

MEMORANDUM

#1b & 1c

ZOR WORK GROUP COMMENTS TO PLANNING COMMISSION USES SUBCOMMITTEE & OPEN SPACE REPORTS

To: Loudoun County Planning Commission

From: ZOR WORK GROUP

Date: May 18, 2023

Table 1. Uses Subcommittee Work Sessions		
Subcommittee Meeting Date	Summary of Discussion Topics	ZOR WORKGROUP COMMENTS
March 16, 2023 Meeting Video, Staff Report	Data Center <ul style="list-style-type: none">Regulate mechanical equipment yard locationRequire noise modelingIncrease setback to 200 feet (increased from 100 ft) from residentialRetain staff's recommended upper floor building step back of 15 ftIncrease parking setback to 100 feet (increased from 50 ft) from residentialEnsure lighting standards requirement of .25 footcandles apply to security lightingRegulate generator test times and usageResearch environmental sustainability standards Energy Storage <ul style="list-style-type: none">Motion superseded (see April 25) Flex Building <ul style="list-style-type: none">Was not discussed (See March 22)	Planning Commission changes to standards are appreciated. Include two additional standards: <ul style="list-style-type: none">Using a formula to calculate setback based on building height versus a standard setback is easy to do and allows for situational differences.Requiring a shadow analysis for multi-story buildings adjacent to residential parcels helps avoid offsite impacts.

Subcommittee Meeting Date	Summary of Discussion Topics	ZOR WORKGROUP COMMENTS
<p>March 22, 2023 Meeting Video, Staff Report</p>	<p>Flex Building</p> <ul style="list-style-type: none"> • Lower minimum parking rate (2 spaces per 1,000 SF), eliminate maximum <ul style="list-style-type: none"> • Broaden definition to reflect a variety of uses • Allow limited outdoor storage (up to 10% of lot area) <p>Indoor Kennels and Grooming</p> <ul style="list-style-type: none"> • Permit Indoor Kennel in the same manner and districts as Personal Services • Establish new Companion Animal/Pet Grooming use, permit same as Indoor Kennel • Permit Indoor Kennel by right in CC-SC and PD-CC (RC) <p>Farm</p> <ul style="list-style-type: none"> • Remove acreage and contiguous requirements • Include cultivation and farming in agriculture definition <p>Agricultural Support Uses (additional commercial/ industrial uses serving agriculture)</p> <ul style="list-style-type: none"> • No change <p>Farmers Market</p> <ul style="list-style-type: none"> • See April 10 <p>Uses limited to 2 access points in rural districts</p> <ul style="list-style-type: none"> • No change <p>Uses with limits on customer traffic in rural districts</p> <ul style="list-style-type: none"> • Remove traffic limits, retain limits on parked cars <p>Mobile Vendor Additional exemptions for the number allowed onsite</p>	<p>Add the definition of FARM separate from the definition of Agriculture to meet zoning intent of Comprehensive Plan and consistency with Code of VA.</p> <p>Definition of FARM is included in Zoning Ordinance for Albemarle, Culpeper, Frederick and other counties.</p>

Subcommittee Meeting Date	Summary of Discussion Topics	ZOR WORKGROUP COMMENTS
	<p>Limited Brewery, Limited Distillery, Virginia Farm Winery</p> <ul style="list-style-type: none"> • No change <p>Botanical Garden</p> <ul style="list-style-type: none"> • Update definition, standards and permissions for Cultural Facility and its sub-uses for clarity and consistency <p>Stable / Equine Event Facility</p> <ul style="list-style-type: none"> • Change EEF use category to Agriculture • Remove Private Stable limit on number of employees • Reduce Livery Stable lot area from 25 acres to 15 acres • Increase maximum size of buildings for livery small and medium scale to 30,000 SF • Expand hours of operation from 6:00AM to 9:00PM to 4:00AM to 9:00PM. <p>Indoor Recreation in Rural Policy Area</p> <ul style="list-style-type: none"> • Discuss at full Planning Commission <p>Automobile Storage in Suburban Policy Area</p> <ul style="list-style-type: none"> • No change <p>Amphitheater in Rural Policy Area</p> <ul style="list-style-type: none"> • No change 	<ol style="list-style-type: none"> 1. Do not wait for future ZOAM Include standards in ZOR now for adequate setbacks, noise, lighting, road access, parking and hours of operation, in line with public input. The volume of complaints warrants action now. 2. Retain Sketch Plan (not a "new" requirement) 3. Add Use standards for EVENTS (in line with standards implemented in other counties).
<p>OPEN SPACE Section 7.02</p> <p style="text-align: center;">11</p>	<p>Landscaping</p> <p>Landscaped areas that do not qualify as another open space type. Must have minimum measurements of 20 feet (length and width) inclusive of adjacent open space. Cannot be located on lots for single family dwellings (except as provided in Subsection D.1.b).</p>	<p>QUESTION</p> <p>Would this provision allow for slivers of landscaped areas that are minimal in width (i.e., 1-3 ft) to get credit because they would be counted as "inclusive" of the adjacent open space area that just meets the 20 ft length/width requirements for setbacks/yards?</p>

DISCUSSION: The Subcommittee referred three topics to the full Commission for deliberation.

Summary of Discussion Topics	ZOR WORKGROUP COMMENTS
<p>1. Indoor Recreation in the RPA. A Subcommittee member asked to discuss allowing Indoor Recreation in the RPA. In both the current and draft Zoning Ordinances, Indoor Recreation is not listed as permitted in the Agricultural Rural – 1 (AR1) or Agricultural Rural – 2 (AR2) zoning districts, which comprise the bulk of the RPA.</p>	<p>Comments emailed to PC 4/22/23 and 4/25/23 confirm that:</p> <p>We agree that Indoor Recreation is not compatible with the 2019 Comprehensive Plan uses for the RPA.</p> <p>REDC on 9/4/2018 does not support this use.</p> <p>If added as a use, the 2018 ZOC member case study demonstrated the use would require large facilities, large parking lots, with increased traffic volumes, confirming its incompatibility with the Comp Plan.</p>
<p>3. Rural Restaurant. During discussion of additional staff recommended quality control revisions to the draft text at the May 11, 2023, Subcommittee Work Session, the Subcommittee deferred the Rural Restaurant use-specific standards to the full Commission. Specifically, the Subcommittee wanted the full Commission to discuss incorporating current administrative practice into the regulations</p>	<p>The draft text may be on the right track, but there’s been insufficient time for orgs, businesses, individuals, and specifically REDC to review and confirm the proposed draft text is adequate.</p> <p>This topic may also require more time for procedures to be developed to be in line with the upcoming move of the Health Department under County Administration vs. State Health Department.</p>