



ZOAM-2020-0001-Zoning Ordinance Rewrite -- Round 3 Input

REVIEWER INSTRUCTIONS:

Below are comments submitted to County DPZ/ZOR Staff as public input during Zoning Ordinance Committee review by organizations and citizens, being shared for your public input review.

Comments/questions not addressed can be submitted during Round 3 Public Input through July 18, 2022.

-- Be aware that all comments will become part of the public record after submission via enCodePlus. Please be mindful to use language in an appropriate and professional manner.

-- **Please continue to use the draft text SECTION NUMBER REFERENCE** at the START of each comment, followed by ALL CAPS short heading (see sample on the template)

SORT	ADDRESSED in 4-18-2022 Draft Text?	Section (for sorting only)	CHAPTER 11 -- USE DEFINITIONS (Moved from 3.06) -- 4-18-2022 Draft Text REVIEW
			PRIORITY SHARED INPUT ITEMS
NO		11.03	<p>11.03. DEFINITION OF "FARM." Staff proposed text, "Farm: An agricultural use of one or more parcels of land, whether abutting or not, having a minimum of 5 acres and operated under the same ownership or stewardship, used for the production, cultivation, growing, harvesting or processing of agricultural or horticultural products or for animal husbandry purposes. Also reference "Agriculture, Bona Fide."</p> <p>2022 Round 3 Input: The proposed definition does not clearly state the requirement for production on the 5 acres. Need to make sure "processing" in and of itself doesn't make a property a "farm." A farm can "process," but that singular action in the definition does not define a "farm." Example: A business only processing ingredients not grown on the parcel to process a beverage (e.g., wine, beer, spirits) is not a "farm."</p> <p>2022 Round 3 Input: "processing of agriculture" could lead to an existing high-intensity use being allowed on 5 acres instead of 10 acres. The definition of a farm is inadequate unless and until it includes some measure of intensity of use. It is not adequate to say 5 acres is a farm because crops are raised on the 5 acres. The definition must say how much of the 5 acres is used to grow crops.</p> <p>2022 Round 3 Input: Because agricultural processing is a separate use, there is no need to include "processing" in the definition of farm. Delete processing from the definition. That way processing could be permitted on a farm, but solely processing wouldn't MAKE a property farm.</p> <p>2022 Round 3 Input: "One or more parcels of land, abutting or not with a minimum of 5 acres" could create a loophole where a high intensity use could purchase small acreage conceivably distant from the high intensity use and place all ag on that small parcel while maximizing the high intensity use on all other nonabutting parcels</p>

	NO	11.03	<p>11.03. DEFINITION OF "FARM." Staff proposed text, "Farm: An agricultural use of one or more parcels of land, whether abutting or not, having a minimum of 5 acres and operated under the same ownership or stewardship, used for the production, cultivation, growing, harvesting or processing of agricultural or horticultural products or for animal husbandry purposes. Also reference "Agriculture, Bona Fide."</p> <p>2022 Round 3 Input: ALTERNATE LANGUAGE: Farm: A parcel of land of at least five acres that is actively involved in the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery and floral products and the production and harvest of products from agricultural activity. At least 50% of the land parcel is devoted to these activities. If processing of crops is part of the activity, at least 50% of the crops used in the processing activity must be grown on the farm property.</p>
1	NO	5.08.01.C	<p>11.03. DEFINITION OF AGRICULTURAL OPERATIONS.</p> <p>2022 Round 3 Input: This regulation now requires the definition of "Agricultural Operation" to be included in Chapter 11, Definitions, as one does not appear in Chapter 11. Such a definition must be compliant/compatible with Code of Virginia § 3.2-300. Definitions.</p> <p>-- "Agricultural operation" means any operation devoted to the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity."</p> <p>Definition of "Agricultural Operations" should also be CONSISTENT with description in Ch 4, MDOD 4.04: "Agricultural Operations. Agricultural, horticultural, or animal husbandry operations located in the MDOD that are covered by, and conducted in conformance with, a Conservation Farm Plan, that includes best management practices, approved by the Loudoun County Soil and Water Conservation District or the U.S. Natural Resources and Conservation Service, and a Nutrient Management Plan approved by the Loudoun County Soil and Water Conservation District. Structures associated with agricultural operations are subject to all regulations in Section 4.04."</p>
	NO	11.03	<p>11.03 DEFINITION OF PRODUCTION AGRICULTURE must be included in Definitions. Such a definition must be compliant/compatible with Code of Virginia § 3.2-300. Definitions:</p> <p>"Production agriculture and silviculture" means the bona fide production or harvesting of agricultural or silvicultural products but shall not include the processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge."</p>
		11.03	<p>11.03. DEFINITIONS REQUIRED FOR CLARIFICATION OF USES AND USE-SPECIFIC STANDARDS. "Farm," "agricultural operations," "tasting room/tap room," "agriculture products," "agricultural production" and "agricultural manufacturing."</p> <p>2022 Round 3 Input:</p> <p>These terms are used in the draft text without clear definitions. Code of Virginia requires limited breweries (and farm wineries) to be "located on a farm in the Commonwealth on land zoning agricultural."</p> <p>Farm wineries are required to plant vines on the site of their primary establishment. This helps wineries to both reflect the agricultural attributes of the rural area and to create a natural buffer between their business and surrounding properties.</p> <p>Zoning should determine a similar ratio of the number of acres in on-site agriculture per acre of brewery to be utilized for agriculture production/manufacturing. Breweries will then be positioned to transition to growing products that can be directly used in the production of beer as VA Tech continues to determine agriculture products that can economically and sustainably grow in this region.</p> <p>This approach would also place breweries in better compliance with state code to have agricultural products produced on site that are used in the manufactured product.</p>

		11.03	<p>11.03. DEFINITION OF "HISTORIC"? The word is used throughout the ZOR text without definition. There is a definition of "Historic Setting." Has Staff worked internally or with the Heritage Commission to define? Proposed text from multiple advisory groups:</p> <p>Definition of "Historic"</p> <p>1. From 36 CFR 60.4 (criteria for evaluation for National Reg of Historic Places) The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects and possess integrity of location, design, setting, materials, workmanship, feeling, and association and</p> <p>a) that are associated with events that have made a significant contribution to the broad patterns of our history; or</p> <p>b) that are associated with the lives of persons significant in our pasts; or</p> <p>c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or</p> <p>d) that have yielded, or may be likely to yield, information important in prehistory or history.</p> <p>2. Short version of the above The quality of significance in Loudoun County history, architecture, archeology, engineering or culture. May be present in districts, sites(including view sheds), buildings, structures and objects. May be associated with events, lives, or periods, or may yield information about the past. first is taken from CFR as the definition of what is allowed for NHR items</p>
ADDITIONAL ROUND 3 INPUT ITEMS			
	No	3.01.00	<p>USE INCONSISTENCIES. Bylaws indicate a key role for ZOC is to identify INCONSISTENCIES and address specific issues. An analysis of Rural Use INCONSISTENCIES was produced in 2017 that is still applicable and likely helpful in 2021. Although this first task is to review Use Tables, understanding where the "gaps" between Performance Standards exist may also assist in the assignments of Permitted, Modified or Special Exception. Matrix of RURAL USE Zoning/Performance Standards Inconsistencies can be found here: https://loudouncoalition.org/wp-content/uploads/2020/04/RuralZoningComparison-3-15-2017.pdf. Meetings can/will be scheduled with Staff to review questions and examples.</p>
	No	3.02.03	<p>3.02 GENERAL. "First pass executed to strip standards out of definitions." – Brewery, Limited still contains regulation requirement of "10 acres."</p>
	NO	3.02.03	<p>RURAL RESORTS. Performance standards for Country Inn and Rural Resorts are INCONSISTENT: Hours of operation, noise, water/wastewater, application requirements. This must be fixed during ZOR. https://loudouncoalition.org/wp-content/uploads/2020/04/RuralZoningComparison-3-15-2017.pdf</p>
	NO	3.03.00	<p>BANQUET/EVENT FACILITY – Use is INCONSISTENT in designation and scale/size of use for residential areas throughout Policy Areas.</p> <p>-- Permitted: Rural Commercial, Village Commercial, UPA, SM(SPA Mixed use), SPA Employment</p> <p>-- Modified SPEX: RN, RS, RV, VAR, SAR, TLN-10, TLN-3-- SPEX: VR (Village Residential), Suburban Residential 1 (SR-1), JLMA-3</p> <p>-- Definition also allows use as "ancillary component of other uses, such as, but not limited to . . . Rural Resorts . . . and similar uses." Actual expansion of event facilities has been to wineries and Limited Breweries, which are not "similar uses."</p> <p>ALL Agricultural and Residential locations: in TPA, JLMA and RPA should equally be SPEX to mitigate current loopholes, abuse and zoning enforcement issues. LCPC Zoning Audit and case studies have shown these facilities produce major impacts in residential areas, therefore, Modified special exception is insufficient.</p> <p>At a minimum Use should be a full SPEX for applications that exceed XXX attendees (200?) Y times per year with enforcement if applications and actual use are shown to be exceeding performance standards.</p> <p>https://loudouncoalition.org/wp-content/uploads/2020/04/RuralZoningComparison-3-15-2017.pdf</p>

NO	3.03.00	<p>BED & BREAKFAST INN. Use protections are INCONSISTENT in policy areas/place types with proposed designations: -- TPA: Permitted in TLN-10, TLN-3, TLN-1, TSN, and Modified SPEX in JLMA-1, -2 & -3. -- RPA: Permitted in RN, RS, RC, RV, VC, VAR, but Modified SPEX in Village Residential (VR). Use requires separation, additional standards for "events" on site or Modified designation in all areas to be CONSISTENT. Applications for B&B Inn are being used to establish an Event Center "by-right" to circumvent Banquet Event Facility use requirements. Establishments are not being used as B&B, rather are primarily being used for events without regard to size requirements. See case study evidence: Barn at Willow Brook, Page 22: https://loudouncoalition.org/wp-content/uploads/2020/04/ATTACHMENT-RuralUses-Chronologies.pdf</p>
NO	3.03.00	<p>BREWERY, LIMITED -- ALL Agricultural/Residential locations: SAR, RN, RS: -- Definition stating "farm shall be defined as one or more contiguous parcels of land . . . 10 acres owned or leased . . ." is insufficient to meet Code of Virginia parameters, and conflicts with definition used by other Virginia counties. -- Definition must be revised to define requirement to match Code of VA "on a FARM in the Commonwealth zoned agricultural." FARM definition should comply with USDA definition: "Any place from which \$1000 of agricultural products* were produced and sold during a given year." * Products defined as "crops or head of various livestock species." CROPS requirement does not include "manufacturing" of beverage(s). -- In the alternative, should apply same/similar requirements for Land Use and Ag District of 5 acres of crop minimum, as is done in other Virginia counties to avoid abuse of brewery/pub/bar in residential areas with no "farm" component as required by Code of VA. -- INCONSISTENT Definition with Craft Beverage Manufacturing stated requirement of "no more than 15,000 barrels of beer per calendar year licensed . . . Sec. 4.1-208 of Code of VA." Limited Brewery has the same requirement, but it is not listed in the Limited Brewery definition. -- IF change of definition is not tied to new/revised definition of "FARM," then Use should be consistent with Agricultural Processing with requirement that "At least 51% of the ag products used for processing, preparation &/or manufacturing shall be derived from the ag use." This would (finally) make brewery and winery use more consistent!</p>
NO	3.03.00	<p>FARM. (Definition). This term is used as the NAME and or in the Definition of many uses including but not limited to: Agriculture, Brewery Limited, Virginia Farm Winery, Farm market, Farm market (off-site production), Farm co-ops, Pet Farm, Guest farm or ranch, accessory farm building, Farm based tourism, demonstration farm, Farm distribution hub, Wayside stand (farm), cultural tourism. -- The lack of a clear definition of what a "FARM" really is or is not in Loudoun County has caused inconsistent determinations for uses, abuse from applicants, and confusion for residents throughout the county. With the ever-diminishing actual "farm" and "farmland" throughout the County, a definition must be determined if the Rural Policy Area and Rural Tourism are to be protected as stated in the 2019 Comprehensive Plan.</p>
NO	3.03.00	<p>MOBILE VENDOR. (Definition & Use). Use is Permitted in 4 UPA Places, no TPA, JLMA or RPA Places. In reality, if these are "Food Trucks" they are currently used anywhere there is a Brewery, Distillery or Winery. Need to revise for CONSISTENCY throughout the County. This use must also be review and described to differentiate from a "Restaurant," as many "Mobile" food trucks are remaining permanently on-sites to get around the "Restaurant" requirements.</p>
NO	3.03.00	<p>STOCKPILING: SPEX designation in Rural North and Rural South is appropriate, and must include notice to adjacent property owners. After all the issues surrounding Gable Farm, the definition may need to be beefed up to be more clear what it does and does not include. Additional definitions needed for terms: "excessive fill", "fill", "dirt", "construction debris" and "commercial".</p>
Addressed	3.01.00	<p>3.00 GENERAL. Instructions document (from J. David) indicates tables include "how a use is reviewed today" (e.g., P, M, S). What does a blank indicate throughout? (Not permitted? Not yet determined, such as STRR? Or either?). If "blank" means "not permitted," then that needs to be explicitly stated.</p>
Addressed	3.01.00	<p>3.01 GENERAL. I'm assuming DEFINITIONS will be hyperlinked as they are currently in the 1993 ZO enCodePlus? (R93ZO)</p>
Addressed	3.01.00	<p>3.01.G. USES NOT DEFINED. Draft text conflicts with comments/direction from ZOC the limit the ways to circumvent the ZO by Zoning Administrator or BOS special exception.</p>
Addressed	3.01.00	<p>SHORT TERM RESIDENTIAL RENTALS. I'm assuming inclusion in all policy areas is a "place holder" for the ZOAM, but there will be no STRR's approved before their time?</p>

	Addressed	3.02.02	COMMENTS from Staff. It's nice to see Staff comments, but it's undecipherable what they are referring to. I'm pointing this out in anticipation of how the August 2021 Phase III "Public Input" will look. If this method of input within enCodePlus is to be useful there will need to be a way to categorize comments. Otherwise, the end result will be an incredibly LONG list of "comments" -- both informed/useful and some completely unusable/worthless.
	Addressed	3.03.00	BOTTLED WATER (ONSITE). -- This use is NOT referenced in the current zoning ordinance. -- Use has no indicated P, M or S in UPA/SPA, TPA, JLMA. -- Performance standards, capacity constraints, and required application information must be COORDINATED between Health Dept./ODW, Planning & Zoning, Building & Development, and must include Overlay District additional restrictions or prohibitions. -- How will this be addressed?
	Addressed	3.03.00	SOLAR FACILITY, SITE-SPECIFIC. Glad to see this is Permitted. Key will be performance standards to match new use. -- Definition: What was the rationale for selecting "capacity not less than 50 kilowatts?" -- Definition: Is "Solar energy system" synonymous to "solar array" and/or "Utility-scale Solar Photovoltaic?" If so, these are more common terms used. In alternative, add the latter term for further explanation.
		3.02.03	COUNTRY INN. Use and Definition. There is insufficient information in the definition and table to evaluate how the "Permitted/Modified" designation will be applied, evaluated during application, and most importantly, enforced. Due to applications that "stretch" the actual intended application of the use, will the definition be made more clear to define actual scale of use? https://loudouncoalition.org/wp-content/uploads/2020/04/RuralZoningComparison-3-15-2017.pdf
		3.02.03	SOLAR FACILITY, COMMERCIAL. Why are SPEX uses identified in TPA Industrial (TIE) and Leesburg Industrial (JLMA-LI), but not UPA/SPA? Commercial Solar Arrays should be SPEX in ALL areas of the County. WHEN performance standards are developed, will additional P, M, or S locations in UPA/SPA be identified/expected? The definition needs a little work to be more clear/specific.
		3.02.03 RPA, SPA	CLUSTER DEVELOPMENT. Rural Use Table, 3.03.03. Why is this listed as a "Use?" Why is this Cluster Development "Use" listed a Permitted in Rural North (RN), but not indicated for Rural South (RS)? How will the "use" be differentiated in its UPA/SPA application?
		3.03.00	AGRICULTURE. (Definition). How will standards differ between Suburban Place Types (SCN, SM, SC, SE, SI, SAR) to differentiate Use as applied in other areas (e.g., Rural North, Rural South on a "farm")?
		3.03.00	AGRITAINMENT. Definition states use is "in conjunction with ag support and services . . . associated with on-going ag activity . . ." but has been used by multiple other Uses as justification for events and fundraisers (eg. Limited Breweries, Farm Wineries, Farm tourism). Performance standards must include better identification of scale, traffic, setbacks, etc. to ensure consistent protections and ability for enforcement.
		3.03.00	CAMPGROUND (Definition): Typo: inclde for "include." As other ZOC members have pointed out, permitted locations should be reviewed for consistency throughout similar Place Types.
		3.03.00	COMMUNITY GARDEN vs. COMMUNITY SUPPORTED AGRICULTURE. (Definitions & use). What's the difference between these two uses? Why are they allowed in UPA, but not SPA, TPA, and RPA? Seems inconsistent with other Use definitions for Agriculture and "Farm."
		3.03.00	DATA CENTER (Definition). Why are the words "establishment engaged in" underlined?
		3.03.00	FLEX BUILDINGS (Definition). The definition includes the use of Data Centers, which appear as Permitted (e.g. SE) or SPEX (e.g., UE, SM) uses in the use tables in places OTHER THAN those permitted for the USE Data Center. This will likely cause confusion and be deemed "disingenuous" if Data Centers are "buried" as a use within a use.
		3.03.00	MANUFACTURED HOUSING (Definition): What do "eight BODY feet" and "forty BODY feet" equate to?
		3.03.00	RESTAURANT. Definition and Use. In the prior Rural Uses III ZOAM (circa 2017-2019) there was discussion to modify/merge "Farm Restaurant" as a separate use. Where is this now? As indicated with "Mobile Vendor," many locations are using food trucks to bypass restaurant requirements. In the same manor -- Health Dept. and VDACS requirements for food preparation inside "tasting rooms" has expanded to the point of "restaurant," without Health Dept. oversight, (health, safety and welfare impacts to patrons).

		3.03.00	RURAL HAMLET. Current zoning ordinance lists Rural Hamlet Option (Sec. 5-702) as “an alternative to conventional A-3 and A-10 districts subdivision in rural areas.” ZOR Use tables show: -- Permitted in Suburban Agricultural/Residential (SAR), Rural North , and Village Ag/Residential, but this referencing existing Rural Hamlets, or will allow NEW Hamlets? -- Why is there No listing for TPA/JLMA, Rural South where there are some vacant A-3 parcels? -- Does this use only apply to grandfathered Hamlets, or can the use be applied in new Place Types?
		3.03.00	SMALL BUSINESS (Definition): The definition includes reference to “an establishment conducted in a private residence” as well as “business vehicles.” Performance standards must include how residences and HOAs can manage parking of business vehicles in residential areas.
		3.03.00	WATER EXTRACTION. Use is NOT referenced in current zoning ordinance. -- Identified as SPEX use in SPA Industrial (SI), TIE, JLMA-LE and JLMA-LI, and (shockingly) Rural North & Rural South. -- “Extraction of water from . . . well for commercial use OFFSITE” should never be allowed in any area served by residential wells without some confirmation of impact to adjacent water wells that supply their only source of household water. Performance standards and required application information: -- must be COORDINATED between Health Dept./ODW, Planning & Zoning, Building & Development, and -- must include Overlay District additional restrictions or prohibitions. How will this be addressed? Case study evidence: Current departmental miscommunication (i.e., Zoning permit “not required”), resulting in approval of 5 commercial/industrial wells “not for human consumption” in Limestone Overlay District now promoted for use for water extraction, wedding/corporate event facility. https://loudouncoalition.org/wp-content/uploads/2020/04/Water-Extraction-Operation-Zoning-Chronology-BCM-4.8.2021.pdf
		3.01	Table 3.01-1 Key to Use Table. Special Exception definition is improved. "P/S and P/M" are clear as Permitted w/ Special Exception and Permitted w/ Minor Special Exception. What is an example of circumstance for "M/S" Minor Spex with Special Exception?
		3.02.01	UPA/SPA Tables
		3.02.01	Table 3.02.01-1. Urban/Suburban Use Table. A number of uses were changed from Permitted to Special Exception (vs. M/S) in Suburban Employment. What were the changes based on? (e.g., Personal Services, Dry cleaning, convenience store in Suburban employment.)
		3.02.01	Table 3.02.01-1. Urban/Suburban Use Table. With the removal of "BAR/LOUNGE" from the Use Table and definitions, how will "taverns, hookah lounges or neighborhood taverns/bars/pubs" be classified in UPA/SPA? Not all would be manufacturing (brewery or craft beverage), and not all are "restaurants". Or does removed indicate they are no longer permitted?
		3.02.01	Table 3.02.01-1. Urban/Suburban Use Table. Were the majority of changes in UPA/SPA "EDUCATION" and "MEDICAL" uses from "Permitted" to "SPEX" primarily based on Comp Plan Place Type analysis?
		3.02.01	Table 3.02.01-1. Urban/Suburban Use Table. SOLAR FACILITY, COMMERCIAL -- Use was added as SPEC to Suburban Ag/Residential (former A3). It appears there are 4 areas along the Potomac River with this zoning, some open/vacant, some dense residential. This may need a "hold" until the Solar Array BMI workplan is integrated in the Zoning Ordinance Rewrite to preclude premature applications.
		3.02.02-2	Generally agree with additional use designations for TPA/JLMA, with some questions:
		3.02.02-2	Table 3.02.02-2. SMALL BUSINESS, AG AND RURAL under Office, Business and Professional and PERSONAL/BUSINESS SERVICES (several categories) -- Why were these changed from S to P/S? May need additional explanation for the new definition for "Small Business, Ag and Rural" for the overall intent.
		3.02.02-2	Table 3.02.02-2. RURAL RETREAT -- Why would this be a permitted use in TCC (Transitional Community Center)?

		3.02.02-2	Table 3.02.02-2. AGRITAINMENT -- Listed with 7 permitted and 1 SPEX (JLMA-LE) in TPA/JLMA. Why, if the definition is for this to be "directly associated with an ongoing agricultural use on-site," would this be permitted without ensuring the Ag Use is in these place types? Should be at least considered for P/M?
		3.02.02-2	Table 3.02.02-2. CULTURAL TOURISM. As indicated when this was a ZOAM for Eco-tourism discussed by ZOAG, being Permitted in 9 TPA/JLMA place types, and 4 RPA place types does not take into consideration 1) the intensity of the Farm Based tourism use in residential areas and HOAs, and 2) the viability of Eco-tourism activities within residential areas and HOAs. For these reasons, this should be considered at a minimum a P/M if not M or S.
		3.02.02-2	Table 3.02.02-2. HEALTH AND FITNESS CENTER and RECREATION, INDOOR-- Why would these need to be a SPEX in TLI (Transition Light Industrial)?
		3.02.02-2	Table 3.02.02-2. MARINA has no use designations in TPA/JLMA, but is still listed, assuming for creeks, lakes, not just Potomac? Should it be removed or is it pending review?
		3.02.02-2	Table 3.02.02-2. SOLAR FACILITY, COMMERCIAL not permitted in JLMA-20 near Leesburg Airport is a good move. But why no SOLAR FACILITY, SITE-SPECIFIC that could be on parking or rooftops?
		3.02.03	RPA Table
		3.02.03-3	Table 3.02.03-3-RPA. CLUSTER DEVELOPMENT. With the removal of this development option from the Use tables, HOW will "Uses" that are incompatible with a Cluster Development be restricted? The list of incompatible uses is too long, but should be acknowledged that not all "Ag" or "rural" uses apply to Cluster developments with tight residential array, limited rural economy lot usability in some cases, and HOA's.
		3.02.03-3	Table 3.02.03-3-RPA. COUNTRY INN. Because the definition 1) specifically includes meetings and private parties in predominately rural area" and "may include full-service restaurant for guests, general public , meetings and private parties, and the current standards include "Private parties for UP TO 100 ATTENDEES, including overnight guests, may be held DAILY at the Country Inn" this use should be M not P/M to ensure all standards are reviewed for health, safety and welfare. In addition, if Banquet/Event Facility is changed to SPEX, then this use should as well, as it is being used to circumvent the more intense use without less intense activity.
		3.02.03-3	Table 3.02.03-3-RPA. RURAL RESORT -- changed from M to M/S (nice!)
		3.02.03-3	Table 3.02.03-3-RPA. ANIMAL SERVICES -- would like REDC and Farm Bureau direct input.
		3.02.03-3	Table 3.02.03-3-RPA. BAR/LOUNGE -- Was this removed as a separate use and included in "RESTAURANT, SIT-DOWN" because there would be no difference between this use and Limited Breweries or Craft Beverage Manufacturing? -- If so, then doesn't that make Limited Breweries and Craft Beverage Manufacturing equivalent to "neighborhood taverns/bars/pubs" as previously defined by "Bar/Lounge?" If so, this use warrants performance standards regardless of "Ag designation" for health, safety and welfare of residents and patrons.
		3.02.03-3	Table 3.02.03-3-RPA. RESTAURANT, SIT-DOWN. Is the change from "M" in the 5/5/21 draft to "P/M" in 6/2/21 draft for ARN and ARS place types intended to indicate this would be considered the "Farm Restaurant" use previously questioned? If so, then under what circumstances could/should this use as described EVER be Permitted By-Right without Health Department/ODW/VDACS, Fire Safety, Traffic B&D, P&Z and site plan review and inspections in ANY residential area for the health, safety and welfare of both residents and patrons?
		3.03.00	Table 3.02.03-3-RPA. BREWERY, LIMITED -- -- Use now ADDED as Permitted to RAR (former A3) and VAR (Village Ag/Residential). This should not be approved until after thorough review of Performance Standards in Section 3.06. Specifically, as discussed and well-documented this use is problematic when permitted in locations that cannot sustain the impacts on health, safety, welfare and traffic. Standards must also be reviewed to add an "actual" agricultural requirement in addition to only "10 acres." -- Just as CRAFT BEVERAGE MANUFACTURING has now changed status from Permitted to "P/S" (Permitted/SPEX) for RC and VC, so should Limited Brewery use. Other Counties have implemented performance standards without challenge from VA Attorney General in five years. With this new Zoning Ordinance it's time for Loudoun to extend protections to citizens for health, safety and welfare as well.

	3.02.03-3	Table 3.02.03-3-RPA. MOBILE VENDOR -- still blank? Meaning food trucks not allowed or still under review?
	3.02.03-3	Table 3.02.03-3-RPA. SNACK OR BEVERAGE BARS -- is this meant to include tasting room food, or no?
	3.02.03-3	Table 3.02.03-3-RPA. SMALL BUSINESS, AG AND RURAL under Office, Business and Professional and PERSONAL/BUSINESS SERVICES (several categories) -- Why were these changed in several locations from M or P to P/S? May need additional explanation for the new definition for Small Business, Ag and Rural for the overall intent.
	3.02.03-3	Table 3.02.03-3-RPA. GOVERNMENT (GENERAL). Added as SPEX in ARN and ARS -- schools? Community center? Pool? Park? Or all or none of the above?
	3.02.03-3	Table 3.02.03-3-RPA. RURAL RETREAT now being listed under "Education" as replacement for Rural Corporate Retreat is okay to differentiate from the RURAL RESORT use in Lodging. However, if it is to be Permitted/SPEX in ARS, RAR and VAR, then it should be consistent with P/SPEX in ARN.
	3.02.03-3	Table 3.02.03-3-RPA. TRAINING FACILITY. Why are designations inconsistent between ARN (as P/M) and ARS (as M)?
	3.02.03-3	Table 3.02.03-3-RPA. AGRITAINMENT -- Although this use is more assured to be associated with Ag in ARN and ARS, this may require either "Permitted with performance standards" or change to P/M due to the intensity of use, impacts/traffic to residents and general health, safety and welfare of operations and structures, including water and septic for public use.
	3.03-1	DEFINITIONS
	3.03.00	Table 3.03-1 Definitions. BED & BREAKFAST INN. Use protections have been made more consistent in this draft for policy areas/place types with proposed designations. However, this Use requires separation, additional standards for "events" on site. Applications for B&B Inn are being used to establish an Event Center "by-right" to circumvent Banquet Event Facility use requirements. Establishments are not being used as B&B, rather are primarily being used for events without regard to size requirements. See case study evidence: Page 22: https://loudouncoalition.org/wp-content/uploads/2020/04/ATTACHMENT-RuralUses-Chronologies.pdf
	3.03.00	Table 3.03-1 Definitions. RECREATION, INDOOR still contains (has not changed) inclusion of firearm shooting, even though there is a separate definition for Shooting range, Indoor. Perhaps this will be clarified by a subsequent ZOAM (?).
		JUNE 16 PACKET: Although having both the "clean" and "redline" copies in the packet is helpful, it requires a tremendous amount of time to review jumping up & down, up & down. To more quickly compare, would Staff consider changing the online enCodePlus ZOC view to the redline to better compare changes from meeting to meeting?
		Attachment 3 Document in 6/16/21 Packet:
		ATTACHMENT 3 DOCUMENT IN 6/16/21 PACKET: These 24 pages of explanation were VERY helpful, as was the redline version of changes made since 6/2/21. Honestly, reviewing the tables for the third time with multiple changes each time has made it more difficult to keep track of the justifications. (Having two large monitors to compare before and after helps, but this Attachment explanation is actually more useful than the track changes for viewing and discussion).
		ATTACHMENT 3 DOCUMENT IN 6/16/21 PACKET. RURAL 1.m. RAR (A-3). Why allow AGRITAINMENT, AMPHITHEATER, CULTURAL TOURISM in RAR and RC? Would require performance standards to manage traffic and residential impacts.
		ATTACHMENT 3 DOCUMENT IN 6/16/21 PACKET. The References between 1.f and 2.f appear to be messed up?
		ATTACHMENT 3 DOCUMENT IN 6/16/21 PACKET. Why are the following NOT ALLOWED? -- Auction in ARN, ARS, RAR -- they happen on occasion for antiques, estates. -- Personal Instructional Services, Clinic, Dental or Medical in RC?

			ATTACHMENT 3 DOCUMENT IN 6/16/21 PACKET. Why are the following NOT ALLOWED? -- Wood, Metal, ant Stone Crafts in RC? I agree with Kevin R. that this use may need to be separated for low vs. higher intensity in some manner.
			ATTACHMENT 3 DOCUMENT IN 6/16/21 PACKET. RURAL VILLAGE USES -- As representative for Loudoun Historic Village Alliance I will reserve comment after review with LHVA as there was insufficient time before the Monday noon deadline.
		3.02.01	UPA/SPA Tables
		3.02.01	Table 3.02.01-1. Urban/Suburban Use Table. Why was SAR changed back to A-3? Need to remove SAR from the footnote description on the bottom of this table.
			SEE ADDITIONAL COMMENTS posted in Section 3.01, Explanation of Use Table Structure
		3.02.02-2	TPA/JLMA Tables
		3.02.02-2	Table 3.02.02-2. DWELLING, SINGLE-FAMILY ATTACHED. With the parallel emphasis on the Unmet Housing Strategic Plan, why are there so few place types that allow this use? If applied appropriately (size, location, setbacks, etc.), and interspersed -- duplexes or other attached housing that blends into an area could provided some additional housing.
			SEE ADDITIONAL COMMENTS posted in Section 3.01, Explanation of Use Table Structure
		3.02.03	RPA Table
		3.02.03-3	Table 3.02.03-3-RPA. CRAFT BEVERAGE MANUFACTURING -- Removed in all place types? What is the planned alternative?
		3.02.03-3	Table 3.02.03-3. MARINA still listed?? Should it be removed or is it (still) pending review?
			Table 3.02.03-3. BED & BREAKFAST INN / COUNTRY INN. I agree with Mr. Houston's concept of better defining the requirements for one structure versus multiple structures, and assigning the Permitted vs. SPEX accordingly. The applications with multiple structures cannot be evaluated the same traffic, setback, event, noise, and overall intensity impacts in the same manner, and therefore should not be permitted by-right or have the exact same performance standards. The inclusion of "rooms for meetings and private parties" and "full-service restaurant" indicates larger scale applications should have CONSISTENT evaluation as event centers to avoid using this "Use" to circumvent the Event Center use.
			Table 3.02.03-3 BREWERY, LIMITED. The designation of Special Exception in Rural Commercial (RC) districts is appropriate and should be considered also for VAR (A-3) due to likely small parcels and lack of actual agricultural crop or livestock to comply with the Code of VA requirement being on a "farm in the Commonwealth of Virginia." This designation also confirms the County's updated understanding of the ability to define the performance standards for the health, safety and welfare of the public and patrons. The move of this use in all Policy Areas to be removed from Food and Beverage Sales/Service to Agriculture makes much more sense and made it in line with the Code of Virginia requirements.
			SEE ADDITIONAL COMMENTS posted in Section 3.01, Explanation of Use Table Structure
		3.03-1	DEFINITIONS
		3.03.00	Table 3.03-1 Definitions. CULTURAL TOURISM. Still have the typo "natual" instead of "natural"
			Table 3.03-1 Definitions. BREWERY, LIMITED. The move of this use in all Policy Areas to be removed from Food and Beverage Sales/Service to Agriculture makes much more sense and made it in line with the Code of Virginia requirements.
			Table 3.03-1 Definitions. What is or will be the definition of "FARM?"

			SEE ADDITIONAL COMMENTS posted in Section 3.01, Explanation of Use Table Structure
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