

TRANSCRIPT;

ZOAM-2020-0001, Zoning Ordinance Rewrite (Countywide)

Staff Contacts: James David & Alaina Ray, Planning and Zoning

Nov. 16, 2021

Supervisor Mike Turner (4hr:46min)

- I want to make sure that the staff is in agreement with what I'm about to say, that's why I'd like to do this outside the motion.
- I was approached by a member I believe was representing the members of the ZOC who represent Western Loudoun interests primarily.
- The discussion was this person, presumably a representative of that contingent, felt the staff had indicated that their Direction was, "you can't change anything in Western Loudoun County, and you can't do anything that is going to hurt businesses in Western Loudoun County." That's obviously a summation of the comments. I got a fairly long email.
- So, I thought I knew the answer until I asked to meet with Ms. Ray and Mr. David and in fact I think I have the answer correctly. I want to restate it here, and I want to invite any board members who don't agree with this interpretation -- please, now's the time to say so. This individual wanted to verify, to clarify board direction.
- As I understand it in TLUC and understanding of the Board, **the mission of the Zoning Ordinance Rewrite is to bring the zoning ordinance into alignment with the approved comprehensive plan. That's our mission. That's their only mission -- to bring the zoning ordinance into alignment.**
- In cases where the ZOC is having discussions that attempts to change the underlying zoning ordinance in specific use types aren't specific areas that would bring it out of the line with a comprehensive plan, the zoning ordinance rewrite is not empowered to do that. That effectively, in a practical way, is attempting to change land uses and zoning ordinance outside of the comprehensive plan as sort of a backdoor way to change uses and zoning.
- **The whole mission of this process is to bring the zoning ordinance into alignment with the comprehensive plan and that is how you're constrained.**
- Let's use the breweries as a perfect example, because Mr. David indicated that it was a pretty hot debate. There are a number of issues with Breweries apparently in the west and I understand that could be a controversial issue. But the comprehensive plan makes it very clear as Mr. David just alluded to that we want to allow breweries out in the West.
- So, the purpose of the zoning ordinances is to align the zoning ordinance. So it allows breweries in the west. It is not to change the zoning ordinance to suddenly change the use type and the restrictions on breweries in the west as a back door to actually change the zoning. There's no effort to do that.

- The discussion was made that the staff felt that they were given direction from the board that it is hands off of West. Well, that is a derivative of the stakeholders Committee in our impression from Mr. Salmon, who was the head of the stakeholders committee that we're not going to make changes in the west.
- Now, we can debate whether that was the actual direction or not because I heard there's some controversy around that, **but the bottom line is what came out of there was very little changes in the west and that's what's in the comprehensive plan.**

Chair Randall

- Okay, that's really that's good. Let me just have the staff respond to that first because some of the things that Staff just said are not in line with what you just said.

Alaina Ray, Dir. Of Planning & Zoning (former)

- I will respond since I was here for the comprehensive plan. So, our primary objective with the zoning ordinance rewrite is to align with the comprehensive plan.
- There are some other objectives that came with the introduction of the project plan for the zoning ordinance rewrite that includes to simplify, streamline processes, bring it into conformance with modern-day market language, and things like that.
- **Also, there were some items where we had separate stand-alone ZOAMs at the time that the Board rolled into the ZOR. So those were a little bit outside of aligning it with the comprehensive plan, because we were already under way with some of those standalone ZOAMs.**
- I do want to reiterate though that we are looking at other issues besides just aligning with the contents of the plan.
- **We're looking at contradictions within our zoning ordinance, making sure that we change those.**
- **We do recognize that there are some issues with certain uses in certain places and we're looking at what we can do to tweak those,** however, some of the things that were being talked about would essentially over time eliminate an industry and that was even the state intent from some people to do that over time.
- We have not received direction from the Board to change our regulations to such an extent that it eliminates an industry.
- There are also certain topics that could be discussed with the zoning ordinance that are extremely controversial, the breweries is one of them, that might be better handled outside of the zoning ordinance rewrite.
- This board made that decision with the clustered subdivision prime ag soils and also with the standalone shooting range ZOAM, to hold those items separately so that they did not delay the adoption of the zoning ordinance rewrite. So there are some of those issues that may be larger exercises that would be more appropriate handled separately so that it doesn't extend our time line on the zoning ordinance.

Supervisory Tony Buffington (@4hr:49min)

- Regarding what should be occurring or what should not be occurring it's part of the ZOR, at least in my mind, the idea of not doing anything in Western Loudoun County -- **I don't think we said to not do anything in western Loudoun County. I think what we said was we don't want to add any density in Western Loudoun County, but other than that if you're seeing contradictions of language between ordinances and Comp Plan and things like that, we obviously need to correct contradictions.**
- About not eliminating any industries, **absolutely we don't want to eliminate Industries.** I love our breweries. I will admit there are some issues in Western Loudoun County with uses and their neighbors.
- You talk about spirited debate in some of your meetings, and I've heard a lot about the spirited debates that you all have been having. I think it's good. It shows that we have a variety of folks on ZOC who are coming from a variety of different perspectives and sharing their concerns, whether being individual concerns or concerns of groups or organizations or concerns of the business industry that we have out there.
- We want to have these spirited debates. We want to get everything out on the table, to discuss it, and come up with some reasonable solutions where there are reasonable solutions.
- **Of course, we don't want to eliminate an industry, but there has to be balance everywhere, not just in the West but around County.**
- **Wherever you live in Loudoun County there should be some sort of balance there -- between the commercial industry and the residential homes and people who live here, work here, and play here.**
- We have to live here together, and one side shouldn't be forcing the other side to move. One side shouldn't be forcing the other side to have to close their business or not get any business for any reason. **So, we need to be careful, and we need to just make sure that we have ordinances that allow us all to live here, work here, and play here successfully and happily and with a high quality of life and so those are the types of things that I'm looking at.** Thank you.