

Highlighted/annotated version:  
p. 1 Staff report  
p. 30 Staff issues list for BOS review  
p. 36 Staff list of future ZOAMs/CPAMs  
p. 39 Kimley Horn Public Comment Analysis

Date of Hearing: July 26, 2023

#1

**BOARD OF SUPERVISORS  
PUBLIC HEARING  
STAFF REPORT**

**SUBJECT:** **ZOAM-2020-0001, Zoning Ordinance Rewrite**

**2011 ELECTION DISTRICT(S):** Countywide

**2022 ELECTION DISTRICT(S):** Countywide

**CRITICAL ACTION DATE:** At the pleasure of the Board

**STAFF CONTACT(S):** Judi Birkitt, Planning and Zoning  
Daniel Galindo, Planning and Zoning

**PURPOSE:** To conduct a public hearing for Zoning Ordinance Amendment (ZOAM)-2020-0001, Zoning Ordinance Rewrite (ZOR).

**RECOMMENDATION(S):**

**Planning Commission:** At the June 8, 2023 Planning Commission (Commission) Work Session, the Commission forwarded (6-3: Barnes, Kirchner, and Miller opposed) ZOAM-2020-0001, Zoning Ordinance Rewrite, as reflected in the Draft Zoning Ordinance dated June 2, 2023, to the Board of Supervisors (Board) with a recommendation of approval, subject to all revisions reflected in motions approved by the Commission during its June 5, 2023 Work Session and June 8, 2023 Work Session. As part of the motion, **the Commission directed staff to:**

- **Compile all revisions approved** by the Commission on June 5, 2023 and June 8, 2023 into a final Planning Commission Draft Zoning Ordinance for consideration by the Board;
- **Correct any typographical errors**, internal cross-reference errors, or formatting errors identified by staff as they compile the final Planning Commission Draft Zoning Ordinance; and
- **Formalize test cases** to give the Board and the public additional context for various changes in the Draft Zoning Ordinance.

Further, the Commission recommended (9-0) to the Board that the following **Comprehensive Plan Amendments (CPAMs) and/or ZOAMs** as discussed in the June 5, 2023, Commission Work Session Memo, be addressed in a future Department of Planning and Zoning (DPZ) Work Plan after adoption of the new Zoning Ordinance:

- **Data Center Environmental Sustainability** Policies and/or Standards;
- Updates to the Floodplain Overlay District;
- Repurposing Commercial, Retail, and Office Buildings to Residential;

- Community-Scale Solar Facilities;
- Use Restrictions in the Mountainside Overlay District;
- Western Loudoun: Limited Breweries, Limited Distilleries, and Virginia Farm Wineries Uses and Use Standards; Stable, Livery and Equine Event Facility Uses and Use Standards; Indoor Recreation; and Outdoor Lighting and Music Hours;
- Evergreen Mills Road Corridor Area Plan; and
- Land in Lieu of Affordable Dwelling Units (ADU).

Further, the Commission recommended (9-0) to the Board that a CPAM to develop policy guidance for community-scale solar facilities located in the Rural Policy Area (RPA) and other policy areas as deemed appropriate, be considered a priority for upcoming work programs for the DPZ and that a companion ZOAM also be recognized as a priority item for future work programs and specifically include the following measures, such as but not limited to: minimum acreage amounts, screening and buffering from adjacent properties and roadways, and performance standards to minimize site disturbance in general and in areas where such uses could also be allowed in overlay districts.

**Staff:** Staff recommends the Board forward ZOAM-2020-0001, Zoning Ordinance Rewrite, to a series of Board Committee of the Whole meetings for discussion.

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**BACKGROUND:** The Board endorsed (8-0-1: Meyer absent) the ZOR Project Plan on September 19, 2019<sup>1</sup> and approved (8-0-1: Briskman absent) the Resolution of Intent to Amend the Zoning Ordinance (ROIA) on November 16, 2021.<sup>2</sup> The Project Plan and ROIA describe the Board's intent to rewrite the current Zoning Ordinance to implement the *Loudoun County 2019 Comprehensive Plan*, modernize land uses and definitions, improve document consistency and structure, improve the legislative application review process, offer more administrative review processes, make improvements based on public input, and incorporate changes based upon revisions to the Code of Virginia.<sup>3</sup>

Throughout this staff report, references to the "Zoning Ordinance" have the meanings described in Table 1.

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<sup>1</sup> [September 19, 2019, Board Business Meeting Item 14 – Zoning Ordinance Overhaul Project Plan](#)

<sup>2</sup> [November 16, 2021, Board Business Meeting Item 07 – Zoning Ordinance Rewrite ROIA](#)

<sup>3</sup> For additional background on the ZOR, including Zoning Ordinance Committee involvement and recommendations, and public engagement and participation, please see the [August 30, 2022, Commission Public Hearing staff report](#).

<b>Table 1. References to the Zoning Ordinance</b>	
<b>Staff Report Reference</b>	<b>Meaning</b>
Current Zoning Ordinance	<a href="#">Revised 1993 Loudoun County Zoning Ordinance</a>
Staff Recommended Zoning Ordinance	This refers to the August 5, 2022, and January 5, 2023, versions of the draft Zoning Ordinance that were considered at the August 30, 2022, and January 24, 2023, Commission Public Hearings, respectively, and as amended throughout the Planning Commission review.
Planning Commission Draft Zoning Ordinance (Attachment 1)	This refers to the draft Zoning Ordinance the Commission recommended for approval and forwarded to the Board for consideration on June 8, 2023. This version incorporates motions from the Commission’s June 5, 2023, and June 8, 2023, Work Sessions.
“New Zoning Ordinance”	The Zoning Ordinance as adopted by the Board.

**Planning Commission:** The Commission held Public Hearings on the ZOR project on [August 30, 2022](#), and [January 24, 2023](#). As outlined in Table 2, the draft chapters were split between the two public hearings. There were **29 speakers at the August 30, 2022, Public Hearing**. Speakers brought forward comments around the following themes regarding the Staff Recommended Zoning Ordinance: potential negative impacts upon developers and economic growth; the desire for more flexible regulations, particularly for attainable housing and flex buildings; and potential impacts associated with data centers and excessive signage. Speakers also stressed support for protecting natural resources (e.g., wildlife habitat, mountains, rivers, streams, and viewsheds), the County’s rural character, villages, and agricultural uses, and ensuring adequate public review and input on draft regulations.

At the **January 24, 2023 Public Hearing, there were 55 speakers**, many addressing the same topics as the first Public Hearing. Additionally, speakers expressed concerns that the draft open space regulations were too complex, and conveyed support for: increasing attainable housing countywide, protecting historic resources and prime agricultural soils, mitigating impacts associated with high intensity uses in western Loudoun, and more broadly allowing farmers markets, mobile vendors, larger scale solar projects, and battery energy storage facilities.

<b>Table 2. Planning Commission Public Hearing Topics</b>	
<b>August 30, 2022 Commission Public Hearing Topics</b>	<b>January 24, 2023 Commission Public Hearing Topics*</b>
Chapter 7: Development Standards Chapter 8: Signs Chapter 10: Nonconformities and Adaptive Reuse <sup>1</sup> Chapter 10: Procedures Chapter 11: Officials, Boards and Commissions	Chapter 1: Introduction Chapter 2: Zoning Districts Chapter 3: Uses Chapter 4: Use-Specific Standards Chapter 5: Overlay Districts Chapter 6: Natural and Environmental Resources

<b>Table 2. Planning Commission Public Hearing Topics</b>	
<b>August 30, 2022 Commission Public Hearing Topics</b>	<b>January 24, 2023 Commission Public Hearing Topics*</b>
Chapter 12: Definitions and Rules of Interpretation Appendix A: Acronyms Appendix B: Land Development Application Fees	Chapter 7: Development Standards – Open Space (§ 7.02) Chapter 9: Attainable Housing Chapter 10: Procedures – Additional Requirements (§§ 10.10.06, 10.10.07, 10.10.09)
<a href="#">Aug. 30, 2022 Staff Report</a> <a href="#">Aug. 30, 2022 Video</a> <a href="#">Aug. 30, 2022 Minutes</a>	<a href="#">Jan. 24, 2023 Staff Report</a> <a href="#">Jan. 24, 2023 Video</a> <a href="#">Jan. 24, 2023 Minutes</a>
<sup>1</sup> Relocated to Chapters 1 and 4, respectively and subsequent chapters renumbered. *Some sections have been consolidated or renumbered over time. Section references in this item correspond to the current section numbering in the Planning Commission Draft Zoning Ordinance.	

Since the August 30, 2022, Public Hearing, the Commission discussed the ZOR project during 25 Work Sessions, including two Parking Subcommittee meetings and six Uses Subcommittee meetings. Table 3 lists Commission Work Session dates, organized by Zoning Ordinance chapter, with links to respective staff reports, meeting videos, and meeting minutes.

<b>Table 3. Planning Commission Work Sessions by Zoning Ordinance Chapter</b>		
<b>Chapter 1: Introduction</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">March 16, 2023 Staff Report</a>	<a href="#">March 16, 2023 Video</a>	<a href="#">March 16, 2023 Minutes</a>
<b>Chapter 2: Zoning Districts</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">Feb. 25, 2023 Staff Report</a>	<a href="#">Feb. 25, 2023 Video</a>	<a href="#">Feb. 25, 2023 Minutes</a>
<a href="#">May 11, 2023 Staff Report</a>	<a href="#">May 11, 2023 Video</a>	<a href="#">May 11, 2023 Minutes</a>
<a href="#">June 5, 2023 Staff Report</a>	<a href="#">June 5, 2023 Video</a>	<a href="#">June 5, 2023 Minutes</a>
<b>Chapter 3: Uses, and Chapter 4: Use-Specific Standards</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">Feb. 25, 2023 Staff Report</a>	<a href="#">Feb. 25, 2023 Video</a>	<a href="#">Feb. 25, 2023 Minutes</a>
<a href="#">March 16, 2023 Staff Report</a>	<a href="#">March 16, 2023 Video</a>	<a href="#">March 16, 2023 Minutes</a>
<a href="#">March 22, 2023 Staff Report</a>	<a href="#">March 22, 2023 Video</a>	<a href="#">March 22, 2023 Minutes</a>
<a href="#">March 30, 2023 Staff Report</a>	<a href="#">March 30, 2023 Video</a>	<a href="#">March 30, 2023 Minutes</a>
<a href="#">April 10, 2023 Staff Report</a>	<a href="#">April 10, 2023 Video</a>	<a href="#">April 10, 2023 Minutes</a>
<a href="#">April 25, 2023 Staff Report</a>	<a href="#">April 25, 2023 Video</a>	<a href="#">April 25, 2023 Minutes</a>
<a href="#">May 11, 2023 Staff Report</a>	<a href="#">May 11, 2023 Video</a>	<a href="#">May 11, 2023 Minutes</a>
<a href="#">May 18, 2023 Staff Report</a>	<a href="#">May 18, 2023 Video</a>	<a href="#">May 18, 2023 Minutes</a>
<a href="#">June 5, 2023 Staff Report (Chapter 3)</a>	<a href="#">June 5, 2023 Video</a>	<a href="#">June 5, 2023 Minutes</a>

<b>Table 3. Planning Commission Work Sessions by Zoning Ordinance Chapter</b>		
<a href="#">June 8, 2023 Staff Report (Chapter 4)</a>	<a href="#">June 8, 2023 Video</a>	<a href="#">June 8, 2023 Minutes</a>
<b>Chapter 5: Overlay Districts</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">Feb. 9, 2023 Staff Report</a>	<a href="#">Feb. 9, 2023 Video</a>	<a href="#">Feb. 9, 2023 Minutes</a>
<a href="#">May 11, 2023 Staff Report</a>	<a href="#">May 11, 2023 Video</a>	<a href="#">May 11, 2023 Minutes</a>
<b>Chapter 6: Natural and Environmental Resources</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">Feb. 9, 2023 Staff Report</a>	<a href="#">Feb. 9, 2023 Video</a>	<a href="#">Feb. 9, 2023 Minutes</a>
<b>Chapter 7: Development Standards (Site Development; Open Space; Tree Planting, Replacement, and Preservation; Landscaping, Buffers, and Screening; Light, Noise, and Vibration; Parking; Transportation; Utilities; Owners Associations; Rural Hamlet Development Option A-3 and A-10)</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">Feb. 17, 2023 Staff Report (Parking)</a>	<a href="#">Feb. 17, 2023 Video (Parking)</a>	<a href="#">Feb. 17, 2023 Minutes</a>
<a href="#">March 23, 2023 Staff Report</a>	<a href="#">March 23, 2023 Video</a>	<a href="#">March 23, 2023 Minutes</a>
<a href="#">April 15, 2023 Staff Report (Open Space)</a>	<a href="#">April 15, 2023 Video (Open Space)</a>	<a href="#">April 15, 2023 Minutes</a>
<a href="#">April 15, 2023 Staff Report (Parking)</a>	<a href="#">April 15, 2023 Video (Parking)</a>	<a href="#">April 15, 2023 Minutes</a>
<a href="#">May 11, 2023 Staff Report (Open Space)</a>	<a href="#">May 11, 2023 Video (Open Space)</a>	<a href="#">May 11, 2023 Minutes</a>
<a href="#">June 5, 2023 Staff Report</a>	<a href="#">June 5, 2023 Video</a>	<a href="#">June 5, 2023 Minutes</a>
<b>Chapter 8: Signs</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">Feb. 25, 2023 Staff Report</a>	<a href="#">Feb. 25, 2023 Video</a>	<a href="#">Feb. 25, 2023 Minutes</a>
<a href="#">March 9, 2023 Staff Report</a>	<a href="#">March 9, 2023 Video</a>	<a href="#">March 9, 2023 Minutes</a>
<a href="#">April 15, 2023 Staff Report</a>	<a href="#">April 15, 2023 Video</a>	<a href="#">April 15, 2023 Minutes</a>
<a href="#">June 5, 2023 Staff Report</a>	<a href="#">June 5, 2023 Video</a>	<a href="#">June 5, 2023 Minutes</a>
<b>Chapter 9: Attainable Housing</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">Feb. 9, 2023 Staff Report</a>	<a href="#">Feb. 9, 2023 Video</a>	<a href="#">Feb. 9, 2023 Minutes</a>
<a href="#">May 4, 2023 Staff Report</a>	<a href="#">May 4, 2023 Video</a>	<a href="#">May 4, 2023 Minutes</a>
<a href="#">June 5, 2023 Staff Report</a>	<a href="#">June 5, 2023 Video</a>	<a href="#">June 5, 2023 Minutes</a>
<b>Chapter 10: Procedures</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">May 4, 2023 Staff Report</a>	<a href="#">May 4, 2023 Video</a>	<a href="#">May 4, 2023 Minutes</a>
<a href="#">June 5, 2023 Staff Report</a>	<a href="#">June 5, 2023 Video</a>	<a href="#">June 5, 2023 Minutes</a>

<b>Table 3. Planning Commission Work Sessions by Zoning Ordinance Chapter</b>		
<b>Chapter 11: Officials, Boards, and Commissions</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">October 13, 2022 Staff Report</a>	<a href="#">October 13, 2022 Video</a>	<a href="#">October 13, 2022 Minutes</a>
<a href="#">October 20, 2022 Staff Report</a>	<a href="#">October 20, 2022 Video</a>	<a href="#">October 20, 2022 Minutes</a>
<b>Chapter 12: Definitions</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">October 13, 2022 Staff Report</a>	<a href="#">October 13, 2022 Video</a>	<a href="#">October 13, 2022 Minutes</a>
<a href="#">October 20, 2022 Staff Report</a>	<a href="#">October 20, 2022 Video</a>	<a href="#">October 20, 2022 Minutes</a>
<a href="#">February 25, 2023 Staff Report</a>	<a href="#">February 25, 2023 Video</a>	<a href="#">Feb. 25, 2023 Minutes</a>
<a href="#">May 18, 2023 Staff Report</a>	<a href="#">May 18, 2023 Video</a>	<a href="#">May 18, 2023 Minutes</a>
<a href="#">June 5, 2023 Staff Report</a>	<a href="#">June 5, 2023 Video</a>	<a href="#">June 5, 2023 Minutes</a>
<a href="#">June 8, 2023 Staff Report (Chapter 4)</a>	<a href="#">June 8, 2023 Video</a>	<a href="#">June 8, 2023 Minutes</a>
<b>Appendices</b>		
<b>Work Session</b>	<b>Meeting Video</b>	<b>Meeting Minutes</b>
<a href="#">October 13, 2022 Staff Report (Acronyms and Fees)</a>	<a href="#">October 13, 2022 Video (Acronyms and Fees)</a>	<a href="#">October 13, 2022 Minutes</a>
<a href="#">May 4, 2023 Staff Report (Flexible Regulations)</a>	<a href="#">May 4, 2023 Video (Flexible Regulations)</a>	<a href="#">May 4, 2023 Minutes</a>

At the June 8, 2023, Work Session, the Commission concluded their work on the ZOR project and forwarded (6-3: Barnes, Kirchner, and Miller opposed) ZOAM-2020-0001, Zoning Ordinance Rewrite, as reflected in the Planning Commission Draft Zoning Ordinance dated June 2, 2023, to the Board with a recommendation of approval, subject to all revisions reflected in motions approved by the Commission during its June 5, 2023 Work Session and June 8, 2023 Work Session. The Commission directed staff to test the Planning Commission Draft Zoning Ordinance in a manner that considers the regulations holistically. The intent of these testing scenarios is to provide the Board and the public with additional context for the various changes in the Planning Commission Draft Zoning Ordinance.

Further, the Commission recommended (9-0) to the Board that eight CPAMs and/or ZOAMs be addressed after adoption of the new Zoning Ordinance. Attachment 2 describes the purpose of these CPAMs and ZOAMs. When voting on this motion, the Commission agreed to discuss prioritizing these CPAMs and ZOAMs for the Board’s consideration at a future Work Session.

**Public Comment:** A critical component of the ZOR project has been and continues to be engaging stakeholders and considering stakeholder input for incorporation into the ZOR project. To date, available channels for the public to provide comment on the ZOR project have included:

- Focus Groups<sup>4</sup>;
- Community Meetings;
- enCodePlus online planning tool (90-day comment period, April-July 2022);
- Email: [zorewrite@loudoun.gov](mailto:zorewrite@loudoun.gov);
- Phone: 703-777-0246;
- Online comment form: [loudoun.gov/ZoningOrdinanceRewrite](https://loudoun.gov/ZoningOrdinanceRewrite);
- Mail/Letters;
- Loudoun Online Land Applications: [loudoun.gov/lola](https://loudoun.gov/lola); and
- Planning Commission Public Hearings (August 30, 2022, and January 24, 2023).

Throughout the Commission's review of the ZOR project and since the Commission completed their work on the ZOR project, staff have also continued to meet with stakeholders to resolve issues. These stakeholder meetings and public comment intake methods have generated thousands of public comments from a variety of stakeholders. Identified public comment themes informed revisions to the Staff Recommended Zoning Ordinance to ensure stakeholder issues were considered and addressed while developing the Planning Commission Draft Zoning Ordinance (Attachment 1). Public comments helped guide the Commission's discussion on many topics. As the Commission considered draft chapters or sections of the Staff Recommended Zoning Ordinance, associated public comment themes were provided in the Commission Work Session items to assist the Commission with their deliberations and to inform the public of themes staff identified.

To further understand the nature of public input throughout the Commission's process, the County sought the services of a consultant to analyze the thousands of comments received. The consultant's report, which includes an in-depth explanation of the methodology used to review the comments, is included in this item (Attachment 3).

[Kimley Horn ZOR Comment Analysis](#)

In summary, the consultant used a combination of Artificial Intelligence (AI) and other programmatic tools, as well as manual synthesis of information, to produce their results. The findings show that periods of high comment frequencies corresponded to public meetings and comment review periods following the release of new draft chapters, demonstrating that the public was successfully engaged in the development of the Planning Commission Draft Zoning Ordinance through intentional outreach efforts by staff. The AI analysis also shows that comment topics that were present in many initial comments later fell to a small minority of overall

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<sup>4</sup> Focus Groups: Affordable Dwelling Unit Advisory Board, Chamber of Commerce, Coalition of Loudoun Towns, Data Center Coalition, Dulles Area Association of Realtors, Dominion Energy, Economic Development Advisory Council, Equine Alliance, Heritage Commission, Historic District Review Committee, Housing Advisory Board, Loudoun Coalition of Homeowners and Condominium Associations, Loudoun County Preservation & Conservation Coalition, Loudoun Historic Village Alliance, Loudoun Soil & Water Conservation District, Loudoun Water, Metropolitan Washington Airports Authority, NAIOP/Commercial Real Estate Development Association, Northern Virginia Building Industry Association, Piedmont Environmental Council, Planning Commission, Route 28 Property Owners Advisory Board, Rural Economic Development Council, Save Rural Loudoun, Visit Loudoun, and Zoning Ordinance Committee.

comments, indicating that the Commission and staff were largely successful in addressing concerns as they were brought forth by the public. Finally, this analysis demonstrated that while organizations and interest groups provided most comments, individual citizens were highly engaged in the process providing 30 percent of all comments received.

The analysis of the public comments (Attachment 3) serves to assist in understanding the topics and themes that informed the Planning Commission Draft Zoning Ordinance. The comments received during the Commission’s process, which are available on the County’s website, were related to different versions of the draft Zoning Ordinance (refer to Table 1). The Board’s July 26, 2023 Public Hearing begins a new phase of public engagement, given the Board is reviewing the Planning Commission Draft Zoning Ordinance text. New public comment regarding the Planning Commission Draft Zoning Ordinance will be provided to the Board for consideration throughout the Board’s Work Sessions.

Members of the public will be encouraged to provide the Board with input on the ZOR project through four primary channels.

- Board Public Hearings: July 26, 2023, and December 2023.
- Online comment form: [loudoun.gov/ZoningOrdinanceRewrite](http://loudoun.gov/ZoningOrdinanceRewrite).
- The Board’s comment telephone line for those who do not have access to the internet: 703-777-0115.
- The DPZ main telephone line: 703-777-0246.

**Structure of Planning Commission Draft Zoning Ordinance:** Table 4 indicates how the Planning Commission Draft Zoning Ordinance is organized and what each chapter contains.

<b>Table 4. Structure of Planning Commission Draft Zoning Ordinance</b>	
<b>Chapter</b>	<b>Major Provisions</b>
Ch. 1: Introduction	<ul style="list-style-type: none"> <li>• Application, Vested Rights, Nonconformities.</li> </ul>
Ch. 2: Zoning Districts	<ul style="list-style-type: none"> <li>• Lot size, floor area ratio, lot coverage, density, yards and setbacks.</li> <li>• Residential unit type mix, district size, mix of uses, design standards.</li> </ul>
Ch. 3: Uses	<ul style="list-style-type: none"> <li>• Use permissions by Zoning District.</li> <li>• States whether a use is Permitted, a Special Exception (SPEX), or a Minor Special Exception (SPMI).</li> <li>• Accessory Uses, Temporary Uses.</li> </ul>
Ch. 4: Use-Specific Standards	<ul style="list-style-type: none"> <li>• Standards that are unique to specific uses (i.e., buffering, screening).</li> <li>• Thresholds for when legislative approval for a use is required.</li> <li>• Incentives for the adaptive reuse of historically significant structures.</li> </ul>



<b>Table 4. Structure of Planning Commission Draft Zoning Ordinance</b>	
<b>Chapter</b>	<b>Major Provisions</b>
Ch. 5: Overlay Districts	<ul style="list-style-type: none"> <li>• Regulations for overlay districts that are in addition to underlying Zoning Districts (i.e. Airport Impact Overlay District).</li> </ul>
Ch. 6: Natural and Environmental Standards	<ul style="list-style-type: none"> <li>• Contains the uses and activities allowed within the River and Stream Corridor Resources buffer and steep slope areas. Establishes what approvals are needed within the RSCR and steep slope areas.</li> </ul>
Ch. 7: Development Standards	<ul style="list-style-type: none"> <li>• Explains how density is calculated, how lot requirements and yards are measured, what is allowed in certain yards and setbacks, and how lot coverage and building height are calculated.</li> <li>• Transitions between developments.</li> <li>• Open space, tree canopy, and landscape buffers.</li> <li>• Light and noise.</li> <li>• Parking requirements.</li> <li>• Road access, visibility at intersections, and paths and sidewalks.</li> <li>• Establishes when public water and sewer is required or prohibited.</li> </ul>
Ch. 8: Signs	<ul style="list-style-type: none"> <li>• Types, dimensions, design, and other characteristics of signs.</li> </ul>
Ch. 9: Attainable Housing	<ul style="list-style-type: none"> <li>• Regulations for the Affordable Dwelling Unit, Unmet Housing Needs Unit, and Affordable Housing Unit programs.</li> </ul>
Ch. 10: Procedures	<ul style="list-style-type: none"> <li>• Procedures and submittal requirements for various permit, administrative, and legislative applications.</li> </ul>
Ch. 11: Officials, Boards, and Commissions	<ul style="list-style-type: none"> <li>• Powers and duties of the Zoning Administrator, Planning Commission, Board of Zoning Appeals, and Historic District Review Committee.</li> </ul>
Ch. 12: Definitions	<ul style="list-style-type: none"> <li>• Defines pertinent terms.</li> </ul>
Appendix A: Acronyms	<ul style="list-style-type: none"> <li>• Examples:  Airport Impact Overlay District (AIOD);  Mountainside Overlay District (MOD); and  Board of Zoning Appeals (BZA).</li> </ul>
Appendix B: Land Development Application Fees	<ul style="list-style-type: none"> <li>• A list of fees rendered by the County for the review of land development applications (carried over from the Current Zoning Ordinance (no changes made).</li> </ul>
Appendix C: Flexible Regulations	<ul style="list-style-type: none"> <li>• A guide for regulations that may be modified, amended, or waived and the applicable process to do so.</li> </ul>

**Zoning Ordinance Wayfinding Tool:** To assist the Board and the public with comparing the current Zoning Ordinance (Revised 1993 Zoning Ordinance) with the Planning Commission Draft

Zoning Ordinance, staff sought consultant services to develop a wayfinding tool. The tool is intended to allow users who are already familiar with the current Zoning Ordinance to locate a regulation in the Planning Commission Draft Zoning Ordinance. This tool may be helpful given the reorganization of the Planning Commission Draft Zoning Ordinance chapters. The wayfinding tool is in its final development stage and will be provided to the Board as soon as possible and also published on the County's website.

**Summary of Major Changes:** Staff identifies the following as major changes between the current Zoning Ordinance and the Planning Commission Draft Zoning Ordinance for the Board's awareness and consideration.

1. **Repeal and Replacement of the Zoning Ordinance:**

*Public Comment Theme:* Maintain protections for owners in the Route 28 Tax District who are subject to the 1972 Zoning Ordinance.

Upon adoption, the new Zoning Ordinance will repeal and replace the Current Zoning Ordinance. The new Zoning Ordinance will not impair the statutory protections afforded to owners of industrially or commercially zoned properties within the Route 28 Tax District. Properties currently administered under the version of the Zoning Ordinance in effect immediately prior to implementation of the tax district (commonly referred to as the Loudoun County 1972 Zoning Ordinance (1972 Zoning Ordinance)) will continue to be administered under the 1972 Zoning Ordinance, unless and until the owner waives Route 28 taxing district protections via a Zoning Map Amendment (ZMAP) or a Zoning Conversion in the Route 28 Tax District (also known as a ZRTD). All other property in the County will be administered under the new Zoning Ordinance subject to any vested or other statutory rights accruing to such property.

2. **Zoning Districts:**

*Public Comment Themes:*

- Zoning District regulations should remove barriers to attainable housing by providing a wider range of housing options, removing existing regulatory barriers, and not limiting density; and,
- Certain dimensional standards and should be adjusted for consistency across Zoning Districts and with the current Zoning Ordinance.
- Suburban Compact Neighborhood (SCN) Zoning District Alternate Location Criteria should be removed since the Board directed staff to undertake a CPAM to refine and clarify the criteria.

Considering a primary goal of the ZOR is to implement the *Loudoun County 2019 General Plan (2019 GP)*, the Zoning Districts in the Planning Commission Draft Zoning Ordinance are grouped by 2019 GP Policy Area: Urban, Suburban, Transition, Rural, and Joint Land Management. The Zoning Districts chapter also includes an Office and Industrial Zoning

Districts Section to accommodate existing nonresidential Zoning Districts that will continue to apply in more than one policy area and a Planned Unit Development (PUD) Zoning District Section that is permitted to apply in certain 2019 GP Policy Areas and Place Types. No remapping is recommended as part of the ZOR. Instead, the approach aligns the Zoning Districts in the current Zoning Ordinance with the 2019 GP Place Types when possible and results in four Zoning District categories, as discussed below and outlined in Table 5.

- **Retained And Renamed Zoning Districts.** Retained and renamed Zoning Districts are existing Zoning Districts that are retained because they closely resemble Place Types in the 2019 GP, but the regulations are revised to better realize development patterns and housing attainability envisioned in the 2019 GP, as well as to improve implementation of the Zoning Ordinance. Except for one Zoning District, retained and renamed Zoning Districts remove the prefix “Planned Development” from the names. The exception is the unmapped Urban Employment Zoning District, which is renamed to align with the 2019 GP Place Type. There are nine Retained and Renamed Zoning Districts.
- **Retained Zoning Districts.** Retained Zoning Districts are existing Zoning Districts that are retained because they also closely resemble Place Types in the 2019 GP but the regulations are revised to better realize the development patterns and housing attainability envisioned in the 2019 GP, as well as to improve implementation of the Zoning Ordinance. There are nine Retained Zoning Districts.
- **New, Unmapped Zoning Districts.** New, Unmapped Zoning Districts have been developed to implement the 2019 GP. They will only be mapped upon approval of a ZMAP application. There are nine New, Unmapped Zoning Districts, including the PUD Zoning District, which provides an option for an innovative development scheme provided it implements the Place Type where the property is located. The Commission directed staff to add more flexibility to the PUD Zoning District by allowing the 20-acre minimum district size to be modified.
- **Legacy Zoning Districts.** Legacy Zoning Districts are existing Zoning Districts that do not closely resemble 2019 GP Place Types. Zoning District names and regulations remain the same, except for limited revisions to improve implementation. They are included in the Draft Zoning Ordinance to protect previously approved projects. Legacy Zoning Districts will not be allowed to expand beyond existing boundaries, but projects can develop as approved, and approved concept development plans can be amended. There are 25 Legacy Zoning Districts.

In addition to the four categories of existing Zoning Districts, there is also one retired Zoning District. The Planning Commission Draft Zoning Ordinance does not include the Planned Development-Countryside Village Zoning District, which is a Zoning District in the current Zoning Ordinance that is unmapped. Since no property has ever been remapped to this district, this Zoning District will be retired.

<b>Table 5: Zoning Districts in the Planning Commission Draft Zoning Ordinance with Corresponding 2019 General Plan Place Type and Zoning District Approach</b>			
<b>Section Reference</b>	<b>Draft Zoning District Draft Zoning Ordinance</b>	<b>Place Type 2019 General Plan</b>	<b>Zoning District Approach</b>
<b>2.01</b>	<b>Urban Zoning Districts</b>		
2.01.01	Transit Related Center (TRC) <i>Formerly Planned Development- Transit Related Center (PD-TRC)</i>	Urban Transit Center (Inner and Outer Core)  Urban Mixed Use (Transit Designed Supportive Area (TDSA))	Retained and Renamed
2.01.02	Urban Employment (UE) <i>Formerly Planned Development- Transit Related Unemployment Center (PD-TREC)</i> <i>(No property mapped to this district)</i>	Urban Employment	Retained and Renamed
<b>2.02</b>	<b>Suburban Zoning Districts</b>		
2.02.01	Suburban Neighborhood-4 (SN-4) Suburban Neighborhood-6 (SN-6)	Suburban Neighborhood	New
2.02.02	Suburban Compact Neighborhood-8 (SCN-8) Suburban Compact Neighborhood-16 (SCN-16)  Suburban Compact Neighborhood-24 (SCN-24)	Suburban Compact Neighborhood  Suburban Mixed Use	New
2.02.03	Town Center (TC) <i>Formerly Planned Development- Town Center (PD-TC)</i>	Suburban Mixed Use	Retained and Renamed
2.02.04	Commercial Center- Neighborhood Center (CC-NC) <i>(formerly Planned Development- Commercial Center (Neighborhood Center))</i>  Commercial Center-Community Center (CC-CC) <i>(formerly Planned Development- Commercial Center (Community Center))</i>  Commercial Center-Small Regional Center (CC-SC)	Suburban Commercial (CC- SC is only permitted in this Place Type)  Suburban Neighborhood  Suburban Compact Neighborhood	Retained and Renamed

<b>Table 5: Zoning Districts in the Planning Commission Draft Zoning Ordinance with Corresponding 2019 General Plan Place Type and Zoning District Approach</b>			
<b>Section Reference</b>	<b>Draft Zoning District Draft Zoning Ordinance</b>	<b>Place Type 2019 General Plan</b>	<b>Zoning District Approach</b>
	<i>(formerly Planned Development-Commercial Center (Small Regional Center))</i>		
2.02.05.01	Single Family Residential-1 (R-1) Single Family Residential-2 (R-2) Single Family Residential-3 (R-3)	N/A	Legacy
2.02.05.02	Single Family Residential-4 (R-4)	N/A	Legacy
2.02.05.03	Single Family Residential-8 (R-8)	N/A	Legacy
2.02.05.04	Townhouse/Multifamily Residential-16 (R-16)	N/A	Legacy
2.02.05.05	Multifamily Residential-24 (R-24)	N/A	Legacy
2.02.05.06	Planned Development-Housing (PD-H)	N/A	Legacy
2.02.05.07	Planned Development-Commercial Center (Regional Center) (PD-CC(RC))	N/A	Legacy
2.02.05.08	Planned Development-Research and Development Park (PD-RDP)	N/A	Legacy
2.02.05.09	Planned Development-Special Activity (PD-SA)	N/A	Legacy
2.02.05.10	Planned Development-Active Adult/Age Restricted (PD-AAAR)	N/A	Legacy
2.02.05.11	Planned Development-Mixed Use Business (PD-MUB)	N/A	Legacy
2.02.05.12	General Business (GB)	N/A	Legacy
2.02.05.13	Commercial Light Industry (CLI)	N/A	Legacy
<b>2.03</b>	<b>Transition Zoning Districts</b>		
2.03.01	Transitional Residential-1 (TR-1) Transitional Residential-3 (TR-3) Transitional Residential-10 (TR-10)	Transition Large Lot Neighborhood	Retained
2.03.02	Transition Small Lot Neighborhood (TSN)	Transition Small Lot Neighborhood	New
2.03.03	Transition Compact Neighborhood (TCN)	Transition Compact Neighborhood	New
2.03.04	Transition Community Center (TCC)	Transition Community Center	New

<b>Table 5: Zoning Districts in the Planning Commission Draft Zoning Ordinance with Corresponding 2019 General Plan Place Type and Zoning District Approach</b>			
<b>Section Reference</b>	<b>Draft Zoning District Draft Zoning Ordinance</b>	<b>Place Type 2019 General Plan</b>	<b>Zoning District Approach</b>
2.03.05.01	Transitional Residential (TR-2)	N/A	Legacy
<b>2.04</b>	<b>Rural Zoning Districts</b>		
2.04.01	Agricultural Rural-1 (AR-1)	Agricultural Rural North	Retained
2.04.02	Agricultural Rural-2 (AR-2)	Agricultural Rural South	Retained
2.04.03.01	Agricultural (A-10)	N/A	Legacy
2.04.03.02	Agricultural Residential (A-3)	N/A	Legacy
2.04.03.03	Countryside Residential-1 (CR-1) Countryside Residential-2 (CR-2) Countryside Residential-3 (CR-3) Countryside Residential-4 (CR-4)	N/A	Legacy
2.04.03.04	Rural Commercial (RC)	N/A	Legacy
2.04.03.05	Planned Development-Rural Village (PD-RV)	N/A	Legacy
<b>2.05</b>	<b>Joint Land Management (JLMA) Zoning Districts</b>		
2.05.01	Joint Land Management Area-1 (JLMA-1) Joint Land Management Area-2 (JLMA-2) Joint Land Management Area-3 (JLMA-3)	Purcellville JLMA Rural Neighborhood Western JLMA Neighborhood Leesburg JLMA Residential Neighborhood	Retained
2.05.02.01	Joint Land Management Area-20 (JLMA-20)	N/A	Legacy
<b>2.06</b>	<b>Office and Industrial Zoning Districts</b>		
2.06.01	Office Park (OP) <i>Formerly Planned Development-Office Park (PD-OP)</i>	Suburban Employment Transition Light Industrial Leesburg JLMA Employment	Retained and Renamed
2.06.02	Industrial Park (IP) <i>Formerly Planned Development-Industrial Park (PD-IP)</i>	Suburban Employment Suburban Industrial/Mineral Extraction Transition Light Industrial Transition Industrial/Mineral Extraction Leesburg JLMA Employment Leesburg JLMA Industrial/Mineral Extraction	Retained and Renamed

<b>Table 5: Zoning Districts in the Planning Commission Draft Zoning Ordinance with Corresponding 2019 General Plan Place Type and Zoning District Approach</b>			
<b>Section Reference</b>	<b>Draft Zoning District Draft Zoning Ordinance</b>	<b>Place Type 2019 General Plan</b>	<b>Zoning District Approach</b>
2.06.03	General Industry (GI) <i>Formerly Planned Development- General Industry (PD-GI)</i>	Suburban Industrial/Mineral Extraction Transition Industrial/Mineral Extraction Leesburg JLMA Industrial/Mineral Extraction	Retained and Renamed
2.06.04	Mineral Resource-Heavy Industry (MR-HI)	Suburban Industrial/Mineral Extraction Transition Industrial/Mineral Extraction Leesburg JLMA Industrial/ Mineral Extraction	Retained
<b>2.07</b>	<b>Planned Unit Development Zoning District</b>		
2.07.01	Planned Unit Development (PUD)	Urban and Suburban Policy Areas Transition Small Lot Neighborhood Transition Compact Neighborhood Transition Community Center Transition Light Industrial Transition Industrial/Mineral Extraction Leesburg JLMA Residential Neighborhood Leesburg JLMA Employment Leesburg JLMA Industrial/Mineral Extraction	New

**Additional major changes to the Zoning Districts include:**

- Including a **Zoning Districts Dimensional Standards** table where all density (Floor Area Ratio (FAR) or dwelling units per acre), lot (size, depth, etc.), setback (front, side, rear yards, etc.), and building (lot coverage, height, etc.) requirements are provided;
- As noted below, **moving all use lists to Chapter 3: Uses**, and consolidating any use limitations included in specific Zoning Districts in Chapter 4: Use-Specific Standards; and,

- Reducing repetitive development standards, such as road access, utilities, and owners associations, included in each Zoning District by consolidating them in Chapter 7: Development Standards.
- The Commission directed staff to remove the SCN Zoning District Alternate Location Criteria to address public comment.

Other revisions were made to Zoning Districts to holistically address housing attainability, including:

- Incorporating the reduced dimensional standards in Article 7 of the current Zoning Ordinance as the Affordable Dwelling Unit Development Zoning District Regulations to promote attainable housing in general by reducing residential development costs;
- Requiring a mix of dwelling unit types in each residential Zoning District;
- Incorporating the reduced lot standards from Article 7 in the current Zoning Ordinance;
- Removing FAR and height maximums from the Transit Related Center (TRC) Zoning District;
- Allowing the Adaptive Reuse of historic buildings for residential uses in districts that allow more than only single family detached (SFD) dwelling units;
- Reducing yard requirements for detached accessory dwellings; and,
- Incorporating a PUD District that allows unique development proposals that could intentionally address attainable housing through a design not allowed by the standard Zoning Districts.

### 3. **Chapter 3: Uses:**

*Public Comment Themes:*

- Allow more uses by-right;
- Require SPEX approval for more uses; and
- Require a SPEX for certain high-impact rural economy uses.

Chapter 3 consolidates the lists of uses from the text of each Zoning District Section in the current Zoning Ordinance. Section 3.02 provides the lists of permitted uses in tabular format for ease of use, organized by 2019 GP Policy Area, as listed below:

- 3.02.01 Urban and Suburban Zoning Districts;
- 3.02.02 Legacy Suburban Zoning Districts;
- 3.02.03 Transition, Rural, and JLMA Zoning Districts;
- 3.02.04 Legacy Transition, Rural, and JLMA Zoning Districts; and
- 3.02.05 Office and Industrial Zoning Districts.

The Commission formed a Uses Subcommittee to discuss specific uses individual Commissioners wanted to discuss and uses that the public commented on, such as flex buildings, data centers, limited breweries, energy storage, and others. The Uses Subcommittee met six times. Among other topics, staff and the Uses Subcommittee discussed the approach to modernize and update certain use names.



Names of certain uses have been modernized and simplified to minimize redundancy and conflicting language. In the current Zoning Ordinance, certain uses are named differently in different Zoning Districts, and all the various ways to phrase a use are not currently defined, which leads to confusion. The simplification of use names is proposed without changing the actual use permissions. For example, the use “Child Day Center” in the Planning Commission Draft Zoning Ordinance combines child care facilities, child care center, and child day care center used within the current Zoning Ordinance. “Medical Office” replaces medical/dental office, office, medical and office, medical and dental. Where use listings in the current Zoning Ordinance include standards, the standards have been moved to Section 3.03 Accessory Uses, Chapter 4: Use-Specific Standards, or another appropriate Section of the Planning Commission Draft Zoning Ordinance. Staff will provide a uses comparison crosswalk table to the Board to show that while use names have changed in the Planning Commission Draft Zoning Ordinance compared to the current Zoning Ordinance, permissions have not been reduced.

The Staff Recommended Zoning Ordinance included proposed adjustments to use permissions to address policy and administrative issues, and these were endorsed by the Commission and therefore reflected in the Planning Commission Draft Zoning Ordinance. A handful of use permissions were removed as recommended by staff because they present administrative challenges and are inconsistent with policies in the 2019 GP. One use was removed by the Commission. Uses permitted in the current Zoning Ordinance that are not permitted in the Planning Commission Draft Zoning Ordinance are listed below:

- Remove *Cohousing* as a use permitted in the AR-1 and AR-2 Zoning Districts;
- Remove *Magazine contained explosives facility* as a use permitted by SPEX in the A-3 Zoning District to address a policy concern as this use is too intensive for this rural district. (This use is not proposed to be allowed in any Zoning District.);
- Remove *Dwelling, single-family detached* and *Dwelling, single-family attached* as uses permitted in the TRC Outer Core Subarea to implement a policy within the 2019 GP that promotes more density near transit;
- Remove *Car wash, accessory to convenience store*, in the TRC and Research and Development Park Zoning Districts, to promote more pedestrian-oriented uses;
- Remove *Retail sales accessory to residential* in the PD-RV Zoning District and instead address this use as a Home Occupation; and
- Remove *Amphitheater* as a use in AR-1 and AR-2, as directed by the Commission.

New uses were added to the Planning Commission Draft Zoning Ordinance to address new industries and public comment. Uses already listed as permitted in some Zoning Districts were added as permitted in additional Zoning Districts to address public comment. This is shown in Table 6.

<b>Table 6. Expanded Use Permissions</b>			
Use	Permitted (P), SPMI (M) or SPEX (S)	Zoning District	Ch. 4: Use-Specific Standards
Auction facility, livestock	S	AR-1, AR-2	n/a
Building and landscaping materials supplier	P	MR-HI	4.06.07
	S	GI	
Companion animal/pet grooming*	P	CLI, TR-10, TR-3, JLMA-3, TRC Inner Core, TRC Outer Core, TRC TDSA, UE, TC Core, TC Fringe, CC-NC, CC-CC, TCC, PD-CC (SC), PD-CC (RC), MR-HI, GI	n/a
	M	AR-1, AR-2	
	S	A-10, A-3, CR-1, JLMA-20, R-1, TCN, IP	
Continuing care facility	P	CC (NC), CC (CC)	4.02.02
Contractor	P	TRC, UE, TC, CC (NC), PD-CC (SC), PD-CC (RC), PD-MUB, GB, TCC	4.06.01
Convenience store (with gasoline sales)	S	OP, IP, MR-HI	n/a
Data center	P	MR-HI	4.06.02
Dog park*	M	TRC Inner Core, TRC Fringe, TRC TDSA, SN-4, SN-6, SCN-8, SCN-16, SCN-24, TC Core, TR Fringe, R-1, R-2, R-3, R-4, R-8, R-16, R-24, PD-MUB, TR-10, TR-3, TR-1, TSN, TCN, R-1, AR-2, JLMA-1, JLMA-2, JLMA-3, R-2, A-10, A-3, CR-1, CR-2, CR-3, CR-4, PD-RV Residential, JLMA-20, OP, IP	n/a
Energy storage*	P	IP, GI, MR-HI	4.07.02
	M	OP	
	S	TR-10, JLMA-1, JLMA-2, JLMA-3	
Entertainment facility*	S	PD-CC (SC), PD-CC (RC), TC Core	n/a
Flex Buildings	P	UE	4.06.04
	S	TC Fringe, PD-MUB	

<b>Table 6. Expanded Use Permissions</b>			
<b>Use</b>	<b>Permitted (P), SPMI (M) or SPEX (S)</b>	<b>Zoning District</b>	<b>Ch. 4: Use-Specific Standards</b>
Food preparation*	P	TRC Inner Core, TRC Outer Core, TRC TDSA, UE, TC Core, TC Fringe, CC-NC, CC-CC, CC-SC, PD-CC(RC), PD-MUB, GB, CLI, AR-1, AR-2, RC, IP, GI, MR-HI	4.04.06
Ground passenger transportation (i.e., taxi, charter bus)	S	TRC Outer Core, GI	n/a
Indoor kennel	P	TRC Inner Core, TRC Outer Core, TRC TDSA, UE, TC Core, TC Fringe, CC-NC, CC-CC, TCC, PD-CC (SC), PD-CC (RC)	n/a
	S	TCN, TCC	
Live/work dwelling*	P	SCN-8, SCN-16, SCN-24, TSN, TCC	4.02.04
	S	SN-4, SN-6	
Maintenance and repair services	P	IP, GI	n/a
Passive park	P	All Zoning Districts	n/a
Personal instructional services	P	TRC Inner Core, TRC Outer Core, TRC TDSA, UE, TC Core, TC Fringe, CC-NC, CC-CC, CC-SC, PD-CC(RC), PD-MUB, GB, CLI, TCC, RC, OP, IP	n/a
	S	TCN	
Trade school	P	TCC, IP, GI, MR-HI	n/a
	S	TRC Inner Core, TRC Outer Core, TRC TDSA, TC Core, TC Fringe, CC-NC, CC-CC, CC-SC, TR-3, TR-1, AR-1, AR-2, TR-2, JLMA-20	
*New use, not found in the current Zoning Ordinance			

Several uses that require SPEX approval in the current Zoning Ordinance were changed to permitted by-right uses subject to regulations in Chapter 4: Use-Specific Standards, as shown in Table 7. This is because uses with similar impacts are also permitted in the same Zoning Districts and legislative review and conditions of approval are typically minimal or simply reference or regurgitate ordinance requirements.

<b>Table 7. Uses Previously Requiring SPEX Approval</b>		
<b>Use</b>	<b>Districts, SPEX to P</b>	<b>Ch. 4: Use-Specific Standards</b>
Child day care	IP, R-1, R-2, R-4, R-8, R-16, R-24, GB	4.04.09
Community center	R-1, R-2, R-3, R-4, R-8, R-16, R-24	n/a
Hotel/Motel	PD-CC (SC), PD-CC (RC)	4.03.05
Library	R-1, R-2, R-3, R-4, R-8, R-16, R-24, CLI	n/a
Nursery, production	TR-10, TR-3, TSN, JLMA-1, JLMA-2, JLMA-3, A-10, A-3, CR-1	4.04.10
Veterinary service	A-3, CR-1	n/a

As recommended by staff, the Planning Commission Draft Zoning Ordinance newly incorporates the current Article 7 development standards and residential uses to promote housing options and attainability, as follows: add *Dwelling, single-family attached* as a use permitted in the R-2, R-3, and R-4 Zoning Districts, not to exceed 35% of the total number of dwelling units in a development; and, add *Dwelling, multifamily* as a use permitted in the R-8 Zoning District, not to exceed 50 percent of the total number of dwelling units in a development.

The Planning Commission Draft Zoning Ordinance includes significant changes to accessory uses. To address public comment, the Planning Commission Draft Zoning Ordinance explicitly permits up to 25 percent of the gross floor area of an industrial use to be accessory retail sales, subject to standards. Mobile vendors (e.g., food trucks) are not specifically addressed in the current Zoning Ordinance. The Planning Commission Draft Zoning Ordinance permits mobile vendors as accessory to any principal use category, subject to standards.

**4. Use-Specific Standards for Data Centers:**

*Public Comment Themes:*

- Enhance the facade requirements contained in the current Zoning Ordinance, to better mitigate the industrial impacts of a data center on residential uses and public roads;
- Mitigate the impacts of a data center use when the use is proposed to be in proximity to a residential use; and
- Reduce the environmental impacts of a data center use on a site.

Staff routinely engaged the Data Center Coalition during the development of strengthened Use-Specific Standards for data centers. The 2019 GP and 2023 Energy Strategy include policy direction to directly engage with the data center industry on efforts to reduce building emissions and increase energy efficiency. Staff recommended that revisions to environmental standards be conducted as part of an upcoming CPAM/ZOAM to address additional policy and regulatory needs related to data center environmental impacts, consistent with existing policy direction to continue to work with the public and industry on data center energy sustainability.

At the June 20, 2023, Board Business Meeting, the Board approved (5-4: Buffington, Kershner, Randall, and Umstattd opposed) an amendment to the DPZ Work Plan to include a separate Data Center Locations CPAM to update the Place Type maps of the 2019 GP to establish the appropriate locations for data centers within Loudoun County.<sup>5</sup> An additional CPAM as well as a future ZOAM remain in the DPZ Work Plan to address any additional environmental, design, and location concerns related to data centers not covered within the ZOR or Data Center Locations CPAM projects.

The Uses Subcommittee directed staff to make the following revisions to the Data Center Use-Specific Standards, and the Commission affirmed this direction:

- Increase the building setback adjacent to residential uses from 100 feet to 200 feet and increase the parking setback adjacent to residential uses from 50 feet to 100 feet;
- Increase the triggering distance for requiring a 15-foot building step-back from within 200 feet to within 400 feet of the adjacent residential property line;
- Require a bermed Type C Buffer for data centers, except along existing adjacent industrial uses;
- Require that data centers adjacent to residential uses limit generator testing to weekdays between 8:00 a.m. and 5:00 p.m.;
- Limit the use of generators for data centers to back up/emergency use, exclusive of any commissioning activities;
- Require data centers developers to submit pre- and post-construction plans for noise modeling; and
- Require that data center developers submit a photometric lighting plan that depicts all lighting, including security lighting, and meets lighting standards.

#### 5. Use-Specific Standards for Flex Buildings:

*Public Comment Themes:*

- Draft regulations for flex buildings are too restrictive;
- Flex buildings should be allowed in more Zoning Districts;
- More uses should be allowed in flex buildings;
- Too much parking is required; and
- Outdoor storage should be allowed.

Staff and the Commission have worked closely with stakeholders to ease restrictions and expand permissions for this type of building through the following changes:

- Updated the term “flex industrial” to “flex building” to reflect the changing nature of the uses that occupy these buildings (i.e., shifting away from industrial uses and

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<sup>5</sup> [June 20, 2023 Board Business Meeting – Item 11 Department of Planning and Zoning Work Plan – Data Center Comprehensive Plan Amendment Response](#)

- towards non-industrial uses such as recreation establishments and/or religious assembly).
- Clarified that any use allowed in the underlying Zoning District is allowed within a flex building.
  - Allowed up to ten percent of the lot on which the flex building is located may be used for outdoor storage, subject to screening requirements. Outdoor storage for flex is currently prohibited under the current Zoning Ordinance
  - Expanded the use of Flex buildings without outdoor storage by now allowing them in urban and suburban Zoning Districts, which expanded the allowance from industrial and office Zoning Districts only.

During the Commission’s review of the Staff Recommended Zoning Ordinance, the Commission added flexibility, directing staff to **lower the minimum amount of required parking to be consistent with parking rates** in the current Zoning Ordinance, remove the limitation on the maximum amount of parking, and require uses being established in a flex building to demonstrate compliance with any Use-Specific Standards and the parking rate for the specific use being established at the time of zoning permit.

Staff has observed instances where, if a building is identified as “flex” on a site plan, the building could be occupied with 100 percent office uses and not have to demonstrate compliance with the Chapter 4: Use-Specific Standards for office uses. Staff can discuss the issue further with the Board during upcoming work sessions.

#### 6. **Mountainside Overlay District:**

##### *Public Comment Themes:*

- Strengthen the protection of the natural resources of the Mountainside Overlay District (MOD);
- Develop better protections for forest, tree, soil, and mountainside preservation;
- Consider how intense uses in the underlying Zoning Districts impact the mountain and overall environment;
- Expand the 100-foot streams setback requirement; and
- Expand the ridgeline setback requirement.

Staff worked with the Commission to **revise the MOD regulations to include the following enhanced protections:**

- **New protections for County Ridgeline Features** – Staff conducted a mapping analysis of ridgelines within the MOD and developed a [Ridge Feature Landform Analysis Viewer](#). This approach analyzes the ridgeline as landform polygons based on evaluation of County Geographic Information System (GIS) and mapping data,

- specifically elevation change, Primary Mountain Range Critical Elevations (the area located above the critical elevations of the primary mountain ridges of the Blue Ridge Mountains, Shorthill Mountain, and Catocin Range), and visibility from public rights-of-way;
- **New standards to address impacts of nonresidential uses in the MOD** – These regulations intend to mitigate any significant environmental and safety impacts associated with tree cover clearing and land disturbing activity in the MOD while ensuring the reasonable use of property in protected MOD areas;
  - **Increased setback for spring features from 100 feet to 300 feet**, consistent with similar 300-foot water resources protections for River and Stream Corridor Resources. The 300-foot setback applies to all spring points in the County soils layer GIS data and any other spring that may be discovered on a site during the land development process; and
  - **Enhanced standards for somewhat sensitive, sensitive, and highly sensitive MOD areas** based on the degree of sensitivity, the amount of existing forested area, and the amount of Steep Slopes areas.

## 7. **Transition Standards:**

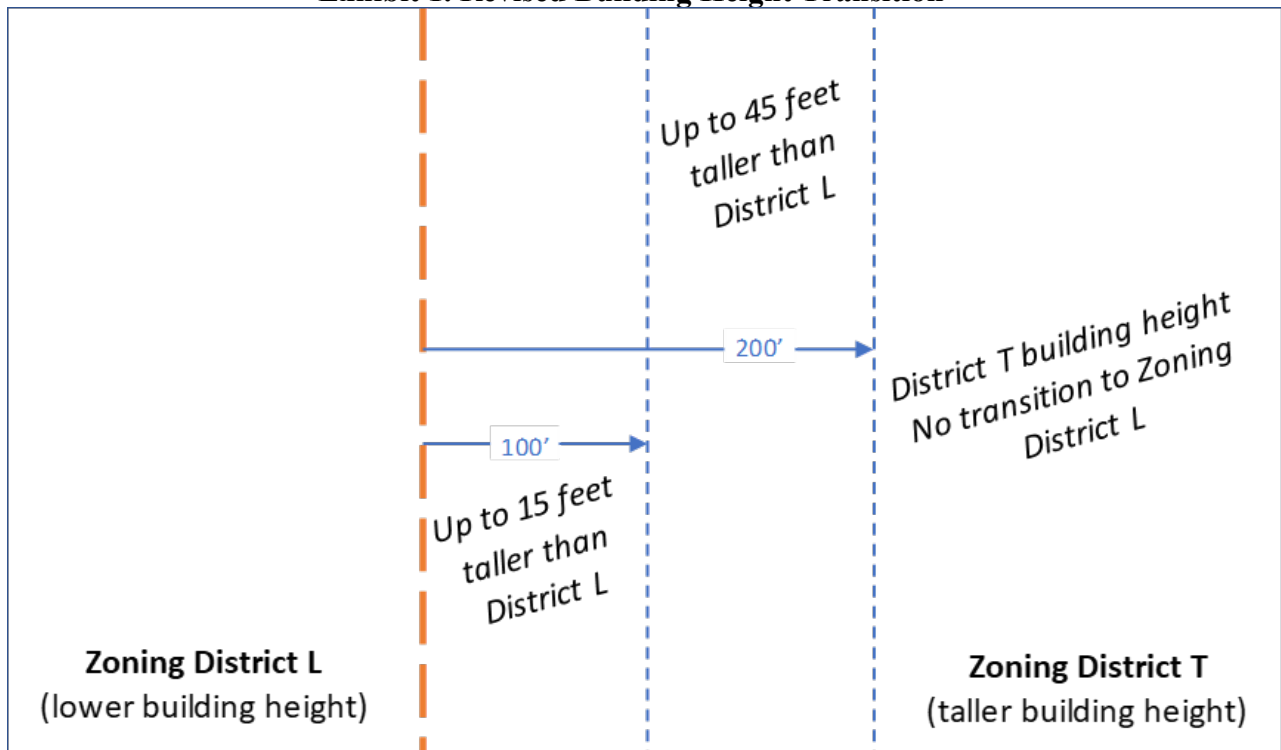
### *Public Comment Theme:*

- Draft transition standards could be too prescriptive, as they do not account for when adjacent property is under-improved or otherwise likely to redevelop to a more intense land use.

Transition standards in the Planning Commission Draft Zoning Ordinance are based on the 2019 GP Place Type transition design characteristics. Their function is to **help reduce land use conflicts between new developments and existing developments** by reducing maximum building height within 200 feet of a shorter development and providing perimeter setbacks in Transition Zoning Districts and adjacent Office and Industrial Zoning Districts. The 100-foot-wide perimeter setback is designed to implement 2019 GP Transition Policy Area (TPA) policies to maintain substantial open space and setbacks along roadways and adjacent development in the TPA, shield views of new development, provide extensive buffers around communities, and create visual transition between the Suburban Policy Area and the RPA.

As a result of the Commission's review of Transition standards, **staff revised and simplified the building height transitions.** Instead of gradually increasing building heights over a horizontal distance of 100 feet or 200 feet, depending upon the Zoning District, building heights will be limited to: 15 feet (approximately one story) taller within 100 feet of a Zoning District with a lower height limit; and 45 feet (approximately three stories) taller between 100 to 200 feet from a Zoning District with a lower height limit. Road widths, regardless of the location of the Zoning District boundary, are included within the distance measurements. Building heights are not reduced adjacent to Urban Zoning Districts.

### Exhibit 1. Revised Building Height Transition



## 8. Open Space:

### *Public Comment Themes:*

- Draft open space calculations are too complicated;
- Open space regulations are too restrictive and will reduce commercial development;
- Require long-term maintenance and removal of invasive species in required open space areas; and
- Draft regulations lack necessary environmental protections.

The Planning Commission Draft Zoning Ordinance implements the 2019 GP open space policies consistently throughout all Zoning Districts. Previously each Zoning District had different open space standards, definitions, and calculations. All open space requirements are now consolidated in Section 7.02.

The Planning Commission Draft Zoning Ordinance prioritizes quality open space and environmental features by separating eligible open space into three tiers of value: extra credit (150 percent), standard (100 percent), and less valuable (50 percent). The extra credit that is provided for higher quality open space, such as tree conservation areas, wildlife habitat, and archeological and historic resources, means that an applicant can provide less open space if that open space is higher quality. Likewise, less valuable open space, such as off-site areas,



residential land under overhead utility transmission lines, and some stormwater management improvements, would require more land to meet the same coverage requirement. All open space would have to meet specified characteristics to qualify towards required open space amounts.

**Additional changes include:**

- An Owners Association must own and manage open space in multi-lot developments;
- Required open space must be adjacent to other open space or connected by pedestrian and bicycle trails;
- Off-site open space can now be provided by SPEX in accordance with 2019 GP Fiscal Policy 3.1.K.vii.<sup>6</sup>;
- Open space in Rural and Transition Zoning Districts (except Transition Community Center (TCC)), of high (150 percent) value, or off-site is required to be in a permanent open space easement; and
- Minimum open space maintenance standards are established and required.

The Commission discussed open space at several Work Sessions. Of note are the [May 11, 2023](#), and [May 18, 2023](#), Work Sessions where the Commission reviewed four open space scenarios. These scenarios applied the open space regulations of the Staff Recommended Zoning Ordinance to approved gas station, data center, industrial, and multifamily developments. At the Commission's direction, the open space regulations were revised, and the scenarios updated accordingly. The revised scenarios demonstrated that the proposed regulations captured the intended areas of open space and, more importantly, that reasonably designed sites can comply with Section 7.02.

The **Commission made additional changes, including:**

- Increase the value of dedicated parks from the standard 100 percent to the 150 percent extra credit;
- Decrease the value of residential land within an overhead utility easement from the standard 100 percent to the less valuable 50 percent;
- Add public use dedication as an eligible type of off-site open space;
- Exempt the TCC Zoning District from the permanent open space easement requirement; and
- Provide flexibility to the open space development schedule requirement for multi-phase projects.

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<sup>6</sup> "Amend the Zoning Ordinance and development regulations as needed to permit a percentage of the open space required on an individual site to be met through off-site permanent open space that creates a more usable, desirable, or environmentally significant open space (see 3.1.J, above) located in the same planning subarea identified in the latest Capital Needs Assessment."

## 9. Parking:

### *Public Comment Themes:*

- Residential areas, especially attached and multifamily residential neighborhoods, do not have enough parking. Mandating parking maximums in residential would exacerbate the problem;
- While some public comments support parking maximums, others indicate that strict adherence to both parking minimums and maximums places undue limitations on applicants and could result in developments with not enough parking;
- Excess required parking for attainable housing adds an unnecessary expense and restricts providing attainable housing; and
- Parking adjustments should be an administrative process.

The consulting firm, White & Smith, LLC., in collaboration with staff, prepared the new parking regulations. These regulations are designed to support implementation of the 2019 GP over time and be responsive to evolving travel, parking demands, and emerging technological advances. The 2019 GP and the *Loudoun County 2019 Countywide Transportation Plan (2019 CTP)* include policies to minimize an overabundance of parking, promote bicycle use, and support parking adjustments when alternative parking arrangements are accessible. Only requests to reduce minimum parking requirements by more than 35 percent will require a SPEX. Requests for adjustments by less than 35 percent will be eligible for an administrative process.

Parking ratios in the Planning Commission Draft Zoning Ordinance are determined by land use and Zoning District category. As a result, uses in an Urban Zoning District can have different parking requirements for the same use in a Suburban, Transition, Rural, or JLMA Zoning District. In addition to minimum parking requirements, certain uses and Zoning Districts, such as general manufacturing in Suburban and Office and Industrial Zoning Districts or rural resorts in JLMA Zoning Districts, will also limit the maximum number of parking spaces that may be provided. No maximum parking ratios exist in Rural Zoning Districts.

The Commission established a Parking Subcommittee to discuss residential parking standards. The Commission directed that residential garage spaces qualify as half parking spaces and created separate categories for SFD dwellings based on lot size and number of bedrooms.<sup>7</sup>

The Planning Commission Draft Zoning Ordinance provides for automatic reductions based on Area Median Income (AMI) levels of attainable housing: 10 percent reduction for dwelling units at or below 60 percent AMI, 30 percent reduction for dwelling units at or below 50 percent AMI, and 50 percent reduction for dwelling units at or below 30 percent AMI. In

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<sup>7</sup> The limit for lot size is 5,000 square feet or less and lot widths of 50 feet. Below these limits rates are different for SFD dwelling with one to two bedrooms from those SFD dwellings with three or more bedrooms.

addition, attainable housing projects are eligible for further parking reductions through administrative and legislative processes.

## 10. Sign Development Plans (SIDP) and Digital Signs:

*Public Comment Theme:* The SIDP process is time intensive and costly.

Changes to case law generally prohibit regulations that discriminate based on a sign's content (i.e., what a sign says). Draft sign regulations have been extensively rewritten and reorganized, with the goal of making them content-neutral and a focus upon regulating a sign's physical characteristics, such as size, height, setback, number, and illumination.

The ZOR project moves the review of stand-alone SIDP applications to the Board of Zoning Appeals (BZA). SIDP applications that co-process with other legislative applications will continue to be reviewed by the Commission and Board. The Planning Commission Draft Zoning Ordinance also includes new regulations for digital signs in certain Commercial, Urban, and Suburban Mixed-Use Sign Groups instead of relying on the current SIDP process.

The Commission discussed digital signs during multiple Work Sessions. The primary concern was ensuring the size of digital signs in suburban areas did not detract from the existing suburban character. The Commission found that in urban areas (Transit Related Center and Urban Employment Zoning Districts) it would be appropriate for 100 percent of the sign area to be digital, whereas in suburban mixed-use areas (Town Center and Planned Development – Mixed Use Business Zoning Districts), 70 percent would be adequate.

## 11. Attainable Housing:

*Public Comment Themes:*

- More affordable housing is needed in the County; and
- Attainable Housing regulations need more flexibility and opportunities for modifications.

Staff revised ADU Program regulations as follows to generate more attainable housing, implementing 2019 GP Housing Policies:

- Require all projects with 24 or more dwelling units served by public water and sewer to provide ADUs;
- Increase the required percentage of SFD and single-family attached ADUs from 12.5 percent to 15 percent; multifamily stacked ADUs from 6.25 percent to 15 percent; and multifamily attached ADUs from 6.25 percent to 10 percent;
- Revise the ADU exemption for elevator-served buildings with four or more stories to elevator-served buildings with eight or more stories; and
- Increase the optional density increase for multifamily projects providing ADUs to 20 percent.

The Commission directed staff to allow SFD ADUs to count as 1.25 ADUs, allow the dwelling unit type proportionality requirement to be modified, and allow Affordable Housing Unit Timing and Compatibility requirements to be modified. The Planning Commission Draft Zoning Ordinance grants the Board the authority to approve such modifications upon recommendation of the Affordable Dwelling Unit Advisory Board and the Commission. Such requests for modification must be shown on a Concept Development Plan (CDP).

## 12. Legislative Procedures:

*Public Comment Theme:*

- The legislative process is costly and time intensive; and
- Provide more opportunities for administrative review and approval.

Legislative application procedures have been revised in the following ways:

- Inactive applications will be administratively withdrawn after notification to the applicant upon six months of inactivity. This is a change from the current Zoning Ordinance, which requires the Commission to approve inactive status and establish the period of such inactive status. In addition, the current Zoning Ordinance requires the Board to hold a public hearing before declaring such applications “Dismissed Deemed Withdrawn.” That public hearing would no longer be required;
- Added new procedure for Administrative Modifications, in conformance with Code of Virginia § 5.2-2286(A)(4);
- ZMAP and SPEX procedures and timelines are simplified and equalized:
  - There will be three rounds of review unless the applicant and staff agree to an alternate review schedule;
  - Factors for Consideration are based on the 2019 GP and the 2019 CTP; and
  - More than one Commission Work Session requires applicant approval to stop processing timelines; and
- The Commission will review SPMI applications when processed with other applications subject to Commission review;
- Stand-alone SIDP applications and SPEX applications for parking adjustments are reviewed by the BZA. SIDP and SPEX for parking adjustment applications will be reviewed by the Commission and Board if co-processed with other legislative applications; and
- Instead of a separate application, zoning modification requests are components of CDP’s, which are adopted as components of ZMAP or amended as part of Zoning Concept Plan Amendment applications. Where no CDP exists or is required, SPEX approval is the required process for legislative modifications.

## 13. Flexibility in the Zoning Ordinance:

*Public Comment Theme:* The draft ordinance is too prescriptive, with fewer opportunities for modification (ZMOD).

Under the current Zoning Ordinance, with limited exceptions, the regulations in Suburban Zoning Districts (i.e., Residential (R-1 through R-24), GB, CLI, and MR-HI) may be modified through a ZMAP application, and Planned Development (PD) Zoning Districts can be modified through a standalone ZMOD application approved by the Board. Suburban Zoning Districts can be modified only as part of a rezoning. Additionally, certain uses have special standards that can be modified by SPMI.

The Planning Commission Draft Zoning Ordinance takes a different approach. The Planning Commission Draft Zoning Ordinance omits the distinction between PD and other Zoning Districts, instead categorizing Zoning Districts based on the 2019 GP, and de-emphasizing ZMODs. Further, regulations cannot be modified unless specifically noted in the regulation as being modifiable. Instead of being less flexible; however, new provisions allow for different forms of flexibility, including by determination, administrative modification, legislative modification, SPEX, SPMI for Use-Specific standards, landscape adjustment and waiver, parking adjustment, and SIDP.

Additional flexibility is provided by rezoning to the new totally customizable PUD Zoning District. With the PUD option, an applicant can propose distinct and innovative development projects that are consistent with the 2019 GP without the need to request modifications to a base Zoning District.

At the June 5, 2023, Work Session, the Commission recommended (7-0-1-1: Kirchner absent; Hayes abstained) the 20-acre minimum lot size for PUD districts be modifiable. This allows for creative, customized infill projects on property smaller than 20 acres.

#### 14. Definitions:

##### *Public Comment Themes:*

- Ensure all uses and terms are defined; and
- Revise current definitions to include updated terminology, either the term itself or in the context of the definition.

New terms and definitions were added to the Planning Commission Draft Zoning Ordinance to define new uses and relative terminology based on new regulations and standards. Many of the existing terms and definitions are carryover from the current Zoning Ordinance. Some of these existing definitions were revised for clarity and updated to reflect their current application. Some definitions from the current Zoning Ordinance were deleted as a result of being outdated, redundant, no longer mentioned in the ordinance text, or consolidated within other new or revised definitions.

Regulations are contained within some definitions in the current Zoning Ordinance. These regulations have been removed from definitions and placed more appropriately in Chapter 4: Use-Specific Standards. Moving regulations out of definitions and into Chapter 4 provides

central location for all use standards. This relocation also allows those standards to be modifiable via SPMI unless otherwise restricted.

**ISSUES:** Staff identifies the following issues for the Board’s consideration. These issues are topics where staff seeks Board direction.

## 1. **Data Center Use-Specific Standards:**

*Public Comment Themes:*

- Enhance façade requirements to better mitigate the industrial aesthetic impacts of a data center on residential uses and public roads;
- Mitigate noise and other impacts of a data center when the use is proposed to be in proximity to a residential use; and
- Reduce the environmental impacts of a data center use.

*Commission:* At its March 16, 2023, Work Session, the Uses Subcommittee discussed data center Use-Specific Standards and suggested revisions to the Staff Recommended Zoning Ordinance. At its June 8, 2023, Work Session, the Commission endorsed (6-3: Barnes, Kirchner, and Miller opposed) these revisions. The Commission’s focus was minimizing the impacts of data centers upon residential uses. One such revision was to increase the staff-recommended 100-foot setback from residential uses to 200 feet. Another revision that was endorsed limited generator testing to weekdays between 8:00 a.m. and 5:00 p.m. These would both be new requirements; no such requirements exist in the current Zoning Ordinance.

*Staff:* Staff had originally recommended a 100-foot setback from residential uses. Staff has not vetted the 200-foot setback to understand how it would impact data center properties. Staff is actively working with a consultant to examine the impacts of this recommendation. In addition, the Data Center Coalition has suggested that the state requires nighttime generator testing; staff will confirm this prior to the Committee of the Whole meeting discussing this topic.

## 2. **Energy Storage Facility Use Permissions and Use-Specific Standards:**

*Public Comment Theme:* Stakeholders continue to advocate for allowing Utility-Scale Energy Storage Facilities more broadly and without SPEX approval.

*Commission:* Contrary to staff’s recommendation, the Commission directed (5-4: Barnes, Frank, Kirchner, and Vance opposed) staff to make the following revisions to Utility Scale Energy Storage:

- Change from a SPEX to permitted (by-right) in IP, GI, and MR-HI;
- Add the use as a SPMI in OP;
- Add the use as a SPEX in TR-10, JLMA-1, JLMA-2, and JLMA-3;
- Reduce the minimum required project area from five acres to three acres;

- Reduce setbacks for all components of the facility from 100 feet to 50 feet from all nonresidential lot lines. Setbacks of 100 feet from all residential lot lines will be maintained as proposed;
- Reduce the required distance from any historic resource, as defined by the Planning Commission Draft Zoning Ordinance, from one mile to 1/3 mile; and
- Include a reference to fire safety standards and add a requirement that any zoning permit is subject to Loudoun County Fire and Rescue approval.

*Staff:* Energy storage is an emerging technology and code development at different levels of government has not caught up with this emerging technology. Staff continues to recommend that before expanding the use permissions, the County work with a consultant to assist the Fire Marshal and the Building Official with developing stringent fire and life-safety standards. It is staff's position that it is premature to revise a Zoning Ordinance to expand where a use is allowed before standards have been fully vetted and added to the Zoning Ordinance. If an application is submitted before thoughtful standards are in place, the County would be unable to adequately evaluate any submitted applications.

In the current Zoning Ordinance, the Zoning Administrator has interpreted Energy Storage Facilities as a "Utility Substation, Transmission", which is allowed only by SPEX in industrial districts, specifically MR-HI, IP, and GI. Due to the fire and life-safety risks associated with this use, the use is ideally suited for industrial areas and evaluated through the SPEX process. As part of the ZOR project, staff added two tiers of Energy Storage Facility: Utility-Scale Energy Storage as a principal use (serves off-site uses/sends power to the grid) and Site-Specific Energy Storage (serves onsite uses). Further, staff added definitions and Use-Specific Standards for the new uses.

In response to Commissioner discussion regarding allowing Energy Storage Facilities in areas other than industrial, staff conferred with the County Fire Marshal and invited the Fire Marshal to present their concerns to the Commission, a few of which are described below:

- Energy Storage Facilities are an emerging technology requiring unique types of fire extinguishing techniques and firefighter training;
- Locating Utility-Scale Energy Storage Facilities in the more rural portions of the County where water supply is not as readily available would present challenges to extinguishing fires;
- Minimum setbacks from all public roads, principal buildings, and adjoining property lines are necessary for additional fire protection, particularly in areas where inadequate water supply is available, as deemed by the Fire Marshal; and
- Limiting the maximum area a data center or utility-scale solar facility can use for accessory energy storage needs to be considered.

**3. Structure and Parking Setbacks along Route 7 from the Fairfax County Line West to the Broad Run:**

*Public Comment Theme:* The Commission added this regulation at the June 5, 2023, Work Session. Staff had not previously received public comments in support of this recommendation.

*Commission:* This topic first arose during the June 5, 2023, Commission Work Session. The Commission directed (5-4: Combs, Madireddy, Merrithew, and Miller opposed) staff to revise the Road Corridor Buffer and setback for Route 7 between the Fairfax County line west to the Broad Run (Table 7.04.02-1) as follows:

- Increase the structure setback from 50 feet to 100 feet; and
- Increase the parking setback from 50 feet to 75 feet.

As justification for the changes, the Commission indicated the increased setbacks would be appropriate for future redevelopment along this corridor.

*Staff:* The structure and parking setbacks along Route 7 from the Fairfax County Line west to Broad Run have been 50 feet since October 16, 2007. Staff has not fully evaluated the impact of this recommendation. A cursory review indicates that existing uses such as residential dwellings, churches, and commercial centers have been constructed within the Commission recommended 100-foot setback along this section of Route 7. Such structures and associated parking would become nonconforming with approval of this regulation. The 2019 GP and CTP provide no policy guidance regarding the structure and parking setbacks along this segment of Route 7.

**4. Public Schools Use-Specific Standards Related to Floodplain:**

*Public Comment Theme:* The Commission added this regulation at the June 8, 2023, Work Session. Staff had not previously received public comments in support of this recommendation.

*Commission:* At its June 8, 2023, Work Session, the Commission directed (5-4: Combs, Frank, Madireddy, and Miller opposed) staff to revise the Use-Specific Standards for Public Schools (§ 4.05.18.J.5.) as follows:

- Decrease the maximum on-site area that may be used for utilities, trails or other uses permitted within the major and minor floodplain, exclusive of road crossings, from 20 percent to 10 percent; and
- Increase the area of on-site major and minor floodplain that must be forested, either through the retention of existing forest cover or through the planting of unforested floodplain from 80 percent to 90 percent.

*Staff:* DPZ and Loudoun County Public Schools (LCPS) staff do not support these two changes. As potential school sites become increasingly more limited, maintaining flexibility is increasingly important. Reducing the area for uses allowed in the floodplain would limit the flexibility and potential for public use sites. LCPS has established permitted facilities (i.e.,



recreational fields and trails) in the floodplain when needed. This allows LCPS to consider placing limited allowed uses within the floodplain to maximize the potential of a particular property. Limiting the area of uses in the floodplain and increasing the area that must be forested doubles the impact. Further, LCPS currently has a proffered school site where the ability to use a portion of the floodplain for uses permitted in the floodplain will be critical to the ability to provide the school program.

## 5. Farm Definition/Rural Economy Uses:

*Public Comment Themes:* Throughout the ZOR project process, there has consistently been extensive public input regarding a variety of western Loudoun topics. The public input is reflective of the competing interests in western Loudoun among residents and rural business owners. Major public input themes include the following:

- Add a new definition of “farm” to the New Zoning Ordinance that would be applied generally throughout the New Zoning Ordinance;
- Ease restrictions upon limited breweries, limited distilleries, Virginia farm wineries, banquet/event facilities, and restaurants;
- Strengthen regulations for limited breweries, limited distilleries, Virginia farm wineries, and banquet/event facilities, to reduce noise, lighting, parking, and traffic impacts;
- Establish limits for outdoor lighting and music that apply consistently for all rural economy uses; and
- Ease use-specific standards for livery stables and equine event facilities.

*Commission:* The Commission discussed uses in Rural Zoning Districts at several Work Sessions and Uses Subcommittee meetings, attempting to resolve some of the concerns raised by the public. At its June 8, 2023, Work Session, the Commission recommended (9-0) that the Board consider comprehensively examining western Loudoun in the context of a CPAM and/or ZOAM. Further, at its June 8, 2023, Work Session, the Commission failed (3-6: Barnes, Hayes, Madiredy, Frank, Miller, and Kirshner opposed) to add a new definition of “farm” to the Planning Commission Draft Zoning Ordinance. Instead, the Commission recommended (9-0) that consideration of adding a definition of farm be included when the Board considers initiating a western Loudoun CPAM and/or ZOAM after adoption of the new Zoning Ordinance.

*Staff:* The breadth of public input topics associated with western Loudoun exceeds the scope of the ZOR project. One of the primary purposes of the ZOR project is to implement the 2019 GP. The 2019 GP contains no actions, strategies, or policy guidance to examine zoning and land use regulations in the RPA.

Incorrect

Staff recommends an Agriculture/Rural Economy use ZOAM after adoption of the New Zoning Ordinance, to accommodate forthcoming Code of Virginia amendments to some Virginia Farm Winery and agritourism uses. Staff and the County Attorney’s Office need time to verify that any definition of “farm” does not affect or contradict definitions and other

Comp Plan Policy 3,  
Strategy 3.1. Ensure compatibility of rural economy uses through the evaluation of the scale, use, intensity, and design (site and building) of development proposals in comparison with the dominant rural character and adjacent uses.  
Action A. Evaluate and revise zoning regulations and development standards for rural economy uses. Such regulations and standards will address traffic capacity, safe and adequate road access, number of employees, site design standards (e.g., land disturbance, buffering, use intensity, siting, and architectural features), and public health, safety, and welfare.

Such public education was performed during multiple rounds of ZOR input over the past three-plus years.

provisions within the Code of Virginia concerning farms and related terms or uses. Staff needs time to ensure there are no conflicts with other definitions and standards or no unintended consequences associated with adding the term “farm”. Further, staff recommend that any future CPAM and/or ZOAM include targeted public education regarding the interplay between the Code of Virginia and local zoning regulations and permitting requirements.

**FISCAL IMPACT:** The ZOR is currently funded and is operating within its \$1 million budget. The Board authorized carrying this fund balance over from fiscal year to fiscal year as the project continues. There are approximately \$806,577 in identified costs, which include consultant expenses, outreach materials, public noticing, meeting materials, and print and production. Approximately \$538,724 of the \$806,577 has been paid, with approximately \$267,853 remaining in the project budget.

**ALTERNATIVES:**

1. The Board may approve the proposed Board of Supervisor’s Zoning Ordinance Rewrite (ZOAM-2020-0001) Work Session/Public Hearing Schedule, as provided in Attachment 4 to the staff report.
2. The Board may approve the proposed Board of Supervisor’s Zoning Ordinance Rewrite (ZOAM-2020-0001) Work Session/Public Hearing Schedule, as provided in Attachment 4 to the staff report, with modifications.
3. The Board may not approve the proposed Board of Supervisor’s Zoning Ordinance Rewrite (ZOAM-2020-0001) Work Session/Public Hearing Schedule, as provided in Attachment 4 to the staff report, and will need to direct staff on how to proceed.

**DRAFT MOTIONS:**

1. I move that the Board of Supervisors forward ZOAM-2020-0001, Zoning Ordinance Rewrite, to a series of Board of Supervisor’s Committee of the Whole work sessions for further discussion.

AND

I further move that the Board of Supervisors approve the Board of Supervisor’s Zoning Ordinance Rewrite (ZOAM-2020-0001) Work Session/Public Hearing Schedule for review of the Zoning Ordinance Rewrite, as provided in Attachment 4 to the July 26, 2023, Board of Supervisors Public Hearing staff report.

OR

2. I move an alternate motion.

**ATTACHMENT(S):**

1. Planning Commission Draft Zoning Ordinance (July 6, 2023)
2. Planning Commission Recommended Future CPAMs and ZOAMs
3. Public Comment Analysis, Kimley Horn (July 7, 2023)
4. Board of Supervisors Potential Path Forward and Meeting Schedule

**635 Page ZOR text removed.**  
Text can be located here:  
[https://www.loudoun.gov/5274/  
Zoning-Ordinance-Rewrite](https://www.loudoun.gov/5274/Zoning-Ordinance-Rewrite)

## **FUTURE COMPREHENSIVE PLAN AMENDMENTS AND/OR ZONING ORDINANCE**

**AMENDMENTS:** Throughout the development of the new Zoning Ordinance, the Commission assembled a list of planning efforts to be addressed as part of a future CPAM and/or ZOAM. The ZOR could not address these topics due to the issue being outside the scope of the ZOR or the Commission needed clearer policy direction to properly address as part of the Zoning Ordinance Rewrite project. At its June 8, 2023, Work Session, the Commission voted (9-0) to recommend to the Board that these topics be addressed in a future [Planning and Zoning Work Plan](#).

1. **Data Center Environmental Sustainability Policies and/or Standards**. At the [March 16, 2023, Commission Uses Subcommittee](#) Work Session, the Commission discussed incorporating enhanced standards governing data center uses that address high-quality building design, proximity to existing or planned residential uses, and environmental sustainability to address public comment. Enhanced standards were prepared by staff with feedback from the Data Center Coalition (DCC) and are included in the draft Zoning Ordinance. However, **environmental sustainability requirements are deferred** to a future planning effort to allow more time to evaluate the need for, impact of, and enabling authority for such regulations—as well as to determine whether environmental sustainability is better addressed in 2019 GP policy rather than in the Zoning Ordinance. The Data Center Design Standards and Locations CPAM is currently on the Planning and Zoning Work Plan, which could address environmental sustainability.
2. **Repurposing Commercial, Retail, and Office Buildings to Residential**. At the [January 12, 2023, Commission Work Session](#), Commissioners requested that staff investigate ways to incentivize **repurposing or reuse of underutilized or vacant non-historic buildings**. A CPAM and ZOAM would identify in what locations converting a commercial or office building to residential uses may be suitable based on proximity to transit, schools, parks, and other services and amenities. The associated outreach effort would allow for consultation with industry representatives to identify whether converting an existing building to residences would be financially feasible and any desirable incentives to encourage such repurposing. At the [April 15, 2023 Commission Work Session](#), staff presented their initial findings, suggesting that incentives for repurposing existing office or commercial buildings as residential uses would likely be negated by the need for legislative approval. In most cases, approval of a Zoning Map Amendment (ZMAP) to rezone a property to a district that allows residential uses or a Zoning Concept Plan Amendment (ZCPA) to modify approved proffers and concept development plans to allow residential uses.
3. **Community-Scale Solar Facilities**. Permissions and standards have been incorporated into the draft Zoning Ordinance for utility-scale and site-specific (accessory) solar facilities. At the [January 12, 2023, Commission Work Session](#), staff and the Commission discussed the need for substantial additional guidance to address impacts of middle-scale solar facilities, which staff has called **community-scale solar facility uses**. The purpose of a CPAM and ZOAM would be to guide preparation of regulations and to ensure that **new regulations address visual impacts of these facilities** in a manner that respects substantial public input. This level of policy discussion is needed to determine how and where to allow these uses. Utility-scale uses are understood to be appropriate in industrial districts, and

site-specific (accessory) uses are treated like any accessory structure and are allowed countywide. Other applications of the use do not have established guidance, and the purpose of a CPAM/ZOAM would be to establish that guidance, to include appropriate location, scale, and design criteria for this use.

4. **Floodplain Overlay District (FOD) Updates.** The Department of Building and Development (B&D) has initiated a third-party review of the County’s floodplain program. The review is expected to deliver a set of recommended revisions to the Zoning Ordinance that must be **coordinated with federal flood insurance program guidelines.** At the May 18, 2023, Commission Work Session, the Commission voted (6-0-3: Commissioners Barnes, Hayes, and Madireddy absent) to advise the Board to prioritize this future ZOAM to conserve the natural state of watercourses and watersheds while regulating uses and activities that may have impact to areas that are officially designated as floodplain pursuant to state and federal requirements.
5. **Use Restrictions in the Mountainside Overlay District (MOD).** At the [February 9, 2023, Commission Work Session](#), the Commission discussed adding use limitations for properties within the MOD. The purpose would be to **regulate or limit high intensity uses to protect sensitive mountainside areas.** For areas within the MOD outside of Ridge and Spring feature protection areas, the MOD permits uses in accordance with the underlying zoning district. The 2019 GP provides no policy direction for prohibiting uses or prescribing a list of appropriate uses in MOD areas. The **purpose of a CPAM/ZOAM would be to establish additional guidance on use restrictions.** This future effort could also consider whether additional protections for ridgelines located outside of current MOD limits should be implemented in the Zoning Ordinance, consistent with 2019 GP policy direction for mountainside areas.
6. **Various Rural Uses.** Throughout the Zoning Ordinance Rewrite process to date, there has been public input and Commission discussion regarding a variety of rural economy uses. The breadth of topics associated with western Loudoun exceeds the scope of the Zoning Ordinance Rewrite project and warrants extensive public engagement and direction from the Board. Highlights of topics for inclusion in a potential CPAM/ZOAM follow:
  - a. **Limited Breweries, Limited Distilleries, and Virginia Farm Wineries Uses and Use-Specific Standards.** At the [April 25, 2023, Commission Uses Subcommittee](#) Work Session, staff and the Commission discussed the need for more time to evaluate 1) changes to the Code of Virginia impacting these uses effective **July 1, 2023**, 2) a new **five-year compliance** provision in the Code of Virginia, and 3) the regulatory details of current Virginia Department of Health (VDH) and Virginia Department of Agriculture and Consumer Services (VDACS) **procedures regarding food service.** The County has a substantial need for outreach with stakeholders to inform them of state code changes and the need to address compliance with current local requirements and current and pending state requirements. Following these additional considerations, a future ZOAM would establish whether there is a need for additional standards in the Zoning Ordinance governing these uses.

Code of VA July 1, 2023 changes referenced in 1 & 2. ONLY apply to Farm wineries, not to Limited Breweries or Limited Distilleries.

3. No changes made to VDH/VDACS food service procedures in MOU.

Outreach for Code of VA compliance is NOT related to ZOR stakeholder issues.

Extensive public engagement was done during 3+ years of ZOR, documenting issues identified since 2015, preparation of draft text by Staff in 2021 and 2023, review by Advisory Groups & TLUC, and confirmed in Kimley Horn Comment Analysis report.

A ZOAM to take additional staff time and cost with estimated 3 to 5 year delay is not justified.

Revised Equestrian use standards are drafted and ready for Staff/BOS review.

Indoor Rec in RPA was rejected by ZOAG/ZOC and REDC in 2018.

**Noise regulation quality control issues between Chapters 4 & 7 cannot wait years for a ZOAM to fix. Text is drafted and ready for Staff and BOS review.**

Inconsistent light and highlighted to Staff in 2018 and throughout ZOR public input. Issues are not new or unknown. May require a future ZOAM to confirm Code of VA.

- b. **Stable, Livery and Equine Event Facility Uses and Use Standards.** A Commissioner requested that these uses be added to the potential CPAM/ZOAM list in response to public input.
  - c. **Indoor Recreation.** Indoor Recreation uses are not listed as permitted principal uses in the AR-1 or AR-2 zoning districts in the current or draft Zoning Ordinance. At the [April 25, 2023, Commission Uses Subcommittee](#) Work Session, the Commission discussed the appropriateness of this use in the rural zoning districts as staff noted the **2019 General Plan (2019 GP) does not envision the use in the RPA.** While the Commission approved a motion to not list the use as permitted in the AR-1 and AR-2 zoning districts at its May 18 Work Session, the Commission generally expressed some support for a potential future CPAM/ZOAM to consider the use or some version of the use as permissible in the RPA.
  - d. **Outdoor Lighting and Music Hours.** In addition, several other rural economy uses are subject to **inconsistent light and noise standards.** For example, outdoor lighting must be cut off at 10 p.m. for most uses, while outdoor music can continue until 11 p.m. or midnight, which would leave customers in the dark. This inconsistency can be corrected as part of the larger ZOAM as the ZOR timeline does not allow for the level of public discussion necessary to properly address at this time.
7. **Evergreen Mills Road Corridor Area Plan.** On several occasions throughout the Commission's review of the draft Zoning Ordinance, Commissioners raised the issue of **potentially allowing more intense uses on the west side of the road, which is in the Rural Policy Area,** considering the proposals on the east side of Evergreen Mills Road, which is in the Transition Policy Area. Staff advised the Commission such a change would require a future CPAM and ZOAM.
  8. **Land in Lieu of Affordable Dwelling Units (ADU).** At the [May 4, 2023, Commission Work Session](#), staff recommended that allowing a modification to provide land in lieu of ADUs for single-family detached only developments be addressed through a separate ZOAM after the draft Zoning Ordinance is adopted. The separate ZOAM will allow staff time to fully understand how best to design and implement this provision, including what entity would be responsible for possessing the land since Loudoun County does not currently have a Housing Authority. **Creation of a more effective and comprehensive approach to land-in-lieu will ensure that implementation will be successful.** As part of a ZOAM process, partners can be consulted and stakeholder input included. DHCD supports this approach.

# Memorandum

TO: Glen Barbour, Public Affairs and Communications Officer

FROM: Patrick Johnson, Mike Harris, Adrienne Ameal, Paul Vernon

DATE: July 7, 2023

SUBJECT: Zoning Ordinance Rewrite Comment Analysis

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## Executive Summary

The Loudoun County Zoning Ordinance defines and implements land use and design standards within the County. In September 2019, the Loudoun County Board of Supervisors voted to comprehensively revise and/or replace the Revised 1993 Loudoun County Zoning Ordinance. The first draft of proposed Zoning Ordinance text was published on April 18, 2022, with periodic updates leading to the most recent Draft Zoning Ordinance approved by the Planning Commission on June 8, 2023.

During the period between September 2019 and June 2023, the County has continually strived to engage the public through public comment periods, public meetings, and the facilitation of public comments through many open online portals. The public engagement effort resulted in thousands of comments relating to the draft Zoning Ordinance being provided to Loudoun County through multiple media including:

- Letters.
- Emails.
- Public meeting comments.
- Comments submitted through online channels.

This memorandum illustrates the nature of comments provided, categorized by topic, and identifies comment trends over time as well as underlying themes within each topic area identified. Comments were analyzed using a combination of data analysis procedures, Artificial Intelligence (AI), and institutional knowledge of the Zoning Ordinance and the ordinance rewrite process.

This analysis reveals that periods of high comment frequencies correspond to public meetings and comment review periods following the release of new draft chapters, demonstrating that the public was successfully engaged in the development of the draft Zoning Ordinance through intentional outreach efforts by the county. It also shows that comment topics that were present in many initial comments later fell to a small minority of overall comments, indicating that the county was successful in addressing concerns as they were brought forth by the public. Finally, this analysis demonstrated that while organizations and interest groups provided the majority of comments, individual citizens were highly engaged in the process providing 30% of all comments received.

## Methodology

This section provides an overview of the methodology used to complete the Zoning Ordinance Rewrite (ZOR) Comment Review. An illustration of the comment analysis process is provided in Figure 1 below. Individual steps are detailed in the following subsections.

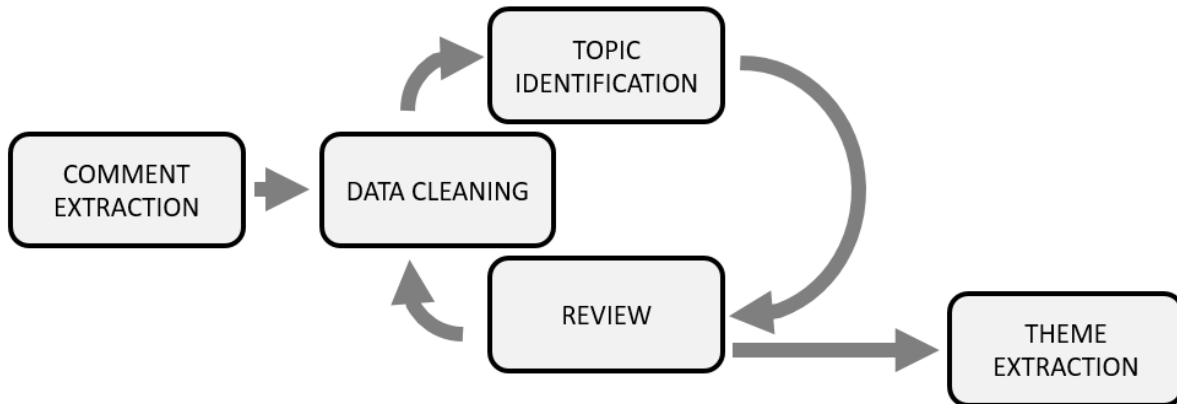


FIGURE 1. COMMENT ANALYSIS WORKFLOW

### Topic versus Theme

One key detail of the comment analysis process as described in the following sections is the distinction between topic and theme. For the purpose of this analysis, **topic refers to the subject of the comment**, or the key term being discussed. **Theme refers to what is being said about the topic**. Topics were determined by examining all comments together using AI and other programmatic tools, while **themes were extracted manually on a topic-by-topic basis leveraging institutional knowledge of the ZOR process**.

### Comment Extraction

The first step in conducting the review was to extract all comments from their native formats into a plain text format. Plain text formats provide two main benefits for the purpose of this analysis:

1. Plain text facilitates programmatic interactions with comments, allowing for application of repeatable and consistent analysis procedures across the thousands of comments.
2. Plain text is required as input into the Natural Language models leveraged to extract information from comments.

In addition to the main content of comments received, comment metadata was also extracted when provided including:

- Comment Date
- Sender
- Organization

Scripts were developed to automate extraction of comments wherever automation was feasible, such as with online portal comments provided in tabular format. For other comment formats that were too inconsistent to automate comment extraction, such as letters, text and comment metadata was extracted manually into a consistent plain text format.

### Data Cleaning

Once comments had been extracted into plain text format along with any relevant metadata, various data cleaning strategies were implemented to maximize the accuracy of the analysis. Cleanup strategies include:

- Fixes to misspellings.



- Removal of Unicode text.
  - Unicode the representation of special characters such as “~”, “\*”, etc., as a backslash followed by a series of alpha numeric values. These special characters can distract or confuse Natural Language models and thus are scrubbed from the comments.
- Removal of capitalization (where applicable).
- Removal of stop words.
  - Stop words are commonly used words in a given language that can distract Natural Language models and thus are scrubbed from comments for analysis.
  - Examples include “the”, “and”, “is”, “are”, etc.
- Stemming of root words (where applicable).
  - Stemming involves grouping words by their root (e.g., “ran”, “running”, “run” would all stem to “run”), thus allowing for more accurate accounting of word frequency.
- Part of speech tagging.
  - Words in each comment were tagged as nouns/verbs, etc., to better isolate the subject of each comment.

## Topic Identification

As illustrated in the flow chart depicted in Figure 1, the process of topic identification was an iterative process where results of initial investigatory efforts were used to continually refine the process until results were consistent with the County’s experience and expectations in addressing public comments over the past two years.

Investigatory analysis was conducted on the cleaned data in order to identify the best way to accurately categorize comments. Initial investigative steps involved word frequency analyses to gain a general understanding of which words were most frequently used among the comments. Subsequent investigative analysis focused on key terms defined in the “Definitions” chapter (Chapter 12) of the draft ordinance.

Final iterations of the **topic identification process leveraged Generative AI tools to ensure that topics identified through the key term analysis are truly the topic of comments** and not simply a key term that inadvertently shows up frequently in a comment whose topic is about an independent key term. For example, in the synthetic comment “While parking at my home, I’ve found noise levels from the neighboring winery to be too high;” even though parking, which is a key term, is included in the sentence, it is not the subject of the comment.

Once comments had been categorized based on their respective topics, **individual comment summaries were developed using generative AI**. These summarized comments were divided into individual documents by topic and organized in chronological order.

## Theme Extraction

The final step in analyzing public comments involved a **manual review process leveraging the institutional knowledge of individuals intimately familiar with the draft Zoning Ordinance document**. The necessity for context related to the Zoning Ordinance to understand comment themes made the use of AI unideal for this portion of the analysis. The manual review process was facilitated by taking the previously categorized comments, reviewing each category of comments individually, and determining major themes observed for each topic. Comment themes for each major topic area were further distilled to gain insights on overall public sentiment.

## Results

Results of the comment analysis are provided in the following sections. Comments are broken down by major topics, topic frequency over time, and comment frequency by sender/organization. Major topics are further broken down to assess reoccurring themes across comments by topic.

### Major Topics Identified

Figure 2 below illustrates the distribution of comments by topic over time. The y-axis represents the various topic areas identified, organized by highest to lowest overall comment frequency. The x-axis represents time, with vertical lines in red representing significant events including releases of new versions of the draft Zoning Ordinance and public meetings. The size of the dots indicates the number of comments submitted on a particular comment at a particular time. Figure 2 reveals that periods of high comment frequencies correspond to public meetings and comment review periods following the release of new draft chapters, demonstrating that the public was engaged in the development of the draft Zoning Ordinance through intentional outreach efforts by the county.

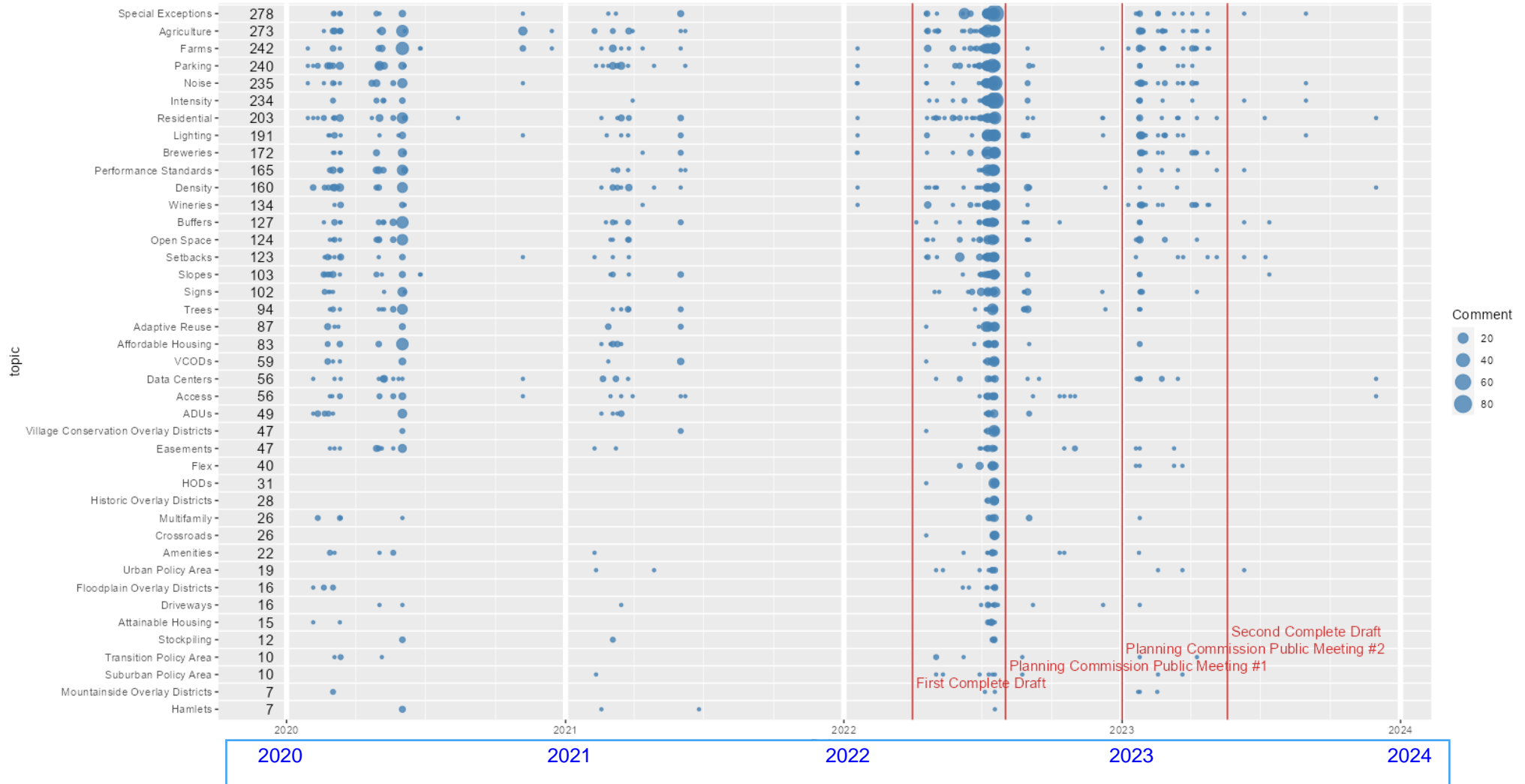


FIGURE 2. MAJOR COMMENT TOPICS

## Topic Frequency Over Time

Figure 3 below illustrates comment frequency over time based on the top seven topics observed in the beginning of the public outreach effort in 2020, as well as the top six topics from the last few months of 2023 leading up to the most recent version of the Draft Zoning Ordinance. For consistency over time, values for each topic are shown as a percent of all comments provided during a given time period.<sup>1</sup>

Figure 3 illustrates that while initially topics of parking, density, and performance standards were in the top 6 most frequent topics of 2020, those topics were reduced to much lower shares of comments

submitted by 2023 whereas topic areas like lighting, noise, wineries, and breweries rose to be a much larger share of overall comments. This indicates that as public comments were addressed by updates to the draft ordinance to address parking, density, and performance standards, comments related to those topics decreased and were replaced new topics of concern to the public. Topic areas such as agriculture and farms continued to be major topic areas from 2020 to 2023, indicating that these are topics that will continue to require attention throughout the ZOR process and in any future ordinance amendments.

The overall share of comments devoted to the top 6 comment topics in 2020 (21%) is also much lower than the overall share of comment devoted to the top 6 comment topics in 2023 (126%).<sup>2</sup> This indicates that as public outreach continued over time, the overall number of topic areas of concern was reduced, likely as a result of those concerns being addressed during the ZOR process.

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<sup>1</sup> Since only a subset of topics are illustrated in Figure 3, the total for each year will not add up to 100%.

<sup>2</sup> Single comments can have multiple topics, leading to overlaps in percentages where cumulative totals can add up to greater than 100%

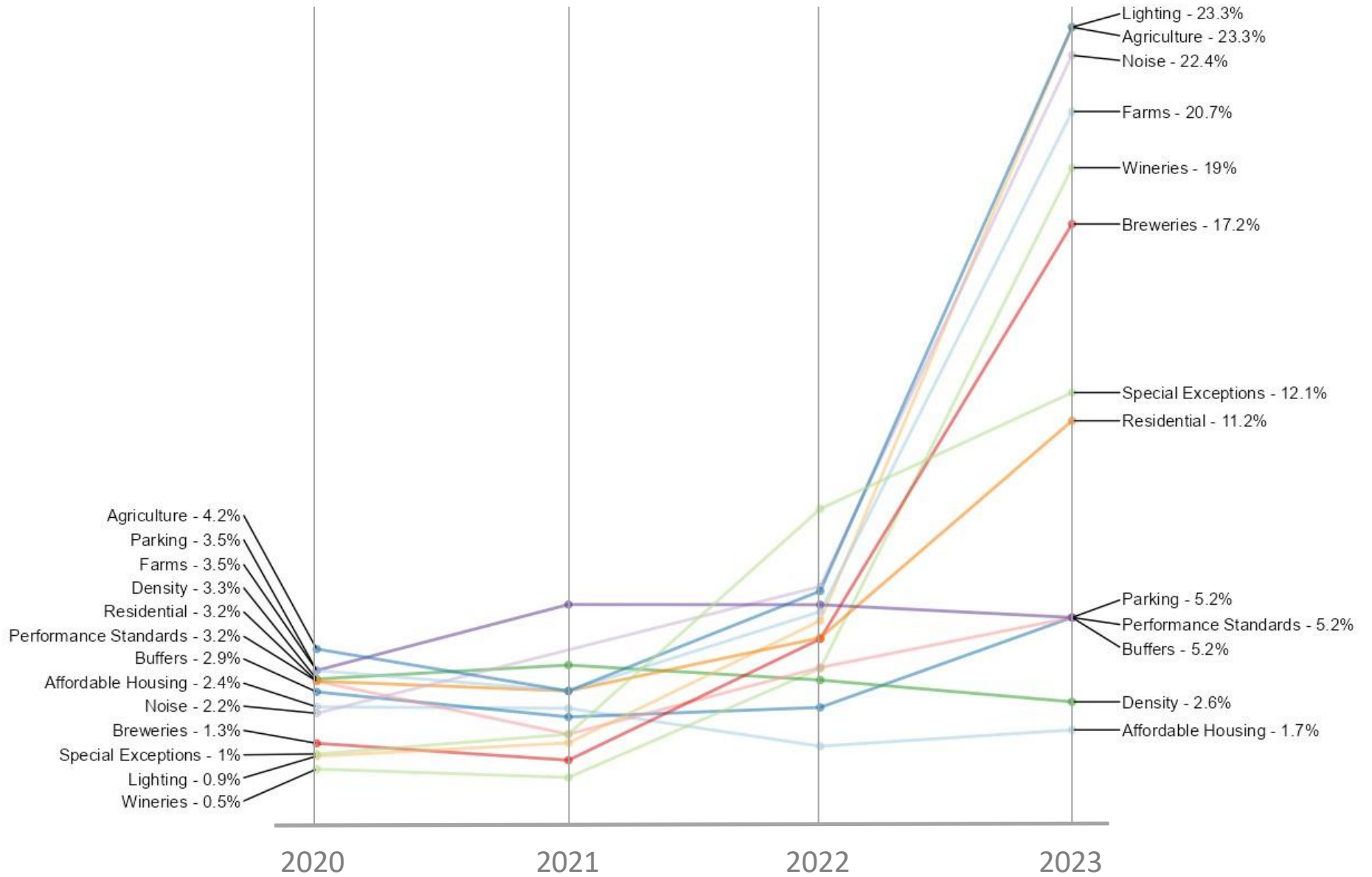


FIGURE 3. RELATIVE PERCENT SHARE OF MAJOR TOPICS OVER TIME

### Comment Frequency by Sender or Organization

Figure 4 shows the overall share of comments provided by individual citizens compared to the overall share of comments associated with a specific organization or interest group. Figure 5 below illustrates the overall share of comments provided by various organizations as well as individual citizens.

Results indicate that while specific interest groups provided over two thirds of comments during the ZOR process, individual citizens were also engaged through the county's public outreach efforts accounting for 30% of all comments received.

A detailed summary of total comments by sender is included in Appendix A.

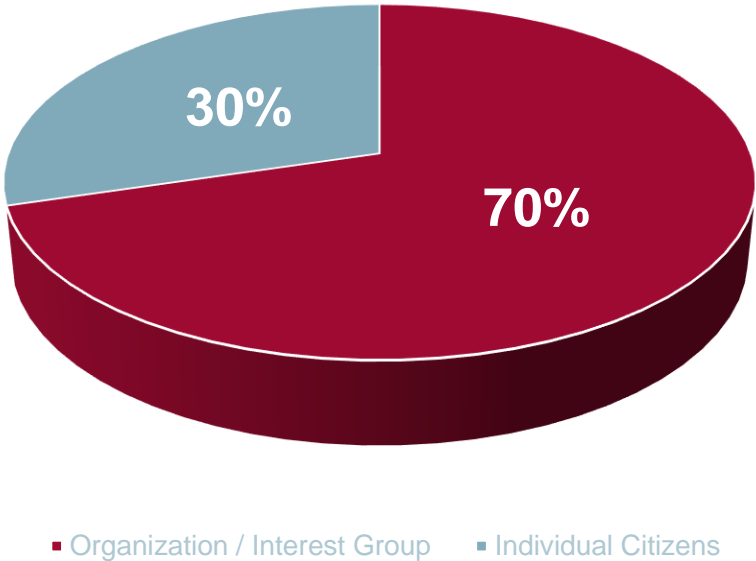


FIGURE 4. TOTAL SHARE OF COMMENTS BY INDIVIDUALS VERSUS ORGANIZATIONS / INTEREST GROUPS

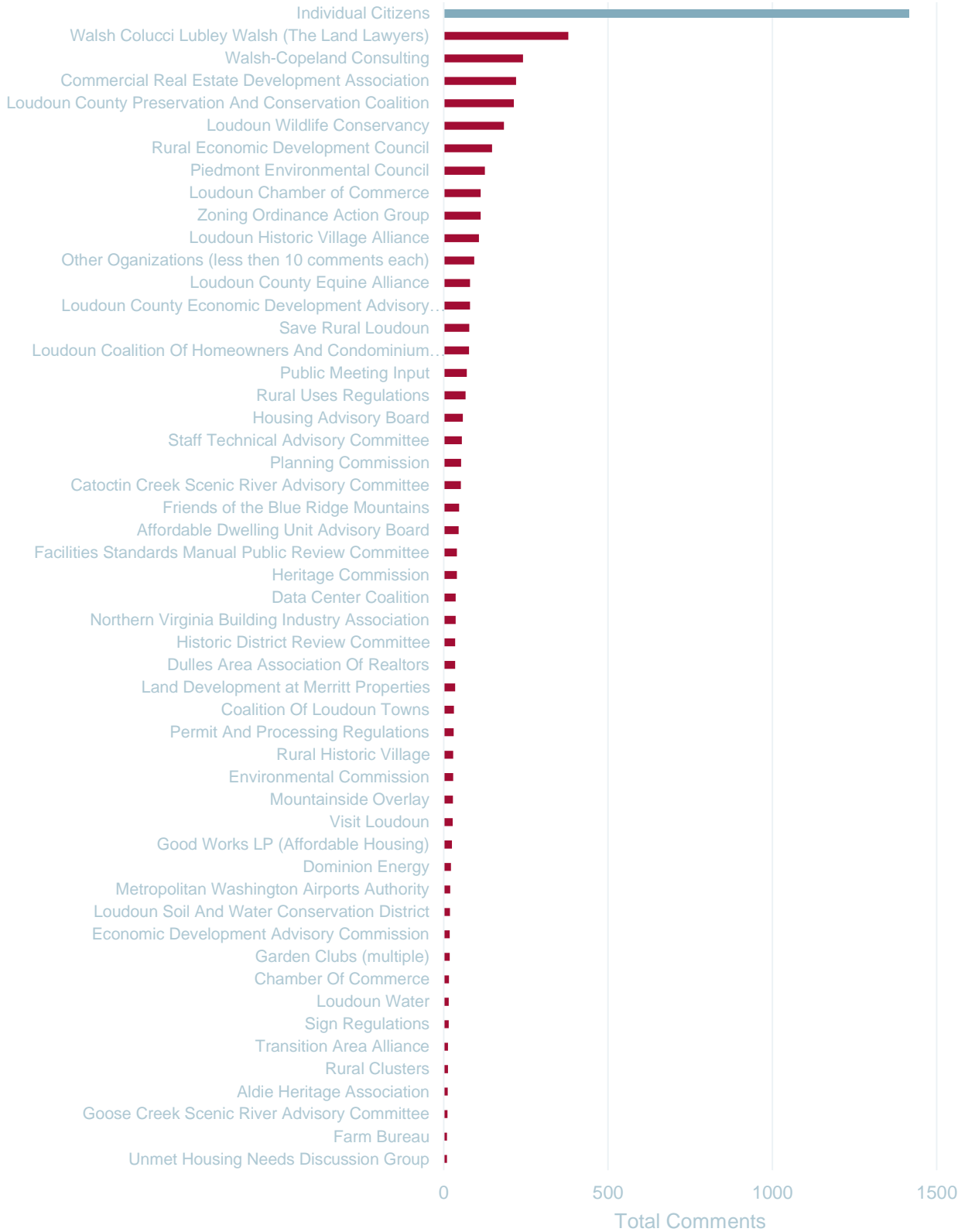


FIGURE 5. TOTAL COMMENTS BY SENDER

Comment Themes by Topic

This Section provides a summary of five key themes identified for each of the 13 major topic areas. Table 1 below enumerates the individual themes identified by examining each topic area’s comment section wholistically.

A full list of themes for each of the major topic areas is included in Appendix B.

TABLE 1. MAJOR TOPIC THEMES

Topic Area	Key Themes
<b>Affordable Housing</b>	<ul style="list-style-type: none"> <li>• Affordable housing should be kept in character and quality with surrounding development and design guidelines.</li> <li>• Allow conversion of single family to duplex and encourage accessory dwelling units.</li> <li>• Ensure affordable housing in all areas, including rural areas.</li> <li>• Energy efficiency and sustainability of affordable housing.</li> <li>• Allowing reductions in unit size to increase affordability.</li> </ul>
<b>Agriculture</b>	<ul style="list-style-type: none"> <li>• Preserve land for agriculture.</li> <li>• Protect agricultural soil.</li> <li>• Preserve the rural feel of Loudoun.</li> <li>• Protecting and promoting the equine industry.</li> <li>• Fill and waste disposal.</li> </ul>
<b>Breweries</b>	<ul style="list-style-type: none"> <li>• Conflicting information, standards, regulations, and requirements.</li> <li>• Improvements needed in review/submission requirements for approvals.</li> <li>• Clearer definitions and use regulations for farms are required, including farm wineries and limited breweries.</li> <li>• Impacts on adjacent uses, natural and historical assets, and the community.</li> <li>• Concerns about the hours of operation.</li> </ul>
<b>Buffers</b>	<ul style="list-style-type: none"> <li>• Regulations, processes, and definitions related to buffers are conflicting and inconsistent.</li> <li>• Buffering needed to maintain rural-like identity and character.</li> <li>• Flexibility in buffer regulations is needed.</li> <li>• Conflicts and inconsistencies impede design in tandem with protection of natural resources.</li> <li>• Inadequate Buffers when considering light, noise, traffic access, disruption of residents.</li> </ul>
<b>Density</b>	<ul style="list-style-type: none"> <li>• Affordable housing as it relates to density.</li> <li>• Preserve rural Loudoun and MDOD by preventing increase density.</li> <li>• Incorporate sustainability into density regulations.</li> <li>• Water quality.</li> <li>• Breweries and Wineries impact on density.</li> </ul>
<b>Farms</b>	<ul style="list-style-type: none"> <li>• Preserve Loudoun right to farm and conflicts with OA regulations that impact farming.</li> <li>• Preserve farmland for agriculture and agricultural soils.</li> <li>• Improved definition of Farm.</li> <li>• Non-traditional farm uses.</li> </ul>



Topic Area	Key Themes
<b>Lighting</b>	<ul style="list-style-type: none"> <li>• Farm building requirements.</li> <li>• Regulations needed for event and high intensity use.</li> <li>• Dark sky lighting compliance.</li> <li>• Lighting and safety.</li> <li>• Light pollution in rural Loudoun.</li> <li>• Site-specific complaints (athletic field, Airbnb, data centers).</li> </ul>
<b>Noise</b>	<ul style="list-style-type: none"> <li>• Concerns about increase in noise/traffic for event venues, temp events and weddings at breweries, and wineries.</li> <li>• Appropriate regulation required to mitigate various factors noise, light, traffic, and impacts to nearby property values.</li> <li>• Noise ordinance is confusing, and enforcement is not effective – absence of a clear process.</li> <li>• Mitigating noise impacts of data centers.</li> <li>• Aircraft noise and its impact on development around the airport.</li> </ul>
<b>Open Space</b>	<ul style="list-style-type: none"> <li>• Improve Open Space definition and create stricter trail and open space and buffer requirements.</li> <li>• Septic fields and open space (Cluster Subdivision, on-site vs off-site location).</li> <li>• Rural economy lots and uses.</li> <li>• Maintenance and protection of new and existing open spaces.</li> <li>• Incentives to increase trail and open space development.</li> </ul>
<b>Parking</b>	<ul style="list-style-type: none"> <li>• Parking standards needed for breweries and wineries.</li> <li>• Events that create high intensity parking.</li> <li>• Parking ratio changes.</li> <li>• Environmental impact (impervious surfaces).</li> <li>• Flexible and multi-use parking.</li> </ul>
<b>Performance Standards</b>	<ul style="list-style-type: none"> <li>• Wineries and breweries.</li> <li>• Uses in MDOD and SPEX process.</li> <li>• Buffering, screening, and setbacks.</li> <li>• Loopholes and proper enforcement.</li> <li>• Events.</li> </ul>
<b>Residential</b>	<ul style="list-style-type: none"> <li>• Enforcing regulation, resolution of complaints.</li> <li>• Residential flexibility in zoning to meet future demand.</li> <li>• Concerns about noise, light, traffic safety and parking regulations.</li> <li>• Landscaping, setbacks, open space, and buffering and screening requirements.</li> <li>• Water, water use and septic/sewer management concerns.</li> </ul>
<b>Special Exceptions</b>	<ul style="list-style-type: none"> <li>• Increase uses by right – excessive use of special exceptions – reduce number of special exceptions.</li> <li>• Reduce by right uses – increase number of special exceptions.</li> <li>• Consistent application of standards, adequate opportunity for public review and comment.</li> <li>• Follow-up inspections of approved special exceptions to ensure compliance.</li> <li>• More stringent regulations and requirements such as landscaping, screening, and noise and light control.</li> </ul>

Topic Area	Key Themes
<b>Wineries</b>	<ul style="list-style-type: none"><li>• Impact on local residents, increased traffic, noise, light pollution.</li><li>• Reduce the number of restriction and limitations to promote business.</li><li>• Increase performance standards, requirements, and regulations to operate a winery.</li><li>• Better defining key terms, farm winery, farm, agricultural processing.</li><li>• Regulating the noise and light pollution from wineries.</li></ul>

## Appendix A

### APPENDIX TABLE A. TOTAL COMMENTS BY SENDER

Comments submitted by the organizations and individuals listed below are available for review on the Loudoun County website at [loudoun.gov/ZoningOrdinanceRewrite](http://loudoun.gov/ZoningOrdinanceRewrite).

Sender	Organization / Interest Group	Comments
Maura Walsh-Copeland	Walsh-Copeland Consulting	241
Commercial Real Estate Development Association	Commercial Real Estate Development Association	220
Michael Romeo	Walsh Colucci Lubley Walsh (The Land Lawyers)	206
Rural Economic Development Council	Rural Economic Development Council	147
Piedmont Environmental Council	Piedmont Environmental Council	125
Loudoun County Preservation and Conservation Coalition	Loudoun County Preservation and Conservation Coalition	117
Theo Stamatis	Loudoun Chamber of Commerce	112
Zoning Ordinance Action Group	Zoning Ordinance Action Group	112
Loudoun Historic Village Alliance	Loudoun Historic Village Alliance	107
Environmental, Historic Resources and Sustainability	Loudoun County Preservation and Conservation Coalition	96
Matthew Leslie	Walsh Colucci Lubley Walsh (The Land Lawyers)	95
Loudoun County Equine Alliance	Loudoun County Equine Alliance	80
Loudoun Coalition of Homeowners and Condominium Associations	Loudoun Coalition of Homeowners and Condominium Associations	77
Save Rural Loudoun	Save Rural Loudoun	71
Public Input Round One	Public Meeting Input	70
Michael Myers	Loudoun Wildlife Conservancy	67
Rural Uses Regulations	Rural Uses Regulations	66
Trinity Mills	Loudoun Wildlife Conservancy	65
Housing Advisory Board	Housing Advisory Board	58
Staff Technical Advisory Committee	Staff Technical Advisory Committee	55
Planning Commission	Planning Commission	53
Catoctin Creek Scenic River Advisory Committee	Catoctin Creek Scenic River Advisory Committee	52
Brian Magurn	Loudoun Wildlife Conservancy	51
Sashenka Brauer	Walsh Colucci Lubley Walsh (The Land Lawyers)	48

Sender	Organization / Interest Group	Comments
Peter Weeks	Friends of the Blue Ridge Mountains	47
Matt Holbrook	Loudoun County Economic Development Advisory Commission	46
Facilities Standards Manual Public Review Committee	Facilities Standards Manual Public Review Committee	40
Heritage Commission	Heritage Commission	40
Data Center Coalition	Data Center Coalition	36
Northern Virginia Building Industry Association	Northern Virginia Building Industry Association	36
Britney Dow	Land Development at Merritt Properties	35
Dulles Area Association of Realtors	Dulles Area Association of Realtors	35
Historic District Review Committee	Historic District Review Committee	35
Loudoun County Economic Development Advisory Commission	Loudoun County Economic Development Advisory Commission	34
Coalition Of Loudoun Towns	Coalition Of Loudoun Towns	31
Affordable Dwelling Unit Advisory Board	Affordable Dwelling Unit Advisory Board	30
Erin Swisshelm	Walsh Colucci Lubley Walsh (The Land Lawyers)	30
Permit And Processing Regulations	Permit And Processing Regulations	30
Environmental Commission (Keara Moore, Staff Liaison)	Environmental Commission	29
Rural Historic Village	Rural Historic Village	29
John Hunter	Individual Citizens	28
Mountainside Overlay	Mountainside Overlay	28
Visit Loudoun	Visit Loudoun	27
Heather Green	Individual Citizens	25
Kim Hart	Good Works LP (Affordable Housing)	25
Cody Francis	Individual Citizens	24
John Mossgrove	Individual Citizens	24
Dominion Energy	Dominion Energy	22
Beth M Erickson	Individual Citizens	20
Metropolitan Washington Airports Authority	Metropolitan Washington Airports Authority	20
Loudoun Soil and Water Conservation District	Loudoun Soil and Water Conservation District	19
Bill	Individual Citizens	18

Sender	Organization / Interest Group	Comments
Economic Development Advisory Commission	Economic Development Advisory Commission	18
Gladys Lewis Representing the Leesburg Garden Club and The Purcellville, Fauquier-Loudoun, Middleburg, Upperville, And Catoctin Garden Clubs	Garden Clubs (multiple)	18
Adam Stevenson	Individual Citizens	17
Gem Bingol	Individual Citizens	17
Justin Wisch	Individual Citizens	17
Chamber Of Commerce	Chamber Of Commerce	16
Jennifer Don	Individual Citizens	16
Judith Meany	Individual Citizens	16
Tim Shinbara	Individual Citizens	16
Devin Laney	Individual Citizens	15
Doug Wagner - Aduab Chair on Behalf of Aduab	Affordable Dwelling Unit Advisory Board	15
Kelly Foltman	Individual Citizens	15
Loudoun Water	Loudoun Water	15
Patti Psaris	Individual Citizens	15
Philip Foltman	Individual Citizens	15
Scott Reynolds	Individual Citizens	15
Sign Regulations	Sign Regulations	15
To: Subject: Date	Individual Citizens	15
Andrew Beatty	Individual Citizens	14
John Ebersole	Individual Citizens	14
Madeline Fayle Skinner	Individual Citizens	14
Margaret Kieran Good	Individual Citizens	14
Michael Perham	Individual Citizens	14
Michelle Dunne	Individual Citizens	14
Roy Barnett	Individual Citizens	14
W. Joseph Coleman	Individual Citizens	14
Beckwith Bolle	Individual Citizens	13

Sender	Organization / Interest Group	Comments
Rural Clusters - Fbrm	Rural Clusters	13
Transition Area Alliance	Transition Area Alliance	13
Andrew Marusich	Individual Citizens	12
Katie Johnson (Aldie Heritage Association)	Aldie Heritage Association	12
Al Van Huyck	Individual Citizens	11
Christie Giuliani	Individual Citizens	11
Eric Sibley	Individual Citizens	11
Goose Creek Scenic River Advisory Committee	Goose Creek Scenic River Advisory Committee	11
Mary Sue Collins	Individual Citizens	11
Norm Myers	Individual Citizens	11
Amanda Brewer	Individual Citizens	10
Ben Giuliani	Individual Citizens	10
Cynthia Morris	Individual Citizens	10
Farm Bureau	Farm Bureau	10
Louis Canonico	Individual Citizens	10
Phil Daley	Individual Citizens	10
Susan Manch	Individual Citizens	10
Susan Sutter	Individual Citizens	10
Unmet Housing Needs Discussion Group	Unmet Housing Needs Discussion Group	10
(Anonymous)	Individual Citizens	9
Anne Dull	Individual Citizens	9
Anne Reynolds	Individual Citizens	9
Bob Barnett	Individual Citizens	9
Brian Night	Individual Citizens	9
Buffington, Tony	Individual Citizens	9
Chris Van Vlack	Individual Citizens	9
Dave Ogden	Individual Citizens	9
Gillian Sims	Individual Citizens	9

Sender	Organization / Interest Group	Comments
Jennifer Moore	Individual Citizens	9
Kirsten Langhorne	Individual Citizens	9
Landfills/Stockpiling	Landfills/Stockpiling	9
Meghan Miller	Individual Citizens	9
Mike Kelly	Individual Citizens	9
Ryan Gibbons	Individual Citizens	9
Ward Melhuish	Individual Citizens	9
Wendy Gerlich	Individual Citizens	9
Avis A Renshaw	Individual Citizens	8
Bj Lecrone	Individual Citizens	8
Garrett Reynolds	Individual Citizens	8
Lori Dehart	Individual Citizens	8
Marcella M Marcey	Individual Citizens	8
Richard Rasmus	Individual Citizens	8
Ronald Benschoter	Individual Citizens	8
Russell Wall	Individual Citizens	8
A	Individual Citizens	7
Albemarle County	Albemarle County	7
Cate Magennis Wyatt	Individual Citizens	7
Fauquier County	Fauquier County	7
Jane Williams	Individual Citizens	7
John Ellis (Save Rural Loudoun)	Save Rural Loudoun	7
John Marshall Soil and Water Conservation District	John Marshall Soil and Water Conservation District	7
K	Individual Citizens	7
Leslie Sinn	Individual Citizens	7
Lisa Seeberger	Individual Citizens	7
Mary O'Connor	Individual Citizens	7
Other Organizations (Non-Work Group Members)	Other Organizations (Non-Work Group Members)	7

Sender	Organization / Interest Group	Comments
Patric E Copeland	Individual Citizens	7
Sharyn Franck	Individual Citizens	7
Stephen E Bozzo/Bozzo Family Vineyards	Bozzo Family Vinyards	7
Virginia Farm Bureau Federation	Virginia Farm Bureau Federation	7
Bradley D. Keister	Individual Citizens	6
Britain, Allison	Individual Citizens	6
David S Ward	Individual Citizens	6
Jim Russell	Individual Citizens	6
John L Fuog	Individual Citizens	6
Linear Parks and Trails Subcommittee	Linear Parks and Trails Subcommittee	6
Mark Rutyna	Individual Citizens	6
Robin Bartok	Individual Citizens	6
Robin-Eve Jasper	Individual Citizens	6
To	Individual Citizens	6
Virginia Chapter of The American Planning Association	Virginia Chapter of The American Planning Association	6
Aubrey Hall	Individual Citizens	5
Cleanth B Toledano	Individual Citizens	5
Culpeper Soil and Water Conservation District	Culpeper Soil and Water Conservation District	5
Derrick Sutter	Individual Citizens	5
George Rambo	Individual Citizens	5
Holly Hall Nichols	Individual Citizens	5
James Cameron	Individual Citizens	5
Jefferson A van Allen	Individual Citizens	5
Jerry Krumwiede	Individual Citizens	5
Kay Chewning	Individual Citizens	5
Kwasi Fraser	Individual Citizens	5
Mark Nelis, Nelis Law	Individual Citizens	5
Richard Dale Bright	Individual Citizens	5



Sender	Organization / Interest Group	Comments
Stephen Bradford	Individual Citizens	5
Sujith Maram	Individual Citizens	5
Swana	Individual Citizens	5
Allison G	Individual Citizens	4
Birkitt, Judi	Individual Citizens	4
David Moore	Individual Citizens	4
Dept-Pz-Planning Commission	Dept-Pz-Planning Commission	4
Don Richards	Individual Citizens	4
Jane Covington	Individual Citizens	4
John C. Woulfe Iii	Individual Citizens	4
John Doe	Individual Citizens	4
Judith Whitehouse	Individual Citizens	4
Karen Denale	Individual Citizens	4
Kathryn Kiritsis	Individual Citizens	4
L	Individual Citizens	4
Libby Devlin	Individual Citizens	4
Luke Russert	Individual Citizens	4
Margit Royal	Individual Citizens	4
Meredith.Witte	Individual Citizens	4
Nicholas Torrance	Individual Citizens	4
Nick Weeks	Individual Citizens	4
Pqweeks	Individual Citizens	4
Robert Ellis	Individual Citizens	4
Route 28 Landowners Advisory Board	Route 28 Landowners Advisory Board	4
Ruth Brooks	Individual Citizens	4
Sarah Huntington	Individual Citizens	4
Virginia Agribusiness Council	Virginia Agribusiness Council	4
Virginia Transportation Construction Alliance	Virginia Transportation Construction Alliance	4

Sender	Organization / Interest Group	Comments
Alexander Nance	Individual Citizens	3
Anne Kelly	Individual Citizens	3
Annette M Hala	Individual Citizens	3
Brenda Sargent	Individual Citizens	3
Clyde Grotophorst	Individual Citizens	3
Donnie Walker Jr	Individual Citizens	3
Dulany Morison	Individual Citizens	3
Home Builders Association of Virginia	Home Builders Association of Virginia	3
Jack Vega	Individual Citizens	3
Jim Edmondson	Individual Citizens	3
Joel L Burrows	Individual Citizens	3
John P Kirwan	Individual Citizens	3
Judith Anne Whitehouse	Individual Citizens	3
Julia Metzger-Traber	Individual Citizens	3
Lindsey Aline Holman	Individual Citizens	3
Lowell Smith	Individual Citizens	3
Madeline Skinner	Individual Citizens	3
Matt Donnelly	Individual Citizens	3
Maureen Arnold	Individual Citizens	3
Michael Cohen	Individual Citizens	3
Michael Leahy	Individual Citizens	3
Mick Newman	Individual Citizens	3
Natalie Pien	Individual Citizens	3
Paula Kerger	Individual Citizens	3
Paz Andrae	Individual Citizens	3
Robin Frank	Individual Citizens	3
Scott E. Pedowitz, Aoba	Individual Citizens	3
Steffen H Warfield	Individual Citizens	3

Sender	Organization / Interest Group	Comments
Travis Hare	Individual Citizens	3
Andrew Tull	Individual Citizens	2
Bruce Isaachsen	Individual Citizens	2
Carol Weare	Individual Citizens	2
Colleen Steedly	Individual Citizens	2
Community Planning, Historic Preservation Team	Community Planning, Historic Preservation Team	2
Deborah Zungoli	Individual Citizens	2
Dennis Oneill	Individual Citizens	2
Douglas Smith	Individual Citizens	2
Elliott Hamilton	Individual Citizens	2
Eric Combs	Individual Citizens	2
Eric Kramer	Individual Citizens	2
Erica Ehrhardt	Individual Citizens	2
Grace-Marie Turner	Individual Citizens	2
J. Marvin Watts	Individual Citizens	2
Jennie Thompson	Individual Citizens	2
Joan Dutchess Freidson	Individual Citizens	2
Katherine Barker	Individual Citizens	2
Kathryn B. Keister	Individual Citizens	2
Keith Simpson	Individual Citizens	2
Kim Larson	Individual Citizens	2
Kim Rapp	Individual Citizens	2
Larry Malone	Individual Citizens	2
Lynne Kaye	Individual Citizens	2
Marsha Barg Karp	Individual Citizens	2
Mary Ann Good	Individual Citizens	2
Mary Sheehan	Individual Citizens	2
Matthew J Frost	Individual Citizens	2

Sender	Organization / Interest Group	Comments
Michael Lipsky	Individual Citizens	2
Nelis Law	Individual Citizens	2
Nigel Ogilvie	Individual Citizens	2
Paul Clausen	Individual Citizens	2
Peggy Wall	Individual Citizens	2
Rob Martin	Individual Citizens	2
Robert Brown	Individual Citizens	2
Sara Brown	Individual Citizens	2
Scott Pedowitz	Individual Citizens	2
Sharon Conner	Individual Citizens	2
Sunil Vundela	Individual Citizens	2
Susan Planck	Individual Citizens	2
Teresia Scott	Individual Citizens	2
To: Subject	Individual Citizens	2
Virginia Baxter	Individual Citizens	2
Virginia Trucking Association	Virginia Trucking Association	2
Wegener, Brian	Individual Citizens	2
Wendy Kirwan	Individual Citizens	2
Zach	Individual Citizens	2
"Supervisor Caleb Kershner"	Individual Citizens	1
Adrienne Roy	Individual Citizens	1
Akemi Tinder	Individual Citizens	1
Alan Karp	Individual Citizens	1
Alex Paris	Individual Citizens	1
Alika Middleton	Individual Citizens	1
Amy Owen	Individual Citizens	1
Andrew Mccoy	Individual Citizens	1
Anthony Venafro	Individual Citizens	1

Sender	Organization / Interest Group	Comments
Barbara M. Lamborne	Individual Citizens	1
Ben Keethler	Individual Citizens	1
Ben Sedlins	Individual Citizens	1
Benjamin Winn	Individual Citizens	1
Bishop Doyle	Individual Citizens	1
Blanca C Spencer	Individual Citizens	1
Bradley Gable	Individual Citizens	1
Britain Allison	Individual Citizens	1
Cadence Musick	Individual Citizens	1
Carole Napolitano	Individual Citizens	1
Carole S Napolitano	Individual Citizens	1
Caroline Nash	Individual Citizens	1
Charles R Planck	Individual Citizens	1
Cheryl Wright	Individual Citizens	1
Chip Planck	Individual Citizens	1
Christina Berry	Individual Citizens	1
Christine Porter	Individual Citizens	1
Christopher Whitfield	Individual Citizens	1
Cierra Prencipe	Individual Citizens	1
Clarke Lunara	Individual Citizens	1
Cleo Gewirz	Individual Citizens	1
Clifford Sweatte	Individual Citizens	1
Constance Chatfield-Taylor	Individual Citizens	1
David Berish	Individual Citizens	1
David Macduffee	Individual Citizens	1
David Ward	Individual Citizens	1
David, James	Individual Citizens	1
Debbie Halla	Individual Citizens	1

Sender	Organization / Interest Group	Comments
Deja Burt	Individual Citizens	1
Eileen Broderick	Individual Citizens	1
Elaine Meilahn	Individual Citizens	1
Eleanor M Adams	Individual Citizens	1
Elizabeth L	Individual Citizens	1
Emily Chiappinelli	Individual Citizens	1
Emily Southgate	Individual Citizens	1
Equusmtn	Individual Citizens	1
Eric Fryer E	Individual Citizens	1
Erin Becker Gulick	Individual Citizens	1
Eva Bunney	Individual Citizens	1
Fh	Individual Citizens	1
Gail Itschner	Individual Citizens	1
George Tauser	Individual Citizens	1
Georjan D. Overman	Individual Citizens	1
Greg Baka	Individual Citizens	1
Gregory Prelewicz	Individual Citizens	1
Hana Newcomb	Individual Citizens	1
Harris, Arlee	Individual Citizens	1
Harrybigley	Individual Citizens	1
Holly Geary	Individual Citizens	1
Howard Lewis	Individual Citizens	1
Isabel Hulkwer	Individual Citizens	1
Ivan Blumberg	Individual Citizens	1
J Harris	Individual Citizens	1
J. Randall Minchew	Individual Citizens	1
Janice Tauser	Individual Citizens	1
Janna Leepson	Individual Citizens	1

Sender	Organization / Interest Group	Comments
Javier Zablah	Individual Citizens	1
Jay Bradshaw	Individual Citizens	1
Jeanee Layman	Individual Citizens	1
Jennifer Gannaway	Individual Citizens	1
Jennifer James	Individual Citizens	1
Jmw	Individual Citizens	1
Joan Gardiner	Individual Citizens	1
John Adams	Individual Citizens	1
John B. Adams	Individual Citizens	1
John Benedict	Individual Citizens	1
John Edgemond	Individual Citizens	1
John Gardiner	Individual Citizens	1
John Mcclintic	Individual Citizens	1
John R Cox	Individual Citizens	1
John Wylie	Individual Citizens	1
Jordan Lunara	Individual Citizens	1
Judy Mazzucchelli	Individual Citizens	1
K And K Boi	Individual Citizens	1
Kaki Pearson	Individual Citizens	1
Karen Belle	Individual Citizens	1
Katherine Collins	Individual Citizens	1
Kelly Williams	Individual Citizens	1
Kerry Dukinfield	Individual Citizens	1
Kershner, Caleb	Individual Citizens	1
Kevin Goeller	Individual Citizens	1
Kim Roszel	Individual Citizens	1
Kirsten Langhornr	Individual Citizens	1
Kristin Stewart	Individual Citizens	1

Sender	Organization / Interest Group	Comments
L. Beerman	Individual Citizens	1
Land Trust of Virginia	Individual Citizens	1
Laura Jacobson	Individual Citizens	1
Laura Lieberman	Individual Citizens	1
Lauragreenlea	Individual Citizens	1
Lauragreenleaf	Individual Citizens	1
Lauren Woolcott	Individual Citizens	1
Lawrence Malone	Individual Citizens	1
Linda Bohane	Individual Citizens	1
Linda Coffees	Individual Citizens	1
Linda Colucci	Individual Citizens	1
Linda Maclean	Individual Citizens	1
Maggie Hirschberg	Individual Citizens	1
Maria Eldredge	Individual Citizens	1
Matthew Donnelly	Individual Citizens	1
Matthew Lawrence	Individual Citizens	1
Mavis Taintor	Individual Citizens	1
Melanie Voght	Individual Citizens	1
Melissa Pankas	Individual Citizens	1
Michael Marsh	Individual Citizens	1
Michael Wright	Individual Citizens	1
Mike Aaron	Individual Citizens	1
Mike Rhodes	Individual Citizens	1
Miriam Westervelt	Individual Citizens	1
Nat White	Individual Citizens	1
Nedim Ogelman	Individual Citizens	1
Neil Gormley	Individual Citizens	1
Nicole Gervais	Individual Citizens	1



Sender	Organization / Interest Group	Comments
Norman Myers	Individual Citizens	1
Owen Snyder	Individual Citizens	1
Pamela Donehower	Individual Citizens	1
Patric Copeland	Individual Citizens	1
Paul Claused	Individual Citizens	1
Pauline Clark	Individual Citizens	1
Pavla Teie	Individual Citizens	1
Peggy Bednarik	Individual Citizens	1
Peggy Coleman	Individual Citizens	1
Pete Jobse	Individual Citizens	1
Protect Loudoun []	Individual Citizens	1
Rae Basile	Individual Citizens	1
Rick Stout	Individual Citizens	1
Rob Jakubik	Individual Citizens	1
Robert Cissel	Individual Citizens	1
Robin Short	Individual Citizens	1
Roger K	Individual Citizens	1
Roger La Rouche	Individual Citizens	1
Roger Lataille	Individual Citizens	1
Rsmith	Individual Citizens	1
Ruthann Carson	Individual Citizens	1
Sabina Puppo	Individual Citizens	1
Samuel Flemer	Individual Citizens	1
Scott Dueweke	Individual Citizens	1
Sent: Subject	Individual Citizens	1
Shafi Devlanva	Individual Citizens	1
Sharon Wright	Individual Citizens	1
Shelley Horneck	Individual Citizens	1

Sender	Organization / Interest Group	Comments
Shelley Tamres	Individual Citizens	1
Sophia Maravell	Individual Citizens	1
St	Individual Citizens	1
Steadly	Individual Citizens	1
Stephen Bradford Rose	Individual Citizens	1
Steve	Individual Citizens	1
Steven Chase	Individual Citizens	1
Tadeusz Lewis	Individual Citizens	1
Tammi Elisa	Individual Citizens	1
Ted Lewis	Individual Citizens	1
Teresia Scott J	Individual Citizens	1
Tiffany	Individual Citizens	1
Torrible, Christina	Individual Citizens	1
Torye Hurst	Individual Citizens	1
Tracy Naber	Individual Citizens	1
Virginia Association of Counties	Virginia Association of Counties	1
Virginia Association of Soil and Water Conservation	Virginia Association of Soil and Water Conservation	1
Wallyg	Individual Citizens	1
Wendy Bebie	Individual Citizens	1
Will Nisbet	Individual Citizens	1
William Grant	Individual Citizens	1
William Steedly	Individual Citizens	1
Witte, Meredith	Individual Citizens	1

## Appendix B

APPENDIX TABLE B. THEMES BY MAJOR TOPIC AREA

Topic Area	Key Themes
<b>Affordable Housing</b>	<ul style="list-style-type: none"> <li>• Affordable housing should be kept in character and quality with surrounding development, design guidelines</li> <li>• Allow conversion of single family to duplex, and encourage accessory dwelling units</li> <li>• Ensure affordable housing in all areas, including in rural areas</li> <li>• Affordable housing and connectivity for bicycles and pedestrians, and connectivity to transit</li> <li>• Incentives to create more affordable housing</li> <li>• Complexity of Affordable Housing provisions in the ordinance, permitting, reporting, and approvals for AHUs</li> <li>• Resources for rental programs, housing assistance, programs for public employees</li> <li>• Energy efficiency and sustainability of affordable housing</li> <li>• Funding, Future funding, Partnerships, and effectiveness of Affordable Housing Program</li> <li>• Achievability of affordable housing targets, increases in flexibility of regulations</li> <li>• Density increases to achieve affordability and parking and infrastructure impacts</li> <li>• Affordability over time for existing residents of Loudoun</li> <li>• Engaging HOAs in finding solutions for affordable housing</li> <li>• Allowing reductions in unit size to increase affordability</li> <li>• Concerns about increase in corporate owned SFD, and short-term rentals.</li> </ul>
<b>Agriculture</b>	<ul style="list-style-type: none"> <li>• Preserving land for agriculture</li> <li>• Protecting agricultural soils</li> <li>• Preserving the rural feel of Loudoun</li> <li>• Preservation and conservation of the environment and rural lands</li> <li>• Protecting and promoting the equine industry</li> <li>• Balancing agricultural land/soil use within cluster subdivisions</li> <li>• Fill and waste disposal</li> <li>• Promoting agricultural industry</li> <li>• Properly defining ‘farm’</li> <li>• Regulating breweries and wineries</li> <li>• Properly defining agricultural processing</li> <li>• Increased oversight</li> <li>• Ensuring safety through more robust code</li> <li>• Organization of large events</li> <li>• Proper use and approval of buildings</li> </ul>
<b>Breweries</b>	<ul style="list-style-type: none"> <li>• Conflicting information, standards, regulations, and requirements</li> <li>• Improve review and submission requirements for approvals</li> </ul>

	<ul style="list-style-type: none"> <li>• Clearer definitions and use regulations for farms, including farm wineries and limited breweries</li> <li>• Zoning enforcement to protect agricultural uses and existing residential</li> <li>• Zoning enforcement for health, safety, and welfare</li> <li>• Concerns about noise, light, traffic, and parking</li> <li>• Performance standards needed for Limited Farm Breweries</li> <li>• Reduce higher intensity/commercial uses in MDOD</li> <li>• Impacts on adjacent uses, natural and historical assets, and the community</li> <li>• Water, water use and septic/sewer management concerns</li> <li>• Landscaping, setbacks, buffering and screening</li> <li>• Minimum lot area requirements for a Limited ("Farm") Brewery</li> <li>• Include public input earlier in the review process</li> <li>• Concerns about the hours of operation</li> <li>• Special exception requirements for certain uses</li> </ul>
<p><b>Buffers</b></p>	<ul style="list-style-type: none"> <li>• Regulations, processes, and definitions related to Buffers are conflicting and inconsistent</li> <li>• Buffering needed to maintain rural-like identity and character</li> <li>• Maintaining flexibility in buffer regulations</li> <li>• Buffer regulations are too general and should be stricter and more specific</li> <li>• implementing additional overlay districts and increase buffers to protect streams, landscapes, and habitat</li> <li>• Conflicts and inconsistencies impede design in tandem with protection of natural resources</li> <li>• Include "buffering" in site design/development standards</li> <li>• Balance between buffer and setback requirements and impacts on development</li> <li>• Buffers and protection of adjacent properties, natural assets and, and property values</li> <li>• Buffer requirements for a substation and a data center development</li> <li>• Development regulations allow for the use of non-native plants, plant species permitted</li> <li>• Improve parking, buffer, lighting, fencing, signage and other requirements for event venues, breweries, wineries</li> <li>• Inadequate Buffers when considering light, noise, traffic access, disruption of residents</li> <li>• Greater community input during the design process and legislative changes</li> <li>• Utility easements and buffering requirements</li> </ul>
<p><b>Density</b></p>	<ul style="list-style-type: none"> <li>• Affordable housing</li> <li>• Preserving rural Loudoun and MDOD from increased density</li> <li>• Incorporating sustainability into density regulations</li> <li>• Bonus density and incentives</li> <li>• Preserving agricultural land and soil from increased density</li> <li>• Water quality</li> <li>• Preserving rural villages and historic Loudoun areas from increased density</li> </ul>

	<ul style="list-style-type: none"> <li>• FAR (floor area ratio)</li> <li>• Meeting the General Plan goals</li> <li>• Breweries and Wineries impact on density</li> <li>• Increasing density west of Evergreen Mills Road at Red Hill Road</li> <li>• Regulation and design requirements</li> <li>• Lot sizes</li> <li>• Density language and categories in the ZO</li> <li>• Urban development</li> </ul>
<p><b>Farms</b></p>	<ul style="list-style-type: none"> <li>• Keeping Loudoun right to farm and stopping HOA prevention</li> <li>• Preserving farming land and land for agriculture</li> <li>• Preserving agricultural soils</li> <li>• Housing on farms</li> <li>• Dumping and fill</li> <li>• Supporting local farm businesses and farm markets</li> <li>• Definition of a farm and corresponding performance standards</li> <li>• Preserving the natural environment, i.e., MDOD, waterways</li> <li>• Limited Breweries and Virginia Farm Wineries</li> <li>• Sizing and Specific Code Changes</li> <li>• Farm building requirements</li> <li>• Agricultural definitions (i.e., agricultural processing)</li> <li>• Farm use and commercial operation regulations</li> <li>• Non-traditional farm uses</li> <li>• Management of small-scale agricultural uses</li> <li>• Preserving rural villages</li> </ul>
<p><b>Lighting</b></p>	<ul style="list-style-type: none"> <li>• Event and high intensity use lighting regulation</li> <li>• Dark Sky Lighting Compliance</li> <li>• Lighting Safety</li> <li>• Acceptable hours for lighting</li> <li>• Adding lighting definitions, standards, and graphics to ordinance</li> <li>• Lighting restrictions on MDOD and ridge lines</li> <li>• Lighting regulation strategies</li> <li>• Regulating lighting from breweries and wineries</li> <li>• Light pollution in rural Loudoun</li> <li>• Lighting for large signs</li> <li>• Residential light pollution</li> <li>• Site-specific complaints (athletic field, Airbnb, data centers)</li> <li>• Environmental impacts</li> </ul>
<p><b>Noise</b></p>	<ul style="list-style-type: none"> <li>• Concerns about Increase in traffic and noise for event venues, temp events, weddings, breweries, wineries</li> <li>• Appropriate regulations to mitigate various factors including noise, light, traffic, and impacts nearby property values.</li> <li>• Noise ordinance is confusing, and enforcement is not effective - absence of a clear process.</li> <li>• Aircraft noise and its impact on development around the airport.</li> <li>• Concern is about noise standards not achieving intended goal</li> <li>• Mitigating noise impacts of data centers</li> </ul>

	<ul style="list-style-type: none"> <li>• Increase community access and input on noise studies and other data during development process</li> <li>• Differences between Zoning Noise ordinance and Codified ordinance - address inconsistencies</li> <li>• Noise and adjusting Hours of Operation</li> <li>• Provide consistent, clear standards and processes across all uses for noise</li> <li>• Specific standards should be applied to high intensity uses</li> <li>• Development in MDOD and associated traffic, parking, noise, lighting, and waste product</li> <li>• Potential noise and number of animals related to dog day care</li> </ul>
<p><b>Open Space</b></p>	<ul style="list-style-type: none"> <li>• Improve Open Space definitions and create stricter trail and open space and buffer standards</li> <li>• Septic fields and Open Space</li> <li>• Rural Economy Lots and Uses</li> <li>• Preservation and Protection of Open Space, Historic landscapes, Rural and Agricultural lands</li> <li>• Excessive open space requirements</li> <li>• Impacts of Cluster subdivisions on open space, land preservation and surrounding development and uses.</li> <li>• Maintenance and protection of new and existing open spaces</li> <li>• Material Standards and sustainability</li> <li>• Conflicts between Open space requirements and allowable uses</li> <li>• Protection of wildlife, habitat, and use of non-native plantings</li> <li>• Developers changing plans to avoid open space requirements</li> <li>• Closing loopholes in regulations and requirements</li> <li>• Contiguous open spaces - Physical linkages between open spaces</li> <li>• Incentives to increase trail and open space development</li> <li>• Unusable land counted as open space</li> <li>• Removal of allowable uses by right in zoning Districts</li> </ul>
<p><b>Parking</b></p>	<ul style="list-style-type: none"> <li>• Parking standards for breweries and wineries</li> <li>• Event and high intensity parking</li> <li>• Parking ratios</li> <li>• On-street parking</li> <li>• Environmental impact (impervious surfaces)</li> <li>• Villages and historic buildings</li> <li>• Setback requirements</li> <li>• Parking lot design</li> <li>• Planning process for parking</li> <li>• Preserving MDOD</li> <li>• Parking requirements (minimum requirements)</li> <li>• Flexible and multi-use parking</li> <li>• Specific site parking questions</li> <li>• Improving definitions, references, and figures in ZO for parking</li> <li>• Amount of parking in the county (too much/too little)</li> </ul>
<p><b>Performance Standards</b></p>	<ul style="list-style-type: none"> <li>• Wineries and Breweries</li> <li>• Uses in MDOD and SPEX process</li> <li>• Buffering, screening, and setbacks</li> </ul>

	<ul style="list-style-type: none"> <li>• Loopholes and proper enforcement</li> <li>• Traffic, Parking, Noise, and Lighting</li> <li>• Tree coverage and Tree conservation</li> <li>• Protection of natural and historical assets and resources</li> <li>• Events</li> </ul>
<p><b>Residential</b></p>	<ul style="list-style-type: none"> <li>• Enforcing regulations, Resolution of complaints</li> <li>• Residential flexibility in zoning to meet future demand</li> <li>• Concerns about noise, light, traffic safety and parking regulations</li> <li>• Conflicting information, unclear standards, regulations, and requirements</li> <li>• Preservation of rural, agricultural lands, mountain views, and quality of life of existing residents.</li> <li>• Impacts on adjacent uses, natural and historical assets, and the community</li> <li>• Requirements for a Special Exception, SPEX process</li> <li>• Landscaping, setbacks, open space, and buffering and screening requirements</li> <li>• Data centers adjacent to residential</li> <li>• Breweries, wineries, and high intensity uses allowed in residential areas</li> <li>• Changes in allowable uses in the Airport Overlay District</li> <li>• Unmet Housing needs and affordable housing options</li> <li>• Water, water use and septic/sewer management concerns</li> <li>• Allowable uses and development on MDOD lands and other residential areas</li> <li>• Residential cluster subdivisions requirements, regulations, and prime soils</li> </ul>
<p><b>Special Exceptions</b></p>	<ul style="list-style-type: none"> <li>• Increase uses by right - Excessive use of special exception - reduce number of Special Exceptions</li> <li>• Reduce by right uses - Increase number of special exceptions</li> <li>• Consistent application of standards, adequate opportunity for public review and comment</li> <li>• Make Ordinance more user-friendly, improve and expand definitions of permitted uses, reduce loopholes</li> <li>• Stricter enforcement of zoning regulations</li> <li>• Follow-up inspections of approved special exceptions to ensure compliance.</li> <li>• Special Exception and dumping of fill material</li> <li>• Development standards for rural economy uses allowed by special exception.</li> <li>• More stringent regulations and requirements such as landscaping, screening, and noise and light control</li> <li>• Special Exceptions - impacts on landscape/forestation, habitat, historic resources, and water supply</li> <li>• Regulations on farm wineries, limited breweries, and limited distilleries - banquet/event facilities</li> <li>• Special Exceptions and requirement for traffic studies</li> <li>• Negative Impacts of larger footprint, high intensity uses</li> </ul>

## Wineries

- Impact on local residents, increased traffic, noise, light pollution
- Reducing the number of restrictions and limitations to promote business
- Increasing performance standards, requirements, and regulations to operate a winery
- Preserving MDOD
- Expanding definition of agriculture (include retail sales and warehouses and limited distillery)
- Better defining key terms, farm winery, farm, agricultural processing
- Promoting equal standards across breweries, wineries, and equine spaces
- Clarifying use-specific standards for wineries
- Impact of wineries on HOD, VCOD, and the rural landscape
- Regulating the noise and light pollution from wineries
- Regulating events hosted by wineries
- Preserving land and overdevelopment
- Promoting safety
- Changing technical requirements



<b>Board of Supervisors' Zoning Ordinance Rewrite (ZOAM-2020-0001) Work Session/Public Hearing Schedule</b>	
<b>Meeting Date</b>	<b>Potential Discussion Topics/Zoning Ordinance Chapter</b>
September 7, 2023 (Thursday)	Chapter 1: Introduction Chapter 2: Zoning Districts
September 11, 2023 (Monday)	Uses in Urban, Suburban, Office, and Industrial Zoning Districts: Chapter 3: Uses Chapter 4: Use-Specific Standards Chapter 12: Definitions
September 25, 2023 (Monday)	Uses in Rural, Transition, and JLMA Zoning Districts Chapter 3: Uses Chapter 4: Use-Specific Standards Chapter 12: Definitions
October 2, 2023 (Monday)	Chapter 5: Overlay Districts Chapter 6: Natural and Environmental Resources
October 12, 2023 (Thursday)	Chapter 7: Development Standards
October 16, 2023 (Monday)	Chapter 8: Signs
October 23, 2023 (Monday)	Chapter 9: Attainable Housing
October 30, 2023 (Monday)	Chapter 10: Procedures Chapter 11: Officials, Boards, and Commissions Appendix C: Flexible Regulations
December 13, 2023 (Wednesday)	Public Hearing
<b>NOTE: All Work Sessions/Public Hearing will begin at 6pm in the Board Room, 1<sup>st</sup> Floor, Government Center</b>	