change my comment. That's very helpful. It would change my comment. Okay. Supervisor Kirshner. So the only other thing I would bring up, and I'm just speaking offline with Supervisor Crony, is I guess my concern, I want to make sure we have, I believe ag and conservation and preservation are really two separate categories.

[00:40:56] And I don't know, you know, I'm trying to keep it as simple as possible. I'm not trying to expand this significantly, but I almost feel like we should almost have two coordinators for that simply because they are definitely very different things and they see things very differently.

[00:41:13] And I would hate to be find ourselves in a position where we have a coordinator who is really choosing ag people who are much more, you know, the preservationist side of thing or vice versa. And so I guess my proposal would be to try to split that category a little bit so that we have a little better, as we develop this process, have a lot better representation here in front of us as we develop.

[00:41:39] The other thing I thought would be very helpful is for, and this is on the staff side, because staff's going to be here. As a matter of fact, I'm going to look it up, but there are a couple of folks that may be helpful in a couple of these categories that would not, that would be kind of on the staff side of things.

[00:41:58] I deal on it, especially as we get into the wineries and the noise ordinance and things like that, perhaps a, perhaps Mr. DeLitta or someone from the Western Loudoun Police Department who happens to deal with all these complaints and things that we may be looking at be available for questioning and whatnot on the staff side.

[00:42:19] I also think that perhaps on the staff side, we may want, because a lot of our wineries and our breweries are heavily regulated by ABC, that perhaps someone from ABC for that specific meeting would be able to come in and be available for questions.

[00:42:35] Because, again, I think that they could perhaps lend a lot of help to us. And I don't know if we have anybody within the county, but I think ABC specifically who is aware of the regulations and how our wineries and our breweries are already regulated if we get into some of those topics as well.

[00:42:56] Because I don't think we want to duplicate stuff as we do these tweaks that perhaps are already being duplicated and add additional, I guess, burdensome regulations and whatnot on some of our Western Loud businesses. So those were a couple of other thoughts that I had to kind of add on.

[00:43:13] Okay, thank you. But let me – there's a lot to unpack there. I think I took some notes that caught it all. I want to go back to the ZOC issue. Let's nail that down. Is the consensus of the TELAC committee that if you are on ZOC, you should not be one of the invitees at these meetings since you're going to get to review it anyway?

[00:43:29] I think that's the consensus. That would be my consensus, yes. I would agree with that. Yeah, I mean, I liked what I think Supervisor Kirshner said that, you know, our objective should be diversity, trying to get as many different people involved as we can. but I'm okay with having ZOC members serve if that's the will of the coordinator, you know, that we're having.

[00:43:54] I'm counting 4-1 that ZOC should not serve as an invitee. Am I counting that correctly? Yes, and unless there's a caveat and the coordinator says, hey, this is like the only person, maybe come back to us, but I would agree. All right, I'm going to make it a formal motion so we can lock it down.

[00:44:10] I move that no ZOC members may participate as invitees in any of the four meetings. Is there a second? I'll second that. Chair Reynolds, second. Any opening comment? I think we talked about it. Any other discussions? I'll have a discussion.

[00:44:26] So, you know, whenever a person is a representative on a commission, a committee, a board, one of their jobs is to talk to everybody anyway. And so just because a ZOC member is not one of the appointees doesn't mean the ZOC member cannot talk to whomever is on the board, on the commission, and get their input and get their feedback, because they can.

[00:44:51] And so it's, you know, it doesn't need to be that they are on there unless it's a very rare case in which Mr. Kirsten talked about, and then they'll come back to us. And I just don't see that happening. But I would encourage whomever is the coordinator to reach out to everybody, including ZOC members, and talk to them.

[00:45:12] I would say that. And then I have another comment about the other thing. Supervisor Glass. Thank you, Chair Turner. Well, I was just thinking what Supervisor Tacroni said, if there isn't someone for that position, would you be open to have someone from ZOC, or do you all feel comfortable that you would be able to find persons to take that, you know, to represent?

[00:45:40] My personal feeling is let's handle that situation as it comes up. I mean, none of this is locked down, ironclad, but I'm inclined to agree that ZOC's going to get a bite at the apple after this process is done, so let's not have people double-dip during the invitee process.

[00:45:56] Any other comments or questions on ZOC members not serving as invitees? I have no close. All those in favor of ZOC members not being allowed to serve as invitees in this process say aye. Aye. Any opposed?

[00:46:13] that's a four one uh four uh in support one opposed so uh the tluck recommendation and staff correct me if i'm wrong are we are we dealing directly with you now as tluck in charge of the process for the cpam zone or does our recommendation our 401 vote now have to go to the board for approval it has to go to the board okay so that'll be our recommendation to the board and we can discuss that at the board um i want to address um two things that uh supervisor kirschner brought up really and any any other comments super not on that i was i was i'm ready to bring some new

[00:46:50] things up but go ahead okay uh two things that supervisor kirschner brought up first one is subject matter expert staff we have the latitude to bring in subject matter experts for any of these meetings or any of these discussions if we choose to do that right okay so i think we can address the subject matter expert issue the second one is dividing and having two leads for the agricultural conservation district there's three people in each one of these meetings so you can have a farm person in the meeting you can have a conservation person in the meeting and you can have a third person in the meeting so each of those i'm sorry no no no there's three people

[00:47:26] that are invitees to the meeting so my personal feeling is let's let's stay with what staff recommend is to go with one coordinating lead in each of the columns and the coordinating lead can make pick the makeup of those three people at each one of the meetings to make sure if it's a primarily farm discussion it might be three farm people if it's conservation might be three conservation people or it could be one one and one well and will we know those three folks in advance so that we as a board could discuss it if well my desire was to have the names for each meeting into the TLUC committee a month before the meeting.

[00:48:01] And so then we could discuss it and nix it or make other suggestions if needed. We would end up serving the function of the preemptory challenge that I'd mentioned earlier. We could, TLUC has the authority to say, and correct me if I'm wrong, if TLUC has the authority to determine who the invitees are that serve on the stakeholders group, correct?

[00:48:18] Yes. Yeah. It does, I mean, and that's fine. It does appear to me in that all three, the first three meetings really are dealing largely with agriculture. We have livery, stables, and the second is ag processing, signage for those, and then wineries, breweries, and distilleries.

[00:48:37] So I just want to make sure we have as much representation on the agricultural side as possible. That would be my desire, just simply because I think it's heavily weighted towards those. I think having a conservation preservationist is very important as well, but I just want to make sure. Okay. But again, I think we can take that into account in the process.

[00:48:58] And Supervisor Kirshen, you? I had a statement. a statement on. Okay, go ahead, Chair Randall. So, Mr. Kirshner, I understand what you're saying, and I appreciate it. I think that if we start going down that path, we can have a really big group of people, because I can also take tourism and business and split that in two, and I can just take business alone and split that in two. I can just take wineries and breweries alone and split that in two. I mean, we can go down this road a really long way, and so I think that, I think we have to trust and or help the coordinating leads to make sure that they have diverse voices at different times.

[00:49:38] But I was actually a little more concerned about tourism and business than I was conservation and product. Now, having said that, I don't have the knowledge that you have about these things. I'll say that. But I would say leave it where it's at right now, and then I think this is a breathing document.

[00:49:59] If we need to change things, we can, and if we need to, I mean, I think we can talk to the coordinating leads without being accusatory but kind of try to find out their thinking and why they chose people that they chose. But I also like to have a group that is small enough and tight enough, and I'll say it again, And whenever you're having these moments, the person who's on the committee is supposed to be talking to everybody.

[00:50:28] So they should be talking to bed and breakfasts. They should be talking to wineries. They should be talking to everybody. And so if that's happening, then hopefully those voices will be coming in the room. And if we see that that's not happening, I do think we would have to back up and address it. Thank you, Mr. Chairman. Mr. Chairman, can I respond?

[00:50:45] Sure. And I don't disagree with you, Chair Randall. What I was just the purpose and I'm okay with the process the purpose of my comment was to I guess suggest to whomever the coordinating lead is that just to point that out to my committee members as well kind of how heavily weighted this is to make sure and you know if I were the coordinating lead and I'm not because I'm not king for a day would be to choose in most of these probably two ag folks and one conservationist but that's again will be up to the coordinating lead and ultimately for us to approve can while I have the mic can I make one other suggestion in terms of the PC members that are recommended here?

[00:51:22] - The planning commission. - My understanding that, am I reading this correctly, that there are two PC members that will also be part of the panel? - That's correct, and staff, correct me if I'm wrong, I assume the chair of the planning commission will select those two members, is that correct?

[00:51:41] - Our assumption was that the commission would select the two members, yes. - The planning commission would? - Right. - Okay, and that's fine, my recommendation was, of course, we have three planning commissioners that represent Western Loudoun, that they should get together and decide which two should come to each one.

[00:51:56] But just a thought process. Okay. Supervisor Ducroni. Yeah, thank you, Chair Turner. And I agree with that, that the three Western Loudoun planning commissioners should be, choose among themselves. But the ag and conservation, so I just want to kind of close that.

[00:52:15] I think the idea was that, you know, we would just have two coordinating leads, But I hear what you're saying, have one, and hopefully we can capture all the ag attendees that we need. Because I agree with Supervisor Kirshner, there's a lot of ag in here that needs to be represented.

[00:52:35] So I almost feel like since it's weighted towards ag, that person should probably have the ag experience, if we could, for that coordinating lead. Okay, and my feeling is I fully expect the group, the Agricultural Conservation Group, and I think they know who they are to get together and discuss everything that we've talked about here tonight and decide who their coordinating lead should be.

[00:52:58] Any other comments? I'm about to wrap this up. I think we've got a good direction. I think we left this a little unclear. The Planning Commission discussion is a little unclear, because what Mr. Lindo said is he believes the Planning Commissioner would choose with Mr. Kirsten, Mr. Crony. And what I'm saying is that I believe that the three people who represent Western Loudoun County on the Planning Commission should get together and choose, not the planning commission as a whole.

[00:53:23] So those are two different statements. They are. My response would be I would hate to presume and appropriate authority from the chair of the planning commission. I mean, basically we're telling the

chair of the planning commission you can pick any one of these three people to sit on the council.

[00:53:41] And with due respect, I don't have any trouble doing that at all. And I don't have any trouble doing that at all because I do think that there is a different understanding of Western Loudoun County. And I don't know that a first-term planning commissioner who's lived their entire time in the East really has that understanding of Western Loudoun County.

[00:54:05] And so I wouldn't say it disrespectfully to the chair of the planning commission, but yes, in fact, with much respect to the chair of the planning commission, That is exactly what I would be saying. It needs to be the planning commissioners who represent the West, just like the supervisors who represent the West are going to choose the citizen members for that very same reason.

[00:54:28] And I want to say that as respectful as possible because I have a great deal of respect for her, but I am saying exactly that, to be quite honest. And that's a fair point. I can't argue with that point. Other thoughts?

[00:54:43] Just as clarity, so it's my understanding that both staff and the chair, that the chair of the Planning Commission will determine who will sit on this. I think we're about to decide that because I think what Chair Randall is saying, no, we have the authority to say only the three rural planning commissioners are eligible to be sitting on those meetings.

[00:55:07] And if we feel that way, I need a motion. I will make a motion that the representatives from the Planning Commission will be one of the three representatives who represent rural Loudoun County.

[00:55:27] And I will say that that would be Dale Pullen-Meyers, Mark Miller, or how do you say her beautiful first name? Robin Eve. Robin Eve Jasper. Robin Eve's such a pretty name. Robin Eve Jasper. It is a gorgeous name. That is my motion.

[00:55:42] I'll second that. Discussion? No. I think I've said no. I have a discussion item. So we're counting the at-large planning commission member as a rural planning commissioner because I would submit a friendly amendment, if we are, that there are only two rural planning commissioners, and so let's just determine right now they are the two planning commissioners to sit on this.

[00:56:15] No, sir, with respect, I believe the at-large planning commissioner represents western Loudoun County or rural Loudoun County, just as the at-large chair of the board represents rural Loudoun County. So my statement is that if you represent that area, you should be able to be considered, which is why I've said the three of us would be the people who chose the citizen group members.

[00:56:39] It's because I represent Western Loudoun County, and Ms. Myers represents Western Loudoun County. That would be my rationale. Thank you, sir. Other thoughts? I know Ms. Myers grew up on a farm, so I think she was chair of this board for a long time when we were much more rural.

[00:56:59] So I think she has a really good grasp. So excluding her, I think, would be a big mistake. That's all. Supervisor Carney? Yeah, thank you, Chair Turner. So it's just two, though, right? No, it's two representatives, but it's three that are eligible, and they will decide. Who's going to go to a meeting?

[00:57:14] Someone will decide. Either the chair will, but only those three are eligible to sit in the process. So they'll rotate, right? Okay. Planning Commissioner Combs lives in the West, too. Can we add him in?

[00:57:31] Planning Commissioner Combs does not represent the West. No. This is who represents the Western Loudoun County interest, and I think Mr. Combs is also just one of the best people. He is just fantastic, but he doesn't represent the West. And we are specifically talking about who.

[00:57:50] I mean, you don't live in the West, Mr. Crony. Yeah, exactly. So I think it's more about who represents an area, and Mr. Combs does not. Okay. I see what you're saying. Any other comments? Motion's been made, and who seconded your motion?

[00:58:08] Supervisor Kirshner. Any other discussion? Closing? No, sir. No, thank you. All those in favor? I'm sorry. I'm sorry. Yeah, Supervisor Gladwell. We have Chair Planning Commissioner Frank here, and wanted to know if she had any comments.

[00:58:25] The only thing, obviously, is you were. I'm sorry. Pardon? Yeah, I'm sorry, Chair Frank. You're here. You're at the table. Feel free. Thank you, Supervisor Turner. Now, as you guys have been formulating these ideas, obviously, Mr. Combs and I have been listening, one of the things we did discuss, just to raise a point for you to consider, besides, yes, somebody who's got a strong interest in rural Loudoun is an obvious choice, but perhaps, and there may be one individual that checks both these boxes, but I think there's only one,

[00:59:03] someone that was present last year when we did the ZOR work and knows the many, many, many meetings that we had in context that kind of led us to the recommendation we made to you all to go forward with something like this effort. I'm sure most of us, and myself included, would be happy to try to pass on the knowledge from all of those discussions and experiences.

[00:59:26] It might be helpful, though, if one of those people actually was part of those discussions and experiences, and there's only one, and I would hate to say that that person has to be at all the meetings because it can only be a Western Loudoun person, and then you can't pull in an alternative person with that perspective.

[00:59:44] That's the only other thing we've talked about besides, obviously, a Western Loudoun perspective would be important. So do that with what you like. There's a motion on the table that only the three planning commission members who represent the West should be eligible to sit on one of the meetings.

[01:00:07] And that's been seconded. Any other discussion? All those in favor say aye. Aye. Any opposed? That motion will pass 5-0. Any other thoughts for the rural Sea Pamer Zone?

[01:00:25] Staff, any questions? Have we given you sufficient guidance? We need a motion on the process, yes, but I'm aware that some board members want to talk about the scope as well. That's right. Do we have scope discussions? Thank you.

[01:00:41] Thank you very much. Chair Randall. No, I don't, except for the fact that I agree with what staff has already put forward. I mean, like literally, I wouldn't add, don't take away anything working with the staff has put forward already. I think the scope discussions, I think that we know what people have been concerned about because this is what we talked about during the whole Zora process when we kept saying, you've got to wait, you've got to wait, we've got to wait until we get there, we're not there yet, you've got to wait, and now we're here.

[01:01:08] And so I think we know what we're talking about, and I certainly don't believe density is one of those things. Thank you. Supervisor's question. Thank you, Chair. So in terms of the scope, obviously this is something I think I mentioned when we sent this to TLUC, that I have some ongoing concerns are.

[01:01:26] Obviously the first concern is how we got to this point. A lot of comments were made when we were doing the zoning ordinance rewrite last year and the year before, and a lot of folks really didn't, who we kept saying, listen, we're not doing the rural policy area, really didn't weigh in, and so that's one thing.

[01:01:49] But the one thing that I have realized is my office, and I'm sure Supervisor Tironi as well as chair Randall's office deals with on a regular basis and and i we do are a number of different issues that regularly or have come up sometimes they're one-offs um with zoning problems that are i would say difficult or problematic for our farmers or those are western lawn business i'll give you a perfect example um when we had a farmer and i've shared this with before he had a

[01:02:29] non-conforming use on a garage. Back in the 60s, his uncle subdivided a small lot on the back, and the access road to that small lot went by his little barn shed that he used. And of course, under the subdivision provisions, he could not take that building down and put it back up because it was a non-conforming use, even though he was putting it into an area. That is a perfect example of something that we should address here.

[01:02:57] So my question, I guess, to staff is I have probably my office anyway has a list of a number of different probably small fixes that could potentially come before this committee and get addressed through this process. How would be the best way to get the get these into the discussion?

[01:03:20] Because I don't obviously I think what I have seen in staff's comments is that we're we this this is about fixes this is not about opening up this is not about density this is um and and i'm a little concerned with the broadness for example when we just say you know wineries and breweries but i did see a list of you know restaurants wedding outdoor lighting music hours operation etc but if we want to add like these small fixes to this that we are aware of how do you envision that we go about doing that i would recommend adding those now because depending on the number that would get added, we may need more meetings than the four we have.

[01:03:57] So if we can pre-plan that ahead of time, knowing we'll need a fifth or however many. Knowing now helps us with staffing levels, workloads, putting out the word, et cetera. And the things I'm talking about are not major, but perhaps should be addressed. I'm not going to, I don't have a list.

[01:04:14] I don't have a cover list for you right now. So I don't think I could provide that to you now. I think it would probably not be a good use of amount of time, but I would like to provide those sorts of things. basically what I would call fixes to the zoning awareness to help. So I'm out of time. Supervisor Kern. Yeah, thank you, Chair Turner. And I would agree, I have overall tweaks to various rural uses. So I noticed that in your slide, you just list the one, two, three, four, five, six items in the scope. But I would agree with Supervisor Kirshner, there are tweaks that need

[01:04:52] to have happen like parking requirements um i have uh something in the little river district they're they're doing cricket and they have a huge parking requirement for that um to just do an outdoor field without lights so i think we could tweak some of this stuff um i also would like tenant housing and farm housing to be looked at and food service so that um establishments could uh serve farm to table you

know could have these farm to table restaurants um and also looking at kind of the use of food trucks um yeah and then um obviously i think performance standards

[01:05:30] are going to be part of it right for all uses yes that's going to still even though it wasn't listed well so our perception our intent right now is that it would be standards for what we have listed it would not delve into other uses that are not mentioned anywhere in this obviously we're willing we're happy to do whatever the board and do you like recommend that's why we'd like to know now kind of what y'all are thinking of so we can see how much work that might be yeah i think i think performance standards um need to be looked at across rural uses again because we're going to

[01:06:04] be tweaking some rural uses um so i think i think we should be looking at performance standards like for event centers for instance like event facilities um so i i just i just think that But, yeah, we do need to expand the scope beyond just the five areas that you have listed.

[01:06:28] You finished, Supervisor DeCrony, because I can wrap that up. Yeah. So let me ask staff. I don't want to do this on the fly. It sounds like Supervisor Kirshner and Supervisor DeCrony have some scope additions that they'd like to make. Would it set our timeline back if we approved this tonight with the caveat that the TELUC can bring additional scope items to you prior to the July meeting for final approval in July?

[01:06:54] Or has that set us back too far? I mean, if we would be making additions to the scope, I would recommend that we take all of that to the board at the same time for one action by the board. Okay. Since we had already thought the potential that TLUC would be on this twice anyway.

[01:07:11] That's why it would be going to the board in September after the August break with the first TLUC being October. So if we can have final action in July, it should not set us back. Okay. I don't know that there's a benefit to approving part of it tonight and then another part of it in July. Just wait on a final vote, on the final motion until July, and then ask Supervisor Kirshner and Supervisor Crony to provide a list to the TLEC members and to staff between now and the July meeting of additional items you'd like to consider.

[01:07:40] Are we okay with that? Yeah, and so are we sending it to the full board tonight for adoption, and then we vote it on the full board, or are we waiting until – okay, I see everyone. We're going to wait until July for a final vote, correct? For a TLEC vote. For a TLEC vote, sorry. Yes, final TLEC vote.

[01:07:56] Okay, we're good with that? Everybody understand? Point of clarification. So we've taken votes tonight already on this item. I'm going to make the assumption that the votes we've taken already do not have to be reaffirmed at the next meeting, at the T-Luck meeting, that this final vote will be taken.

[01:08:14] But all the votes we've taken tonight are going to stand. And when we do the final vote, those votes that we've taken tonight will roll into the final vote because we've already taken those. And I'm not going to put those votes on the agenda, on the full agenda, until this final vote is taken so all of it goes together.

[01:08:33] Okay? Yes? Everybody fine with that? Okay. Mr. Crowbeth, you agree with that process? Well, thank you, Mr. Chairman. We were just discussing the timing of that feedback and the process for publishing the staff report for the TLUC meeting.

[01:08:55] I'm sorry, the business meeting. The business meeting would be on July 16th. That means that agenda would be published on July 11th, which means the staff needs to have that item finished and in the review process by July 4th, which is next week, one week from today.

[01:09:16] Okay. It doesn't leave a lot of time. All right, then I've got a point of clarification here. My understanding was that if we wait, if we wait until the July TELUC meeting for all the additions, we assume all the motions made tonight carry over to the July meeting.

[01:09:32] We don't make the motion tonight that's in the package for this item. Supervisor Kirshner and Tacroni submit the additional items for scope. We talk about those in July, and then we take a final vote in July for referral to the board in September, correct?

[01:09:51] Yes, but there would still be an item for TELUC in July. So it would still be the same kind of timing that Mr. Krobus is talking about. I'm losing something here because the ELAC meeting in July is after the board meeting in July. So the board meeting in July is not even part of the project.

[01:10:07] But that's what I'm saying. So the timing for putting the staff report together to come back to this committee, it's the same timeline. Okay. So we can do that, take the final vote in July, refer to the board, and it comes before the board in September. Yes. We just need to ensure that we get the feedback that we're talking about in July soon so that we can build it into the item that presents.

[01:10:27] Right, and that's on Supervisor Kirshner to Crony to get that to you as soon as possible. Are we okay? Okay. With that, we're not going to take a vote, so I think the item is complete. Everybody has their marching orders, I believe, correct? You guys good to go?

[01:10:44] Yeah, let's go. Okay. Staff, any other thing that you need from us? Okay. Thank you very much. I appreciate the presentation. I know this is hard work, and you guys have done yeoman's work on it, so we really appreciate it. Next up is my dog and pony show.

[01:10:59] If I could ask my chief of staff to come up to the slide presentation, slideshow.

[01:11:27] Mr. Reiser, and we're very fortunate to have Mr. Reiser here tonight, please come forward. Mr. Reiser knows any and all things about data centers, and having him at the table is a tremendous resource. And I'm sure there are some things in this presentation that Mr. Reiser disagrees with and vice versa.

[01:11:44] So feel free. Without objection, I'd like to enter a committee of the whole, including Supervisor Briskman, who's joined us for the presentation here, if that's all right. Any objection? Hearing none, we are now in a committee of the whole, so speak freely until this is done, 7 o'clock.

[01:12:04] Rachel, let me know when we're ready to go here. Well, I don't see any slide presentation. Well, I don't.

[01:12:21] There it is. No, that's not it. Where is it? Yes, it is. Very good. Thank you very much. all right well let me give a preface as to where we are and why I asked to do this I've distributed the background paper that backs up the slides buddy we can get you one we have some extras if you want you've got you already have it okay if you need a copy please email me after the meeting and I'm more than happy to send you a copy it's also in the item you can print it out from that just some brief comments about the Genesis and the direction that's going to go because there's some controversial information in here that that is going to raise some

[01:12:59] eyebrows, I suspect. Last November, I was asked by the Virginia Association of Counties to do a presentation on data centers in Loudoun County. And so I threw together some slides based on how we got here and where we go from here. And what was interesting was when I threw the slides together and I looked at them and reviewed them for three or four days before the meeting, I realized I don't know where to go from here. And the presentation then ended on the three red arrow slide, which you'll see here in a second. Since then, I have done much more extensive research over the past seven months and have come forward with what I think are some reasonable

[01:13:37] fact-based approaches that we can choose to take or not choose to take as board members and members of the Loudoun County Board of Supervisors on behalf of our constituents. So that's what this is. And the title of the paper is a strategy for new paradigm. And when I first started the slide presentation and then writing the paper, it was on just the first level was with the power constraints that we're facing in Loudoun County, we have to think of a different way to get power to our data center community because we are a unique data center community in the world.

[01:14:16] But as the paper developed and over the course of the last month, there's a second layer of a strategy for a new paradigm, and it's a paradigm in how we collectively in Loudoun County approach the problem. And so the purpose of this presentation is to establish a basis, a foundation of facts that all of us can go forward and make informed decisions about.

[01:14:38] We may not always disagree, but I think it's absolutely crucial, and I think we have a real opportunity here if we can begin to function data centers and utility companies and our constituents on the board of supervisors as recognizing we have a collective challenge that we collectively have to address and collaboratively has to address.

[01:14:58] I think we're going to be in much better stead than we are if we view each other as competitors in this process. So that's really where this briefing ended up going. It's a new paradigm for delivery of power to our data centers, but it's also a new paradigm in how we address the problem collectively as citizens of Loudoun County.

[01:15:17] Next slide. So let's talk about how we got to where we are. And this is just a general timeline, and Buddy, feel free to jump in if I've missed anything up. In 1993, we had an update of the 1972 zoning ordinance, so there was no mention of data centers of any kind.

[01:15:34] In the latter half of the 90s, the private companies began to form the Metro Area Exchange East, which was established in Loudoun County. AO headquarters began to lay massive amounts of fiber in Data Center Alley. ARPA was involved, the Advanced Research Project Agency of the Department of Defense, and that's really what created eastern Loudoun County as the mecca for data.

[01:16:00] In 2000, the zoning administrator made a ruling that data centers are viewed as similar as office parks in the revised 1993 zoning ordinance. Office parks at the time were a hot trend. Everybody thought office parks was the way to go, and so that ruling really became kind of a critical ruling.

[01:16:22] Hang on one second here. I want to try and get this presentation in front of me.

[01:16:37] Okay, great. In 2001, the general plan, which is land use, was updated. That's the portion of, I don't think it was called a comprehensive plan back then, but the general plan is the land use portion of the comprehensive plan. In 2003, the revised 93 plan aligned with the general plan.

[01:16:55] That was the first mention of data centers in the revised 93 zoning ordinance. 2008, Loudon Economic Development under Mr. Reiser initiated a marketing strategy to actively recruit data centers on land designated for data centers. So the intent was we've got a whole lot of land here that makes a whole lot of sense for data centers.

[01:17:12] Let's invite and recruit data centers to occupy that land. In 2014, the zoning ordinance, there was a zoning ordinance amendment that was the first time it addressed data center site setback in sound. In 2019, the comprehensive plan was updated.

[01:17:29] In 2022, in May or August, this committee held a series of three meetings about data center growth and how we could create a comprehensive plan amendment and zoning ordinance amendment to begin to manage that growth more effectively. At the same time, about that same time, Dominion announced the establishment of the wishing star Mars 500 kilovolt line.

[01:17:53] More about that in a minute. In 2022, in July, right as the TLUC meetings were ongoing or just ending, PJM, PJM stands for Pennsylvania, New Jersey, and Maryland, but it really represents 11 states in the northeast it is the power delivery the power infrastructure the power grid authority decision-making body it's a regional transmission organization is what that stands for it's an rto pgm informed dominion head has underestimated its power need and dominion constrains the data center alley until new lines in 2027

[01:18:31] In 2023, Dominion announced a new 500-230 kV line, kilovolt line along Route 7 in Loudoun County. And then in 2023, in December, just this past December, the revised 93, the zoning ordinance was revised and aligning with the comprehensive plan.

[01:18:51] So we had a four-year gap there where the plan and the zoning ordinance didn't align. We also, Supervisor Brisk and I, introduced two motions at the tail end of the zoning ordinance rewrite, whereby research and development parks would require special exception approval if you were going to build a data center, and I introduced a motion that office parks would require a special exception if you were going to build a data center. In 2023, also at that time, PJM accepted a Next Era proposal, that's a company, to build a 500 kV line as part of the Mid-Atlantic Resiliency Link through western Loudoun County, and we know the significant public resistance to that effort.

[01:19:30] And in 2024, just recently, in April, Loudoun County Board of Supervisors denied a 2.9 million square foot, 300 megawatt data center and finally agreed to the by-right size of that campus of 1.3 million square feet and about 100 megawatts for that campus.

[01:19:47] More on that in just a second. Next slide. There are benefits to data centers. In FY25, we should receive an estimated \$895 million dollars in data center real and personal property tax revenue with a projected operating budget for the county of 940 million dollars we have the lowest real property tax rate in northern virginia which is about 25 percent lower than our neighbors and you'll see some numbers after mine is not showing up but this has got it fixed those are footnotes so there's an end notes here if you

[01:20:23] want to refer to where the data came from a data this is recent data that i just pulled up a data center costs the county about four cents for every dollar of tax revenue it brings into the county. Most businesses cost about 25 cents for every dollar of revenue they bring into the county.

[01:20:40] Homes are about even if you assume the capital intensity factor appropriately captures the infrastructure costs for the county. Data centers put few cars on the road and they put few kids in schools.

Next slide. We have some challenges. We know they are. They're experiencing explosive of sector growth. This creates a voracious appetite for land and a willingness to pay top dollar. We've seen this on the board. If you own a piece of land that accepts a data center, you're going to pay two to three million dollars, and I think that price has probably gone up since then. If it will not take a data center, it's probably two to three hundred thousand dollars an acre. Zoning permits them in the eastern part of the county. They're concentrated in Ashburn

[01:21:18] around data center alley with its fiber optic foundation. Understand that the reason the fiber optic is so important is because of latency, the speed with which data moves from point A to point B. With artificial intelligence, latency is not as critical a variable as it has been prior to AI.

[01:21:38] So that will be coming into play here as we move into the future. In addition to data center growth, at the same time we have this data center growth, we have more than doubled our population in the last 20 years, mostly in the east, and coupled together, our data centers and our residential land uses are now bumping up next to each other quite frequently. A new trend that we have seen is data centers buying lands with existing office parks on them, tearing down for the purpose of tearing down the office parks to build data centers. And that leads to the three red arrows slide. And this is where the presentation ended up until about three or four months ago. So we've

[01:22:15] got three converging, codependent, conflicting trends that we have to deal with. Whether we like it or not, we have to deal with it. Number one, the demand for data is going to increase exponentially. More data centers, denser racks within existing data centers, and that all leads to the second arrow, a demand for energy, which is also going to increase exponentially. It will be reduced somewhat as we improve efficiencies. Power utilization efficiency is how the data centers measure power in versus data out. And that PUE number is going down organically because

[01:22:52] it's a competitive market measurement of how effective the data center is. And so that number is coming down. So that's somewhat offset, it acts as an offset by increasing efficiency. However, with the increased demand for data leading to an increased demand for energy, which equals transmission lines, and that results in essentially a delay in decarbonization of the industry because there's so much pressure to produce more power, and that leads to exponentially increasing community resistance. Pressure on those of us as elected officials to curtail

[01:23:28] growth, impose stricter performance standards, and stop power lines or face election consequences. Next slide. This is an illustration of the exponential demand in power center data demand. there's not been a single day in the last 14 years where data center was not under some form of construction in Loudoun County that's a great stat buddy I think that's your stat I cannot find it anywhere but it's such a cool stat I left it in there I couldn't find a footnote for it I think the current number is at 65% of the world's daily email traffic now passes through Loudoun

[01:24:03] County we have 181 data centers in 30 square miles which is more than anywhere on earth, and I want to say that again, there is nowhere on planet earth that has the density of data centers that we have in eastern Loudoun County. The problems that we are experiencing are unlike any other community on earth that they're experiencing. We have the, Northern Virginia is three times more than the second biggest market in the United States.

[01:24:36] The growth in permitted data center floor space is shown there, and in the slide that you have in the package there, you'll see that from 2018 to 2023, there was a 244 percent increase in the square

footage for data centers in Loudoun County. Next slide. And that led to an increase in power demand. This is a history of the power demand in Loudoun County and the actual power usage.

[01:25:03] Where I say on their chart interpolation, we found a chart, a PJM chart of actual Dominion power usage in Loudoun County, and you have to interpolate on the chart what the actual power used was. So it's a chart interpolation, but it's pretty close. So we went from 2018, one gigawatt of power, that's 1,000 megawatts, 1,000 megawatts in 2018 to 2023 which was actually a forecast but a 2022 actual usage of 2.8 gigawatts and PJM

[01:25:36] estimated or Dominion estimated the power usage in 2023 of 3.4 gigawatts. That's 3,400 megawatts by Loudoun County. That's a 340 percent increase in five years of power demanded by the data center community in eastern Loudoun County. If you assume just a straight linear progression over the next five years of another 340 percent increase, eastern Loudoun County will meet 11.56

[01:26:07] gigawatts of power by 2028 in five years. That's 11,560 megawatts of power in eastern Loudoun in five years, assuming a linear progression. But we don't have a linear progression. We're not even close to a linear progression anymore. We have an exponential progression. The average data rack, a data rack is the computing rack that slides into the racks in a data center. The average data rack right now consumes about 10 to 14 kilowatts per power per rack. The estimates that I could

[01:26:44] dig out in actual formal articles estimated that that data rack consumption, power consumption, will jump to between 40 and 60 percent within just the next few years because of artificial intelligence. A six-fold increase in that 3.4 kilowatts used in 2023 equals 20.4 to 27.2 gigawatts of energy required by Loudoun County by 2028 with artificial intelligence. Again, a six-fold increase would equal a requirement for 27.2 gigawatts in five years in eastern Loudoun County.

[01:27:21] This is an actual set of PJM slides. Next slide, please. This is an actual set of PJM slides that were sent out in July of 2022 when they established the constrained area. And there are some quotes on here that are interesting, and I'll explain why in just a second. Very high concentrated, low growth violations. A violation is when your grid, I'm a layman explaining this, but a violation is when your grid is not sufficiently resilient to be able to prevent serious problems on the grid

[01:27:57] providing power to everybody. That's a violation if you infringe on that resiliency margin that you're allowed to have. Reliability violations are observed in 2024, continue in 2025, even with supplemental upgrades and into 2027. Now, this statement was made in 2022, two years ago. Now, I'm sure Dominion Energy has been scrambling to upgrade their infrastructure in order to address those violations. But there are no new power lines. There are no new power lines bringing

[01:28:32] new power into Loudoun County since that statement was made two years ago. So all of those violations of our grid still exist today. Next slide. It's an assessment about data center alley.

[01:28:50] After the supplemental and baseline upgrades in the planned area are completed in 24 and 25, There are still remaining violations that require immediate transmission reinforcement. These needs are driven by the load in the Dulles Airport area. There is an immediate need to address remaining reliability violations anticipated in 2025.

[01:29:11] Again, nothing substantive has changed to these slides. And here's why I put it in yellow. Dominion has an obligation to serve load, and there is a high risk of load loss without additional immediate transmission reinforcement in the area.

[01:29:27] That was two years ago. Next slide. So here's an inventory of where we are right now for power in Loudoun County. Again, Dominion Energy is required by law to provide power to all customers. A transmission line requires 100 to 150 feet of easement on either side of the line.

[01:29:44] I really had to dig for this, but a 500-kilovolt line can deliver, it's distant dependent. It can deliver between 1 and 1.5 gigawatts of electricity. So a 230 kV line, about a little bit less than half as big, can deliver about 500 megawatts.

[01:30:08] And again, it's distant dependent. Our current transmission line is bringing power into Loudoun County. And there's a little interactive map. You can go through the interactive map. You can look at all the lines. Our current transmission line is bringing power into Loudoun County. There's one 500 kV line from the north, that's 1.5 gigawatts delivered, and two 230 kV lines for another one gigawatt total coming in from the north.

[01:30:32] From the south, we have two 500 kV lines, that's three gigawatts, and two 230 lines, that's one gigawatt. If you add all that up, we have 6.5 gigawatts of power coming into Loudoun County, but it's not getting to Data Center Alley, hence the constrained area.

[01:30:50] That's coming in on a north-south main trunk line through Loudoun County, roughly down Route 15. It's a little east of that. But they weren't getting that power to Data Center Alley. That's when they identified the constrained area, and they said, we need to create a loop off the north-south line.

[01:31:06] So you'll have the Aspirin-Golden line in the north with a 500-230 combination. Again, that's roughly 1.5 plus 500 megawatts, so about 2 gigawatts looping through the north. and another 500-230 line in the Wishing Star-Mars line looping in from the south.

[01:31:25] Then they have to connect Golden to Mars to close the loop in the third piece, which will also be a 500-230 combination. But again, that whole loop only delivers existing Loudoun County power to Data Center Alley. That's what its purpose is. Sorry, hang on one second. I lost my place.

[01:31:47] So what are the planned new lines? These lines won't be built until 2027 at the earliest, probably 2028. What are the new lines? The Mid-Atlantic Resiliency Link is a single 500 kV line. That'll bring in another 1.5 gigawatts into the county.

[01:32:04] And there's a new Morrisville Wishing Star line coming in from the south. That'll be a 500 kV line. And that's another 1.5 gigawatts. That gets us to 9.5 gigawatts of available power by 2027. Anybody remember the number from the straight line five-year extrapolation of 340% growth?

[01:32:23] 11.56 gigawatts. So even with the two new lines not completed until 2028, we're still going to be short of the power we're going to need with just a straight line growth, and we know it's not going to grow a straight line. It's going to grow exponentially because of artificial intelligence.

[01:32:40] Next slide. And here's an illustrative of the impact of AI. So if you remember, I mentioned earlier, in April 2024, the board denied the major data center campus that was 4.9 million square feet originally, and they estimated a 600 megawatt load.

[01:32:57] And let me pause here for just a second. there's a difference, there's a delta between the nameplate load, I'll call it the nameplate load because that's the terminology that they use in the solar industry. So if a data center builds a data center, they have to go to Dominion Energy and say, I need X megawatts of power. I need to sign up for X megawatts of power. And Dominion says, fine, because they're

required by law to deliver that power. This 4.9 million square foot campus asks for an electric service agreement of 600 megawatts. That's 4.9 million square feet and 600 megawatts. Two weeks ago, I had a conversation

[01:33:34] with a very big data center, the biggest, I think, here in Loudoun County. They are currently building a campus that is 800,000 square feet, and their electric service agreement is one gigawatt of power. That means that data center campus will be 84 percent smaller than the one we denied in April, and yet it's going to require 67 percent more power, even though it's 80 percent smaller campus. Next slide. Anytime you talk about data centers, someone will say, what about solar power?

[01:34:06] I put this slide together just as an illustrator. 10 acres of solar panels will create about 1 megawatt of electricity. Each panel is about 23% efficient. In example number one, let's assume the nameplate rated load of a data center is 100 megawatts. That's what they've asked Dominion to provide. The average data center then for a 100 megawatt data center, the average data center would require 1,000 acres of solar panels.

[01:34:32] We have 181 data centers in Loudoun County. Assuming the average load is 100 megawatts, we would require 181,000 acres of solar panels to power those data centers at that rate of 100 megawatts. Now, we know they're not using 100 megawatts.

[01:34:48] We know we used 3.4 gigawatts in 2023, and we have 181 data centers. Well, 181 divided by 3.4 gigawatts divided by 181 data centers works out to an average data center load of about 18.8 megawatts per data center.

[01:35:04] That seems way low for a data center. But what you have is a huge deviation about the mean between a hyperscale data center and a co-location data center. Co-location data centers rent data racks. They rent that space, and their power demands are much, much lower.

[01:35:22] Hyperscalers are one or two owners, and they have massive power needs. But the average across all 181 data centers right now is only 18.8 megawatts per data center. But here's where we talk about the difference, the delta. The nameplate may say 100 megawatts.

[01:35:37] And even though they're only using 18.8 with AI, they are now going to start to consume all of that extra rated capacity that they have basically bought from Dominion. And they're going to start to use up all of their nameplate capacity and probably more. Next slide. So what about wind?

[01:35:56] Massachusetts just announced a great wind farm, the Vineyard Wind Project in Massachusetts. 62 wind turbines off the coast of Martha's Vineyard. It'll generate 806 megawatts of electricity. That's enough to power 400,000 homes and 10 of our 181 data centers.

[01:36:14] The point of this is solar and wind is not a practical solution for the data centers in Loudoun County. We have to think somewhere bigger than that. So the current assessment, this is my opinion. This is Mike Turner's opinion. It's not the board's opinion, it's just mine. The Loudoun County power grid is oversubscribed and it is likely to get worse.

[01:36:34] PJM Dominion's planned infrastructure build-up will not keep up with demand. Halting new data center construction will slow but not solve our problem, and I would maintain at this point it probably won't even appreciably slow it. Rapid increase in power demand for data center alley will slow

decommissioning of fossil fuel plants and development of green power options throughout the PJM service area.

[01:36:57] You'll see in the footnotes, the endnotes, and in the white paper, I quote several articles that say the massive demand for power, particularly in Loudoun County, is causing PJM and Dominion to have to seriously consider delaying or stopping the decommissioning of fossil fuel power plants.

[01:37:16] And the reason that's critical, just look outside. I mean, look at the news. Go home and look at the news. Global temperatures were up 1.3 degrees centigrade last year. 1.5 is the tipping point. There are six major global tipping points.

[01:37:32] Three of them are the Labrador Currents, the West Antarctic Ice Shelf, and the Greenland Ice Shelf. They hit their tipping points at 1.5 degrees centigrade. I suspect we will probably hit 1.5 degrees centigrade either this year or next year. The most recent UN report says not only are we unlikely to hit our targets of no more than 1.5 degrees centigrade, according to the Paris Accords, we are backing up.

[01:37:56] We are getting further away as we slow our decommissioning of our carbon production. Community resistance obviously is growing greater to power infrastructure and expansion.

[01:38:12] We've seen the various community groups that have formed around the Route 7 power lines and the western power lines. Solar and wind are not viable solutions. And I personally believe, and this is my opinion and this is very controversial, The 135-year-old paradigm that we have assumed is a solid paradigm in the United States and worldwide of energy delivered by massive power plants transmitted over hundreds of miles of transmission lines to end-use consumers is no longer a viable paradigm, certainly not in eastern Loudoun County with the concentration of data centers that we have.

[01:38:44] It will not work. That is my opinion, but I don't believe it will work. So what do we do? There's some short-term things we could do. Next slide, Rachel. PGM and Dominion. There's some actions. First, they can reconductor all the new lines they're building in Loudoun County. I have said this to Dominion on multiple calls. They've just had public input for their integrated resource plan, and I said, guys, you've got to build these lines anyway. Advanced reconductor them. What you see on the picture there is the all-steel cable in the center with the rounded aluminum cables around it with the space between the aluminum cables.

[01:39:21] That's an existing conductor line. The advanced reconductors on the right, the center is a carbon core that's much, much lighter than the steel and therefore can carry a whole lot more on the same structure. And then you'll see that the aluminum conductors around the core, the carbon core, are tetrahedron shaped and they fit perfectly so there's no open space.

[01:39:44] A reconductor, advanced reconductor line can conduct about twice the energy as an existing line. if we have to build the lines anyway why in the world are we not going to advance reconductor those lines that's something we can do right away i put the second bullet down there i don't think it's practical for loudon county but it is a thought high voltage dc lines which require a transformer on one end and a transformer on the other end which takes up some space but high voltage dc lines can transmit much more power they can be buried much easier because you don't have energy bleed off like you do with alternating current and really important they

[01:40:19] are much more conducive to other sustainable carbon net zero energy sources hooking into them anywhere along the line much easier than with ac the problem is they really only work over very

long distances they're out west they exist out west i don't know if there's any applicability applicability in loudoun county but it's certainly something worth looking at next slide so the new paradigm for Loudoun County data centers this is this is again Mike Turner's opinion we need to develop on-site carbon net zero power production through micro grids micro grids to me is the only way forward it's a new data center

[01:40:56] paradigm data centers need to be thinking about it into folding it into their organic plan to build their data center existing data centers need to be thinking about how can we establish a micro grid to power existing data centers Interesting, I uncovered a U. S.

[01:41:22] Department of Defense change recently to Title 10, which is where the Department of Defense went out to all the military services, and it's in the footnotes, this is an exact quote, but it directs all military services to look at all of their critical military facilities and come up with a plan to develop on-site, sustainable carbon net zero power. because the vulnerability of that military facility being hooked to the overhead power grid is too high going forward.

[01:41:43] So what can the Board of Supervisors do? And this is where – let me just define a microgrid. Go to the next slide, Rich. This is – one of the objectives of this briefing is to just start a conversation about a different way of doing business here in Loudoun County.

[01:42:00] And microgrids have to be on the table for discussion. So what's a microgrid? Functional definition, it's an on-site power source. It's an on-site power need. It's a backup system usually, and it's a regional grid connection. So you have a request for power. You have a delivery of power, which can be one or multiple sources. You have a backup system, depending on what sources are delivering the power. And then you have a microgrid that connects you to the regional transmission grid. So that when the grid is, when you don't need the power, you can upload that power into the regional grid and stabilize the regional grid.

[01:42:39] Possible power sources. These are all the possible power sources in a microgrid. There's basically four. Some form of gas, natural gas. It can be natural. It can be renewable through biomass methane capture, in which case it's fully sustainable. It can be a mobile delivery system.

[01:42:57] There's a company that I talk to that delivers liquefied natural gas by truck and can set up a stream of trucks to be able to continually do that. So gas is one opportunity. Gas is a fossil fuel, so we have not gotten off fossil fuel, but it does burn a heck of a lot cleaner than a diesel generator. So if we did nothing more in one of our early steps but replace our 4,000 diesel generators with some form of gas, we would go a long step towards reducing the carbon footprint in Loudoun

[01:43:29] County. Backup generators can be powered by gas and renewables use biomass methane. We already talked about that. There is a problem with the gas infrastructure. Do we have enough gas infrastructure if all of our data centers started going over to gas backup? I don't know. That's a challenge we have to face, but that's a question that has to be asked. Battery energy storage systems exist today. We've had some discussions on the board about those. They can replace diesel engines as a backup. And they can be primary source of energy, but really they're an independent

[01:44:05] source of energy, but usually considered to be backup. Micro and small nuclear reactors. And I don't have on this slide, I did not add to this slide. Rach, it's not on the next slide, is it? I don't think it is. No, it's not. Back up. One sec. Thanks. I had hydrogen fuel cells on this slide as one of the fourth sources of power. And I didn't include it here because everything I'd heard was that hydrogen fuel cells are off in the

future, that they're years away. And yesterday, I had a conversation with a company that has already produced 180 functioning hydrogen fuel

[01:44:43] cells. They advertised that a fuel cell combination can deliver 50 megawatts on 10 acres of land. Is it? I think that's right. I think that's right. It might be a little bit more than that. No, I'm sorry, 20 megawatts on 10 acres of land.

[01:45:03] They are up and they are functioning. This company has 180 fuel cells currently operating somewhere in the United States. So they do function. That is a practical, current, viable source of energy. And then the last one is micro or small modular nuclear reactors. The definition with the industry is 0 to 20 megawatts is a micro reactor.

[01:45:23] 20 to 100 megawatts is a small modular reactor. and anything above that is a large nuclear power plant. There are a number of benefits to these. There's 70 or 75 different variations of a small modular reactor. There are a number that are currently active.

[01:45:40] I have spoken to one company extensively. They are a sodium-cooled, liquid-sodium-cooled small modular reactor that works off depleted uranium. So all the uranium waste that we have in the United States could be fuel for this reactor.

[01:45:57] They also work on a special kind of uranium that comes from Africa. They can generate 50 megawatts of power on the first three acres and 50 megawatts of power for every acre and a half after that. So you can generate 300 megawatts on 10 acres of land with this nuclear reactor.

[01:46:19] It's not a light water reactor. There is no emergency planning zone in case there's a meltdown. This company, it's a breeder reactor. This type of technology has been in existence for over 30 years. Idaho National Labs deliberately pulled the cooling rods out of the reactor to see if they can get the reactor to overheat and scram.

[01:46:39] They could not get it to do that because the physical reaction simply shut itself down. There's no moving mechanical parts. There's no human involvement. That's just one of the options. But I think this is probably the first time any elected official has mentioned nuclear in Loudoun County, and maybe the last time. I'm free to acknowledge that. But there you have it. Facts is facts.

[01:47:00] Next slide. So let's start by saying what then are the ideal data center characteristics of a new data center in Loudoun County? Microgrid on-site power production. Carbon net zero power would be the ideal. A lead gold standard building. Power usage efficiency or whatever industry metric they come up with a 1.15 or less. That means only a 15% loss of energy between what comes in the front door goes out the back door. Hot and cold out containment, in-rack, in-row cooling, submerged data racks. There's already several companies in the county that are starting to

[01:47:34] submerge the racks. And waste heat reuse systems. I think the way to do this is to address new data centers and existing data centers. In new data centers, I think we need to really seriously think about very rigid performance standards requiring microgrids for new data centers.

[01:47:55] And I think we can create very, very beneficial tax incentives for existing data centers to cause them to retrofit and begin to institute microgrids for the tax benefits that they could get. Next slide. And I think that's all I have. We're in a committee of holes.

[01:48:11] So if anybody has any questions, feel free to ask. Well, I don't know if I have questions. I'm a little overwhelmed and a little petrified. And I'm going to say this one time.

[01:48:27] I'm never going to say this again. Even though I'm saying that on camera, I may deny that I say it later. You were really smart. That was very, very impressive. And you've been talking about this white paper for a long time, to the point where sometimes I'm like, please stop talking to me about this white paper.

[01:48:51] But my gosh, it is clearly well-researched and well-done. I have a couple of questions. If you went back to page 15, you talk about how solar, and I listened to you very closely, you said solar or wind is not the answer, and you told why.

[01:49:11] Is solar and wind part of the answer versus not the answer? In other words, I don't know that there is an one answer. I think that to some degree, there's a cobbling together of what answers will be um you know i you know i i i do think the one thing i would say is like the data centers have done quite a bit of other things in the county as far as just meeting community needs

[01:49:46] and helping the community needs but i do i also think that you're um this is not and i think this should be said that i did not see this as a as a you know either either praising or damning data centers either praising our damning dominion or any power grid i think this is just trying to give the facts but then after the facts it becomes now what do we do because we can't hear this and do nothing and i don't know that the what we do is a thing is solar part of the discussion sure

[01:50:20] is wind part of the discussion sure is saying and this is in for loud and county is saying no part of the discussion yes it has to be to some degree because we just there's no other there's no other options um i do hope that and i believe i will say i hope and believe that the data center community and and in fact dcc themselves want to have this discussion and figure out these things as well um i also think that you're right the community pushback is going to be really really

[01:50:55] big for obvious reasons, and we have to respect that, too. And so, you know, maybe, you know, I think that if there are answers, they are multilayered and varied, and if nothing else, you've given us tonight, you've presented the problem to be solved the challenge to be met was given that given to us tonight and if if anyone was to look at your footnotes you clearly researched this well you clearly did a lot of work on this you and

[01:51:34] rachel and we clearly have almost kind of marching orders i say that to a military man a little bit of marching orders of how to figure this out and figure it out very very quickly so i appreciate all the work. I might have more questions later. This is the first time the board is seeing this. We got it uploaded on our document for the first time anyone's gone through it, so it's hard to formulate questions right now, but it won't be the last time. I also think, you know, this is in very many ways a publishable document. Oh, the last thing

[01:52:10] I will say is that the article Energy Demands for Northern Virginia Data Centers is almost too big to compute, an article that came out June 18, 2024, between that and the JLARC study from the state, both the article and the study enforces a lot of what you're saying here. And so you already have different people, individuals, people who have knowledge in this field who are saying the same thing that you were saying. So if anyone is questioning this. There's other sources out there. And now the question is, you know, now the answer is

[01:52:49] together, how do we face the challenge? I really do appreciate what you've done here, though. It's pretty impressive. Thank you, Madam Chair. Supervisor. Thank you, and thank you for the presentation. I learned a lot, and some of which I had some knowledge of, but certainly far broader, and I agree with the Chair that you did an excellent job, and I really appreciate it. I do kind of have some follow-up thoughts and maybe comments that you could help clarify for me, potentially. So

[01:53:17] So one of the things that you kind of said during your presentation was even putting a stop on data development probably because of AI will have a negligible difference on the power needs because of that. And it's kind of one of the things I began to realize over the last couple months because of the incredible.

[01:53:35] So basically what I understand in layman's terms, you're saying there is the 180 data centers that we have, they're all replacing chips with their AI chips. And it's just going to exponentially increase the power requirements. that are coming in. So, obviously, that is an ongoing issue. And are you aware, and because of this, I would assume, and I know you went to the conference in D.C. with the National Coalition of Data Centers, I'm assuming they have obviously recognized this incredible power issue. And so, what, can you kind of give us some idea of what the data center industry is looking at? Is some

[01:54:15] of what you've presented, kind of their thought processes, how far off are we? Are they applicable to Loudoun? Is it really realistic that we could potentially get microgrids in the next 10 years or five years at all? Could you maybe give your thoughts on that? I expected huge pushback from the data center community. I don't know why I did. I mean, this is some fairly major changes that I'm talking about here, and I expected major pushback. And I have to say, I've talked to the two of the largest data center companies in Loudoun County and a major data center developer on the phone

[01:54:49] the other day. And the feedback I'm getting is this is exactly correct. Are they doing anything about it? They recognize it. Well, and this, one of the points that I was going to make is- But is there incentive for them to do it? The county does not have the resources other than a business tax incentive, and that's got budget implications if we do a tax incentive. But the county doesn't have the resources. This industry has the resources to figure out how to do this differently. And everything is being talked about. Microgrids are the talk of the town in the data center world. They said at the data center conference, I think Rach and I were both in the

[01:55:25] same meeting, they said, we used to say when we moved to a community, what's the latency rate? We don't say that anymore. We say, where's the power coming from? So it's true everywhere. It's just especially true here in Loudoun County. And it's my understanding from talking to a number of people in the industry too, that the distinctive strategic advantage that we have here in Loudoun County in terms of latency rate is largely going away. Big reason people build here is now as much as because it's kind of like you want to be in Loudoun County. That's where you want to be as a data center. But one thing you mentioned at the end, which was really interesting, and I wish her county attorney was here, but can we even require performance standards for microgrids? Is that

[01:56:03] even something that we can, that I would assume if Dominion is required, and if I can finish my question, I'm assuming even if, because Dominion or whomever the power source is, is required to provide, that how can we as a county, and maybe this is something that needs to be changed at state level since we're doing rural state, how could we even require as a performance standard microgrids? Is that something we have the power to do now, or do we know that answer? Well, I'll answer, there's really two

questions there. Number one is, do we have the power, I think the specific question is, do we have a power to deny an application because of power? And I think the

[01:56:38] answer to that, I've talked with the county attorney, is by any standard of current law, we don't. And I don't want to misspeak, but I think that's true, because the power company is required by law to tell the data center, we will provide you with power. So we can't then say, you don't have enough power, and so we're going to deny that application.

[01:56:58] So what do we do as a board of supervisors, when I think the evidence is pretty compelling that our grid is oversubscribed, and our grid affects all of us. It affects residential consumers, not just in their rates, but in the availability of sufficient electricity at some point in the future. So do we have an obligation as a board to say we've got to plow new legal ground here? We know our grid is oversubscribed. And we know that the Dominion Energy must by law tell each individual data center, we have enough power for

[01:57:30] you to provide. And so I don't know what the answer is. I really don't. But how do you say yes to an application that's going to more subscribe and oversubscribe grid? I don't know the answer to that question you had a second part there and i lost it do we have the right or ability as in our as zoning to set those sort of performance is that something we've run through the county attorney because that's very interesting i i believe we do but but i've talked to the county attorney i believe we do but again that's that's one tool we're gonna have to look at thank

[01:58:08] you supervisor yeah thank you uh chair turner and i i think it's excellent i think i told you i loved the white paper. I thought it was very, very good. So I'm concerned because it'll take 12 to 18 months to implement the CPAMZOM that we're doing. And I'm really concerned about the buy right data centers that we have going in residential communities where they don't belong and implementing this strategy before it's too late. I mean, that's my concern. Do you know when JLARC is going to come out with that study? I don't, and let me hazard a guess that JLARC is

[01:58:47] looking at data centers from a Commonwealth of Virginia perspective, and one of the points I'm trying to make in this presentation is the Commonwealth of Virginia perspective is not the Loudoun County perspective. They're radically different, and we're encountering things that the JLARC study is just not going to look at, although I don't know what JLARC is looking at, so maybe.

[01:59:08] I do question. I mean, I wonder if we could deny applications based on the power lines impacting our neighborhoods, like based on the fact that this may increase outages in our neighborhoods.

[01:59:26] So I'm just wondering if that might be a legal way to go about denying applications. I don't know. We'll have to address that. But let me give you a counter argument. What do we do if a data center comes to us and says, we're not going to attach to the power grid? We've developed a microgrid, and we are going to be 100% independent on power, and it's going to be 75% carbon net zero.

[01:59:50] Do we deny that application? That's an amazing, revolutionary change in Loudoun County to lead the way. I don't know. I don't know what that answer is, but it's the flip side of the coin. My thoughts are, I think we're oversaturated in data centers.

[02:00:06] We have 181 and 40 million square feet, so I feel we're oversaturated. I think my focus would be more incentivizing existing data centers to become green. And how do we do that?

[02:00:21] Do we do it through state incentives? Because I know the state gives incentives right now to data centers, or do we do it locally? But one question I have for Buddy, are we fast-tracking any applications for data centers right now? We do fast-track any application that meets with the board's place types.

[02:00:42] Okay, so I have a concern about that. Given this presentation, I don't think we should be fast-tracking any data center applications. I'm just going to throw that out there to the group. Okay. Supervisor Burstmann, comments, thoughts, questions?

[02:00:58] Oh, I'm sorry. Supervisor Glass. I didn't see your line up. Thank you, Chair Turner. So, and I don't know if this may be a question for staff. So do we know how the zoning ordinance amendment, making all data centers a special exception, how is that progressing?

[02:01:16] My understanding is for office parks and for research and development parks, that's now in. That's in the zoning ordinance. And the special exception for all data centers and all place types is part of phase one of the zoning ordinance rewrite.

[02:01:32] And I want to say that's, staff, what's the time? I think you mean the ZOAM CPAM. It's phase one of the ZOAM CPAM? Yeah, it's phase one. And I think that timeline is six months. The planning and zoning staff is scheduled to bring an update on the item that Supervisor Brisson mentioned in July.

[02:01:52] In July? Excellent. Oh, nice. Good. And I would also like to find out how easy would it be for Loudoun to switch to the DC current in our electrical lines when you're talking about replacing the steel core lines with carbon or aluminum.

[02:02:10] So it's a discussion with Dominion, but again, they are really appropriate for very, very long distances. So if you're running a line 600 miles, that's appropriate. I just don't know if they have an application in Loudoun County, and that would be something for Dominion to have to talk about.

[02:02:27] Thank you. Supervisor Briskman. Thank you, and thank you for including me this evening. Thank you for putting all this in one place, because I know we have discussions here and there about different things, but this is a really good way to kind of put everything in one place. Some comments, maybe a couple questions.

[02:02:45] I will dicker with you a little bit that community resistance started in 2022 because I was hearing about it on the doors in 2019 and 2018. And also Prince William's strong resistance started in 2021 because they were looking at Loudoun County. And I also think this is an approach as Chair Randall was saying.

[02:03:07] It's and we need to maybe start denying data centers more regularly and you know wind and solar i one one of the ways that maybe i was misreading it but one of the things i started thinking was well the solar doesn't all have to be in loudon county for us to accomplish this and if we did have 10 data centers powered by wind in loudon county i'd be pretty happy about that if we could say 10 or 20 of our data centers were exclusively powered by wind i'm okay with that so i think you're going to put the 62 turbines they don't have to be here they don't have to be here they have to be on the grid somewhere but they don't have to be here

[02:03:43] They can be lots of places. So I think that's maybe one thing in our paradigm that we need to realize that the turbines and the solar doesn't have to be here. Maybe some of the battery storage is here,

but those things don't have to be here. I'd like to see a map of the constrained area.

[02:03:58] I don't know if we've ever seen it before. It's got to be somewhere, but I couldn't think of it in my head when I was reading the paper. I love reconductoring. I think that, Did I say that correctly? I think that's an awesome idea. I love it. But we can't make Dominion do it, right? That's going to have to be, maybe we put that in our legislative agenda, that we ask, that we ask that, you know, our legislators to, you know, put in a bill that requires Dominion to study reconductoring and figure out which lines they could actually reconnector.

[02:04:21] Maybe it helps us, maybe somewhat, maybe it helps the state in general. But I think that'd be a great thing for our legislative agenda. One of my questions on microgrids, would those require more land than a substation?

[02:04:43] So then I run into the issue of we're going to take up more land then. If we require data centers that are new to put in microgrids, it's more acreage, which makes me a little eh. Well, if a substation is 10 acres, and I think that's about right.

[02:05:00] I don't know. If a substation is 10 acres, one of the nuclear reactor companies I talked to can deliver 300 megawatts on 10 acres. Okay. So that's a pretty good option. Okay, okay, great. The performance standards on microgrid, as I think Supervisor Kirshner was talking about, again, I don't know that we can have that performance standard because the way you wrote it, We would have to know that the grid is already oversubscribed, and we're not really even allowed to know that in the application.

[02:05:34] And again, I think that's something we put in our legislative agenda, and we ask our delegates and senators from Loudoun County, hey, we really want to be able to consider these things in land use applications. Can you help us fix the law so that we can do that? You know, county attorney's office helped us use a very unique finding for denial before, And it didn't get to get tested because of the reconsideration.

[02:05:59] But I would like to see us ask our delegates and senators for that. As far as performance standards, Buddy was kind enough to invite me to the Green Buildings Initiative day-long seminar last week where we talked about basically certifications and standards through the Green Building Initiative.

[02:06:18] And you mentioned LEED and all that in sort of things that we could do. But they have something called Green Globes certification, and they have Journey to Net Zero certifications. I would love to see us incorporate that. I think we could maybe legally incorporate that into our performance standards and incentivize for the existing data centers.

[02:06:38] I had the same question as Mr. Kirshner. Can we legally incentivize existing data centers with a lower tax rate while we have the other ones that aren't energy efficient at the higher tax rate? I don't know that we can do that, but I'm willing to look into it.

[02:06:54] Any way to incentivize them to get greener. And then also under the challenges you mentioned, the CPAM-ZoAM will take 12 to 18 months. I assume you're talking about the existing one, not doing a second one. Correct.

[02:07:09] Okay, okay, okay, great. And I think those are all our questions. I have a couple I can ask you offline, which, you know, if I wasn't reading this, like, at lunchtime today, I might have. But anyway, but yeah, I oh, I know what one of them is. What do you mean by closed loop when you're talking about the

closed loop? The closed loop is you've got a north south line in Loudoun County that delivers power to the county. You got data center alley over here.

[02:07:39] And up until now, they they're not getting most of the power that's coming through these lines out to here. OK, this is a constrained area. So they've created a closed loop with three legs on that attaches like a horseshoe to the north-south line. Wishing star Mars on the bottom, Aspen golden on the top, and what's going to be golden to Mars down through Data Center Alley.

[02:08:01] So that loop then will deliver this power to Data Center Alley. Oh, so they're really only pulling it off of one? Correct. Wow. Correct. Wow. And this is 6.5 gigawatts. Okay, okay. And we're using, we used in 2023, it's a forecast, but in 2022 they estimated we were using 3.4 gigawatts in Loudoun County.

[02:08:20] So we have 6.5 available. We're using 3.4. And they have requirements that they have to be resilient. So you can't just use it all up. You've got to have some slop in there for eventualities. Okay. And the reason you were predicting that we'll need another 20 gigawatts.

[02:08:39] It depends on which scenario it plays. Okay. AI is probably going to increase power requirement from existing data centers four to six fold. Okay. Okay. So it's, and the original 11.5 gigawatts was just the same 340% increase over the next five years that we've had in the previous five years.

[02:08:59] And I don't think it's a straight line. I think reasonably conservatively, it's going to be an exponent. So that's how? That's 11.56 gigawatts. So you've got 6.5 right now, and they need 11.56. Even if you build new lines, all the new lines, it's all going to add up to 9.5. Now, maybe Dominion has other information that I haven't been able to present here.

[02:09:20] But the interactive map is pretty clear which lines are where. And I would love to just, if Buddy has any thoughts. That was my next stop. Yeah, on the white paper. Mr. Reiser has been very patient, and please feel free to wax philosophic. First of all, I admire you for taking a data-driven approach to this.

[02:09:40] There's so much emotion in this conversation, so not worrying about assessing blame is, I personally appreciate that, as somebody who gets a lot of the blame. Um, I, and I agree with all of your data. I, I, I don't always agree with all of your conclusions, as you know, but you've been very collaborative with me and I do appreciate that. Um, I, I do want to say that, um, you know, as you know, I first started talking about energy problems in 2017, um, because we did see this as coming. Um, I, I believe that the future is going to be with

[02:10:19] microgrids for data centers. I don't know how applicable that will be here in Loudoun County, but as you know, I did an entire panel called Bring Your Own Power, because I believe that that's the way to go. I have been spending a great deal of time working with the industry on these issues. In fact, I've been invited to tour NIL in Idaho in July, which I'm very excited about um i i believe that the industry is working incredibly hard to find solutions because um i

[02:10:52] mean if for no other reason this is their business and if they don't have power and if they don't come up with their own solutions um and and assuming or hoping that the grid or the power companies will come up with those solutions it's just bad business uh so i do think even though today they are the world's largest purchaser of renewables. They recognize that they have to control their own destiny. So I think they are putting billions of dollars into that.

[02:11:23] I am very supportive, as you know, of the idea of incentivizing, you know, the greening of the grid. And I do believe in the Green Globes concept in the journey to net zero. I think that that what they're doing at GBI is even more applicable today than LEED Gold is because it's more targeted, more specific.

[02:11:49] But generally, I think that we all recognize that this is something that we have to work on together and that the industry, I think, will be a willing and proactive partner in this. Thank you very much, Mr. Wright, and thank you for your leadership on this.

[02:12:05] You really have been, we're really incredibly fortunate to have you, and I really do appreciate your inputs on this. At the Data Center World Conference, everybody was genuflecting to Buddy worldwide. I mean, it was pretty impressive.

[02:12:23] Everybody knew Buddy Reiser. If you're talking data centers, you mention Buddy's name. Everybody knows who you're talking about. So thank you very much for your expertise and your inputs. Appreciate it. Any other comments? What are you going to do with this, Neil? I have no idea.

[02:12:38] I had no idea. It may land with a resounding thud, and that's just fine. I really got the bit in my teeth to say, let's dig up all the factual information that we can find on this subject because we're data center mecca for planet Earth, and we ought to at least have the facts.

[02:12:58] Whatever we decide, we need to base it on informative. I have a feeling you're going to get a lot of groups and individuals and elected leaders calling you for this presentation. That's fine. I appreciate it. I did want to add, I did make a list, and I'm not sure if I covered all of them, but these were the things that I thought we could talk to our legislative counterparts about.

[02:13:20] Requiring reconductoring, allowing us to consider power and land use decisions, and also allowing microgrids at all. I think that might also be a state thing. Very good. Can I add one more? Yeah, sure. Also retroactive, you know, allowing like a five-year retroactive on the microgrid.

[02:13:41] So in other words, no grandfathering. So with bi-rights. So I'd like to see some of that as well, like see what kind of options we have given the load constraints and given kind of the crisis we're in right now. So, yeah, thank you. I think that's it.

[02:13:59] We have, do we have one more item? Are we done? We have a lot more. Oh, we have one more item. One more? One more. Just number three. know you have everything else is on consent here Turner I'm item number two which is an information item and an item number three which is an action yes it is very good let's break for dinner for 15 minutes and come back that right so

[02:14:32] back in your seats at 7:25 please thank you we are out of just for the record

[02:38:49] without objection we are now out of the committee of the whole and back in a regular format any objections thank you very much uh mr hall welcome and team welcome and uh you you guys have the floor thank you chair turner and madam chair randall and members of the committee and board uh we are before you this evening to present our third quarter uh update to the unmet housing needs strategic plan i just want to emphasize that it's the third quarter so the data we're going to provide only goes through march 31st and we will be back with you in the upcoming

[02:39:25] months to provide the year-end and so we have to present this evening our housing policy administrator Brandi Collins and our housing initiatives project manager Christine Hillock welcome thank you thank you mr. Hall good evening chair Turner and members of the committee as mr. Hall said my

name is Christine Hillock and I'm the housing initiatives project manager with DHCD tonight I am pleased to provide the third quarter fiscal year 24 report on implementation of the unmet housing needs strategic plan this is the ninth update to TLUC regarding the plan which was approved by the board in September

[02:40:02] of 2021 as mr. Hall said this report covers the period from January 1st through March 31st 2024 attachment 1 to tonight's item includes progress updates for each of the plans 121 key actions in the short term and intermediate term timeframe or the first three years of the plan and reporting on the 12 key actions in the long-term or fourth and fifth year time frame will begin next fiscal year.

[02:40:27] The next five slides highlight 10 significant plan-related actions that were taken during the third quarter of fiscal year 2024. First, on January 16th, the board approved a contract with Loudon Cares for \$5.75 million in American Rescue Plan Act funds to implement a rental assistance program, which launched on May 15th of 2024. Also on January 16th, the board adopted the calendar year 2024 payment standards and utility allowances for the Housing Choice Voucher Program.

[02:40:58] Adjustments to the standards and allowances will decrease the rent burden for current HCVA participants and assist new households coming off our waitlist with finding suitable housing. Next on February 14th the board allocated \$645,000 in unobligated community development block grant funds to rehabilitate the public restrooms here on the first floor of the government center to comply with the americans with disabilities act also on february 14th the board approved a ground lease option or ground lease to convey the county-owned old arcola school property for the

[02:41:37] purpose of developing attainable housing on the site next on february 20th the board approved loans through the affordable multi-family housing loan program for two new attainable rental developments commonwealth lofts which is planned to provide 94 attainable rental units was approved for a 7.57 million dollar loan and old arcola school apartments which is planned to provide 73 attainable units was approved for a two million dollar loan also on february 20th the board approved over 210 thousand dollars in grants through the community development block grant

[02:42:14] program to five non-profit organizations for public service projects benefiting loudon households earning up to 80 percent of the area median income next on march 1st dhcd opened a targeted waitlist for the foster youth to independence initiative which will offer rental vouchers for youth between the ages of 18 to 24 who have left foster care or will soon leave foster care and are homeless or at risk of becoming homeless the us department of housing and urban development has now allocated funding to loudon for the first eight fyi vouchers and dhcd has submitted a request for

[02:42:50] funding for nine additional fyi vouchers next on march 5th the department of planning and zoning presented to the board a project plan for the 2024 five-year review comprehensive plan amendment of the 2019 general plan. TLEC received an overview of the project plan from DPZ on April 20th, and the board subsequently approved the plan on June 4th. The plan includes integration of several unmet housing needs strategic plan related issues. Next, on March 19th, the board directed staff to prepare a phased implementation of the 2023 capital intensity factors, which will now be

[02:43:30] differentiated based upon proffered square footage of housing units, with the goal of incentivizing the production of smaller and more affordable units. The CIFs and phase-in plan were subsequently adopted by the board on April 18th. And finally, on March 23rd, DHCD staff participated in the 14th Annual Northern Virginia Housing Expo through workshops, panel discussions, and hosting an

information table. Over 400 people attended the expo. A full list of DHCD's outreach efforts during the third quarter is included on pages seven and eight of your item

[02:44:03] tonight. Within the Unmet Housing Needs Strategic Plan, annual attainable goals are defined as any housing for sale or rent entering the marketplace each year affordable to households with incomes at or below 100% of the area median income. 100% of AMI for a family of four in Loudoun County as April 1st, 2024 is \$154,700. The plan sets a goal that 20% or approximately 8,200 of forecasted new homes by 2040, as projected based on land use policies in the 2019 comprehensive plan, will be

[02:44:41] attainable housing. In addition, the plan sets a goal to preserve or create access to approximately 7,800 units for a total of 16,000 attainable units by 2040. This slide shows the number of new units added and units added through access or preservation for the third quarter of fiscal year 24. During the third quarter, 168 access and preservation opportunities were provided and 69 new attainable units were added to the supply. Three quarters of the way through fiscal year 24, the county has achieved approximately three quarters of its goal for overall attainable

[02:45:21] units, pacing ahead of goal for access and preservation but behind for new units. During third quarter, new attainable housing opportunities were provided through the ADU, or Affordable Dwelling Unit, Purchase Program, and new leases at three new low-income housing tax credit properties, namely the View at Broadlands, Waxpool Apartments, and the Woods at West Park.

[02:45:42] Access to or preservation of attainable rental units was provided through a variety of programs, with the largest numbers served through the Housing Choice Voucher Program, which had 60 lease-ups in third quarter, and the Loudon Cares Eviction Prevention Program, which served 72 households in the third quarter. Access to or preservation of attainable home ownership units was provided through 180U resale, 10 loans through the Virginia Housing Sponsoring Partnerships and Revitalizing Communities program, which offers reduced interest rates for home loans, and one home rehabilitation program completed through the Home Accessibility and Repair program.

[02:46:20] This slide provides a summary of four attainable housing projects which were open within the past six months, along with the number of units leased at each community through the end of third quarter. As a reminder, units are not counted in the plan's new unit goal until they are leased, not when certificates of occupancy are issued or any earlier in the development process.

[02:46:42] There are 253 units still to be leased at these communities, and if the majority of these are leased soon, we expect that we will be close to or will exceed our annual goal of 350 new attainable units. And finally, this slide provides a summary of attainable housing projects, which are currently in development these projects are expected to deliver an additional 477 attainable units over the next two to three years included on this list are commonwealth lofts and old arcola school apartments apartments which i mentioned earlier are the two projects which were

[02:47:14] approved for the affordable multi-family housing loan program this year and with that staff is happy to answer any questions you may have thank you very much we appreciate it that's very comprehensive any questions surprise thank you chair Turner and thank you for the presentation I was looking at through the implementation matrix update and there were there were some things that said activity not started and there

[02:47:51] were a number of them will this like have us to fall behind on the plan of what we're trying to do regarding to attainable housing? For this fiscal year, it will not because we are anticipating to actually exceed this year's goals of the 500.

[02:48:17] We have an additional 253, I believe, units that should lease between April 1st and June 30th at a minimum that will put us 150 over the 500 count. For the items that have not started, we're looking at how to strategize for next fiscal year to be able to start a lot of those so that they are in completion sooner rather than later so that we can steadily gain the momentum of our 500 number.

[02:48:49] Because in a couple of years, that 500 is going to go to 1,000. And so we want to make sure that we're ready to meet that number. Okay, that's great. But we will meet it. That's great to hear that you're above the number of units that you're looking at. Thank you. Supervisor Cronin.

[02:49:07] Yeah, thank you. Oh, I'm sorry. Let's go with Chair Randall. Chair Randall, yeah. Chair Randall. Thank you. Well, first of all, thank you for the update. I really appreciate it. So I have questions, but I don't know if you all saw the COG numbers that came out for housing.

[02:49:23] I'm sure you saw those. I don't know what it feels like we're running really, really. We're doing all that we can. and still losing ground, and I don't know what to do about that because when I look at the numbers here, clearly we're putting things in place and we're doing things, but our homeless numbers have gone up, our homeless youth numbers have gone up, our homeless families' numbers have gone up.

[02:49:50] The numbers are not getting better, even with all the work we're doing, and so I'm perplexed, and I'm sure the only people more frustrated is you all than I am. On page five, we talked about the Foster to Independence FYI initiative.

[02:50:08] So when these young people get the vouchers, that's great. Where are they moving? What actual hard structure homes are they taking on those vouchers to to live? This program is new for us in Loudoun.

[02:50:24] So we launched it March 1st. And by March 10th, we had 17 referrals from the Department of Family Services. This is a special purpose voucher. HUD started this right at the onset of the pandemic, and so they allow some of the housing agencies to apply directly.

[02:50:43] We can receive up to 25 foster youth vouchers per federal fiscal year. So within the last three months, we had 17 apply. We submitted eight out of those 17 because they had complete applications to HUD.

[02:51:00] They have recently given us the funding. So those eight youth are just now searching. So they will search. So they take the vouchers, and then the eight youth go search for some place to live? Yes, in collaboration with Department of Family Services.

[02:51:17] Somebody's helping them. Because, you know, listen, you take an 18-year-old who's just coming out of, you know, just aging out of foster care, a 24-year-old even, just aging out of foster care. You give them this voucher, and then you tell them, go find some place to live. I mean, that's just a lot, right?

[02:51:33] Yes. So you're saying that they have a case manager or somebody helping them to find some place to live. And in the interim, where are they? So they do have a caseworker with the Department of Family Services in the foster care division.

[02:51:49] So they do have an advocate working with them in order to locate a unit. Once they do find a unit, they would also be assigned a housing counselor with our department in the housing choice voucher. In the meantime, they are either still with their foster families or they are receiving assistance either living in a hotel or other short-term housing.

[02:52:12] Okay. Mr. Turner, will there be a second round of questions? You will. Okay, thank you. Vice Chair, Dr. Crony. Yeah, thank you, Chair Turner, and thank you for this presentation. So I found it interesting. The EDA provided some significant loans for two projects.

[02:52:29] I'm wondering, I mean, I know it was brought up when we talked about our strategic retreat about a housing authority. How might that look with the EDA? Like, how might, because I'm looking at how much, it's \$17 million and \$24 million in loans.

[02:52:45] So, Chair Turner, if I could answer that. Yeah. So, we're not prepared to talk about a housing authority as part of this item. Some of the information that we have coming from the county attorney's office is it does not appear that our EDA has the authority to act as a housing authority.

[02:53:02] Okay. However, within Virginia, the board would have the ability to contract with any existing housing authority in the Commonwealth to serve as a housing authority if that's the direction the board wants to go in. Okay. Something that was brought up. We're anticipating that conversation to come up next week.

[02:53:19] Okay. If that's a direction, or on Wednesday during the strategic initiatives discussion, if that's something that the board wants staff to explore, we'll certainly do that and then bring that back as a more developed discussion for you. Yeah, I'm just trying to create more production of for sale units.

[02:53:37] So Atlantic Boulevard was a huge success story, you know, that application in Sterling. And I'm wondering, I noticed that you say, you know, some of the key actions are using publicly owned land for affordable housing and establishing an inventory of publicly owned land and facilities that could be evaluated for development suitability.

[02:54:00] Do you see kind of using that process for publicly owned land, you know, to fast track everything? Because that was a huge success story. Correct. So we are in the midst of completing our first project for the publicly owned land.

[02:54:19] So once we take that all the way through the process, I am preparing staff to be prepared to do two additional ones that we've identified. Oh, great. Okay. All right. Thank you. Yeah. The only question I have is on the implementation matrix update.

[02:54:38] I remember when they first made this up, I said there's like 100, I can't remember how many there were. There's over 100. 133. I remember 163, but 133 items on here. And I remember saying, do you really, is it realistic to expect you can achieve 133 separate objectives?

[02:54:57] And shouldn't we triage this so that it's more manageable? And the answer was, no, we want to try this. Let us see what works and what doesn't, and then we'll adjust. So my question is, have we adjusted? Are there still 133 on there, the same as there originally were?

[02:55:13] Or have we looked at it with an eye towards triage and saying, we're not going to get there. Let's take this one off and get our load more manageable. Or are you still comfortable that we can pursue all 133? As of now, we are continuing to pursue all 133 key action items.

[02:55:30] There are some that it was just a matter of us getting a grant, and we've done that. So it's easy to mark some off, and it's a little bit harder to get some going. We are coming up on the three-year mark of the plan since it's been adopted.

[02:55:46] So we are having discussions about taking a look to kind of reanalyze, look at the refreshed data that we have from COG, as well as what we've been able to produce, some possibly new funding strategies that maybe was not considered when the plan was put together.

[02:56:07] Since I've been here, I haven't heard a lot of the developers talk about FHA, but that's an option because it takes so long to get project funding from the state with the housing finance agencies. And then there's also, when I was at HUD, there's a program called Section 8BB where you can take budget authority from any property that has lost funding and put it in this area and place it on a property so you can extend the affordability.

[02:56:36] And it works almost like a voucher where the participants only pay 30 percent, no greater than 30 percent of their income, and the federal government pays the remaining 70. So it's some other programs that we can pursue and see if we can't, you know, complement the efforts that we're doing to actually help us advance our numbers.

[02:56:54] Okay. Thank you. Yeah, thank you, Mr. Chairman. So, Mr. Crony, if you look at the item today that the Housing Advisory Board put forward, they had a lot of information in there or a lot of thoughts in there and discussions in there about both, I guess we're not technically calling it adaptive reuse because it's not historic properties, but reusing.

[02:57:17] I think they actually mentioned office buildings that are no longer being used for that purpose. they also have quite a bit in there about about public lands and what to do with public lands they even have some ideals that say things like for some of our schools and this is just what they put forward and and we should know this because we you know it was it went on consent tonight and so I missed that meeting and I wish I had I missed that moment I wish I was here because they did say things like for all of our school sites that have lots of land at the school sites

[02:57:53] like a Tuscarora or a Woodgrove High School to put teacher housing or education housing on that school site. So they had a lot of things in there that could be considered.

[02:58:09] I don't know if all of it is considered. I don't even know what we can legally do or what the state will allow, but a lot of those things were actually in there tonight. I have two more things. One, when you all mentioned what our AMI is, The AMI that we have, I think we need to find one AMI that we're using all the time in Loudoun County because the U.S. Census AMI is not 154,000, it's higher, and we've used that before.

[02:58:36] So whatever the county decides, whatever tool we're going to use to measure the AMI and from whomever we're going to do it, we should use one because we keep saying different things and that is probably not a great idea. What do you think is going on?

[02:58:55] Is it just that at the 30% AMI of 30 or less, 0 to 30, there's just not enough units available? Is it that the next AMI that needs units is the 100 to 150% AMI because people who are empty nesters are not moving out their homes, and so they're not putting those homes on the market?

[02:59:14] What do you think is going on? because it's not for a lack of the staff and all of us checking the boxes and doing all the things we should be doing. But when we look at the numbers, we're just not pulling ourselves out this hole. And I'm just curious if you guys have, can you just kind of think on that?

[02:59:32] And I'm not even saying give me the answer right now, but we've got to, I guess we can't keep doing the same thing. No, let me change that. We should keep doing the same thing and then even something else to start to crawl out of the hole because we're not even staying, you know, kind of at neutral. We're actually falling behind with homes that are needed, especially at that 30 to 45 AMI.

[02:59:56] And I don't know what we should be doing different right now or more right now. So if you guys could just think on it for a little while, because I'm starting to get a little nervous. We will definitely think on it. But what I also want to say is please keep in mind that, you know, Loudoun is fairly new to affordable housing, and affordable housing is difficult.

[03:00:21] It's hard. And when you are new to it and you're already trying to play catch-up, it's going to take probably a decade, realistically. I always talk about things with a design of a decade. Okay, okay. And so continue to be engaged and encouraged, but we'll break even throughout that decade.

[03:00:45] but I don't think it's not going to be an immediate likely. Okay, that's helpful to know. That's really helpful to know. Thank you. I do have one more quick question. We do know it was in the housing plan from our affordable housing board, and we've talked about it, that we are going to have another discussion about another half cents on the dollar.

[03:01:04] Can you tell me one more time, you have to admit this before, and I just don't remember, can you tell me one more time what is happening with the cigarette tax money? We know that over time that might be a decreasing amount, We also know that that's like yielded something like, I think like \$6 million at this point. What pot of money is that in at this point?

[03:01:21] What you referenced as the cigarette tax has been reallocated into the local tax fund. So the half cent tax and the cigarette tax are now one, and we call that the local tax fund. Okay, that's helpful.

[03:01:37] Thank you. Which is different than the multifamily loan program. Sure, yeah, yeah, sure. Thank you. Any other questions? Thank you all very much. We appreciate it. I think you're probably going to stay here for the last time. Yeah, I thought so. Next and final item is item number three, the Affordable Dwelling Unit Program improvements through amendments to Chapter 1450 of the Codified Ordinances and the Housing Trust.

[03:01:59] That was pulled off consent. And do we want the presentation? I don't think we do. Do we? We just need to ask a question. Yeah, absolutely. And I'm going to defer to Supervisor Controney, to Crony, who took it off consent, and she can ask her questions. Mike?

[03:02:20] Mike. about the affordability, you know, the years. Arcola Farms is proposing affordability of 75 years for their LIHTC single-family detached units.

[03:02:43] So I'm wondering why we are proposing 30 in their rentals when, you know, 75 would be a lot more years to keep it affordable. All right, so, Professor Crony, there's sort of two-fold answer on that.

[03:02:58] The first is that is a year that they are looking for in terms of 75 years is through the Low-Income Housing Tax Credit Program, and developers can get extra points for going above and beyond the

standard term of 30 years. So the fact that they're proposing 75 years would give them additional points in their application.

[03:03:20] In terms of the ADU rental program, Virginia Code sets a maximum affordability covenant period of 50 years. So the Affordable Dwelling Unit Advisory Board thought that was a sort of a happy medium in terms of increasing the affordability on the rental side to 30 years.

[03:03:38] So we could do 50? In theory, yes, ma'am. Okay. And it was just the Housing Advisory Board recommended not doing it? Right. The AEDWAB, the Affordable Dwelling Unit Advisory Board, during their discussions, They had, looking at other jurisdictions in the area, looked at 30 years, but I don't think 50 years will be out of the discussion if that is the board's preference.

[03:04:04] And just to add, it was general consensus to have a coterminous period, the 30 years with the affordability period, and then extended hours from 20 to 30 just to make them coterminous. Yeah, I just think it's difficult to replace these units, you know, and so for me, I'd want to do the maximum amount.

[03:04:23] The maximum amount. And then I saw a table had, just to ask another question, purchase covenant control period. Arlington County has it in perpetuity. So I'm wondering why we can't do that.

[03:04:40] Again, it goes back to Virginia Code, where the maximum covenant period is 50 years. And those units in Arlington, I can say they don't have as robust a purchase program as Loudoun County. We're talking only about a handful of units that they have, and they're not ADUs per Virginia Code.

[03:04:58] Okay, so we could do 50 units for the purchase one. Which we already do. Okay, well. The overall covenant term is 50 years. The only thing that is changing with the purchase program is that initial control period going from 15 years to 30 years.

[03:05:14] Okay. But the overall 50 still remains. Okay. But we could change the rental to 50. Correct. Okay. Anything else? No. I mean, should I make a motion? You can make a motion, I guess.

[03:05:31] Let me ask a question because I got confused on that last exchange. Yeah. So, the changes that were in the item basically reset the clock if someone sells the property, right? That is correct. And I thought that was a great change.

[03:05:48] And we can go from 30 to 50 years for rentals. And where are we on purchase units? Purchase, there is a total covenant period of 50 years. So, that is the maximum that is set forth in the code.

[03:06:05] The first is the initial control period of 15 years. That is where if you are the owner of an ADU, you can sell your ADU to another certificate holder at the control value. As of right now, after 15 years, but for 50 years, you can sell your ADU at market and split the proceeds between the owner and the county where the money is put in the housing trust.

[03:06:26] So, but the 50 years is an absolute max. Correct. So if somebody sells the property to another certificate holder at 49 years, what happens at the 50th year? So if the proposed changes are approved, the ADU owner would be able to sell their unit at market after 30 years.

[03:06:49] Got it. So between 30 and 50, the split would happen. Okay. All right. And we're at 50 right now for purchase units? Correct. And Supervisor DeCrony's motion is going to raise the rental period to 50 years as well. How do you feel about that?

[03:07:06] You okay with that? Staff has no concerns. Okay. Ms. DeCrony, I'm not understanding why you want to do this. Wouldn't it give less people an opportunity to be in an affordable property? Tell me why you want to do this.

[03:07:24] It would keep the rental unit affordable for a longer period. It's the covenant control period. But it doesn't matter who's actually moving into the rental unit. So people move in and move out, so that renter doesn't matter. A new renter can move in every year, but it's just going to be for 50 years no matter what.

[03:07:41] You are correct. Okay, cool. I'm cool with that. As long as they still meet the eligibility criteria of the county's ADU program. Yeah. All right. Go ahead and make your motion. Okay. I'll ask it in a motion. I'm sorry. Okay. I move that the Transportation and Land Use Committee recommend that the board to supervise authorized staff to advertise and present at the board public hearing on September 11, 2024 for consideration amendments to Chapter 1450 of the Loudoun County Codified Ordinance amendments to the housing trust as shown in attachment one and two the June 20th 2024 transportation and land use committee action item um amending the rental covenant control period

[03:08:21] from 30 years to 50 years I will second that for purpose of discussion yeah um my comment would be it makes sense to have both the purchase covenant control period and the rental control period the same, 50 years.

[03:08:40] And it also gives a longer period for the rental units to remain affordable for the community. The only question is, do we, is there, first of all, is there anything we need to do at the state level to do this? This is all up to us.

[03:08:56] Nothing has to go through the state. And secondly, do landowners have, is there something we should say to them? Do they need to be made whole? Are they going to be subsidized at a greater level? anything happens with the landlord? - So at the state level, I will want to, Belkis Escobar, Deputy County Attorney's here, I would want to make sure that she is in agreement that nothing would have to happen at the state level.

[03:09:21] And then the second is there wouldn't be a subsidy just like there currently is with the ADU program. The agreement is you get your rezoning. Part of the requirement is, well, as of right now, with the new zoning ordinance, 10% of multifamily required as rentals, And they would have to adhere to the ADU rental program, which includes the significant reduction in the rental price that ADUOB sets every year.

[03:09:43] And we're not concerned at all that the developers might be less willing to do this? Well, I've got to use it a long time. They won't even be around anymore. Okay, I'm good. Well, Chair Randall, if I may add, if we're focused for right now on the low-income housing tax credit projects, So, the tax credit compliance period is the first 15 years, and most of the investors exit the property and they hand it over to their non-profit-controlled entity to year 30.

[03:10:13] So, add in an additional 20 years, it's most likely going to be owned by a non-profit. All right. It's fine with me. I will say that as we're working through these things, the amount of complexities involved with pots of money and all we're doing, it's stunning.

[03:10:30] I actually think it should be easier, but the fact that you all know it and know what you're doing and know what all these pots of money are doing and how to work your way through a local system, a state

system, a federal system of HUD, it's very impressive. You do a fantastic job, so thank you very much.

[03:10:47] any uh close surprised no no close okay motions made and seconded uh all those in favor say aye aye any opposed that motion will pass 5-0 for a recommendation to the board thank you all i have one one final question really quick if i could just impose on your time so we're clearly exceeding our goals in access numbers and we're clearly lagging our goals in new units pie in the sky Unlimited resources. What would you do to change that number and get our new units up?

[03:11:27] We want to fund more projects. I think part of the challenge, if we had more local money leveraged with other sources than the Section 42 low-income housing tax credits, because we basically get one project funded a year. Case in point, we mentioned in our report that Old Arcola School and Commonwealth Lofts were the two that were approved, but Commonwealth Lofts did not get tax credit funding. So that's going to put that project farther down in the funding stream. So if we could diversify the funding to actually get units produced, such as FHA and some of the other

[03:12:03] things I mentioned earlier, I think we can get more production going and meet those numbers. The impression I got was that the Atlantic Boulevard success story resonated in the community. You think that's a valid assumption or a valid conclusion? Yes, the development community, even, you know, we as housing practitioners, we want to see movement.

[03:12:24] When we were at the hand rollout in March, a lot of the developers stated that it was taken four to seven years from concept to completion. So if we can do anything to reduce that time period, that will also happen. I think that may be a big breakthrough for us. Okay.

[03:12:39] Thank you all very much. I really appreciate your contribution. Thank you. And thank you for your presentation. You bet. Any other comments from the TLUC committee? Hearing none. We are adjourned. Thank you all very much.



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