



NOT FOUND IN WLRUS TOPICS (to date)
AND/OR “CLEAN UP” CPAM/ZOAM LIST



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OCTOBER 12, 2023, BOS COMMITTEE OF THE WHOLE

CHAPTER 10: Clarification Of Terms “Agriculture” and “Agricultural Operation” as they pertain to Exemptions

Draft Motion	Staff Background	STAKEHOLDER 5 & 6 COMMENTS
Chapter 10: Procedures		
<p>23. Section 10.06.A.2. Site Plan. (Turner)</p> <p>I move that the Board direct staff to revise Section 10.06.A.2. to list the “Agricultural Uses” in Section 3.02 that do not involve access by the public as part of such use that are eligible for exemption from a site plan, and that they be listed in the same fashion as the other uses listed in Section 10.06.A.2.b. through n. to avoid future zoning enforcement confusion or issues.</p>	<p>The Zoning Administrator determines whether the public accesses agricultural uses. The list being requested in the motion is not determinative because it depends on how the particular establishment is operated. Staff recommend this revision be addressed during the future rural uses Comprehensive Plan Amendment (CPAM) and Zoning Ordinance Amendment (ZOAM).</p> <p>Staff do not support this motion.</p>	<p>Disagree.</p> <ol style="list-style-type: none"> Exemptions for Agricultural Uses are clearly defined for county-wide application of noise, light and vibration in Chapter 7. Not clearly defining for Chapter 10 site plans is INCONSISTENT regulation between chapters for the same uses. ZOR removed “Sketch Plan” requirements from several Use Standards. Lack of CLARITY for Ag Use exemptions in Chapter 10, &/OR requiring Zoning Admin determinations for all Site Plans, will not permit businesses and residents to know when Site Plans are or are not required for “agricultural uses that do not involve access by the public.”

Draft Motion	Staff Background
Chapter 10: Procedures	
<p>23. Section 10.06.A.2. Site Plan. (Turner)</p> <p>I move that the Board direct staff to revise Section 10.06.A.2. to list the “Agricultural Uses” in Section 3.02 that do not involve access by the public as part of such use that are eligible for exemption from a site plan, and that they be listed in the same fashion as the other uses listed in Section 10.06.A.2.b. through n. to avoid future zoning enforcement confusion or issues.</p> <p>6 to 3 TABLE TO FUTURE ZOAM</p>	<p>The Zoning Administrator determines whether the public accesses agricultural uses. The list being requested in the motion is not determinative because it depends on how the particular establishment is operated. Staff recommend this revision be addressed during the future rural uses Comprehensive Plan Amendment (CPAM) and Zoning Ordinance Amendment (ZOAM).</p> <p>Staff do not support this motion.</p>



INITIAL REQUEST TO STAFF, JULY 2023

From: **Wegener, Brian** <Brian.Wegener@loudoun.gov>
Date: Wed, Jul 19, 2023 at 8:43 AM
Subject: ZOR questions
To: Maura Walsh-Copeland <maura@walsh-copelandconsulting.com>

Maura,

We are away attending a conference. Thank you for your patience.

The exterior lighting standards in Section 7.05.02.C.2 only apply to uses when specifically referenced in Chapter 4. These alternate standards do not apply when not referenced in Chapter 4.

Section 10.06 exempts certain uses from the requirement for a site plan. One exemption is for "*agriculture uses identified in 3.02 that do not involve access by the public as part of such use.*" This exemption applies to all agriculture uses referenced. **Staff will make the Board aware during its work sessions that this provision may need further clarification when the Board discusses Chapter 10.**

I'm aware of your other email asking more questions and we will respond as soon as we can.

Best,
Brian Wegener, AICP, CZA
Program Manager | Customer Service Center

----- Forwarded message -----

From: **Maura Walsh-Copeland** <Maura@walsh-copelandconsulting.com>
Date: Mon, Jul 10, 2023 at 4:03 PM
Subject: Follow-up Requests for Information and Stakeholder Meeting Status
To: Birkitt, Judi <Judi.Birkitt@loudoun.gov>

Judi,

Thank you for your update at the ZOC meeting on Friday July 7th. As mentioned briefly, I have the following questions/requests:

1. **Lighting 7.05.02.C.2** states, "*2. Use-Specific Standards. The following exterior lighting referenced by the Use-Specific Standards of Chapter 4.*"

Is this regulation applicable to uses that do NOT have use-specific standards in Ch. 4?

2. **Site Plan 10.06.A.2.a exemptions for Agricultural Operations** states,

"The following do not require a site plan and are exempt from the requirements of Section 10.06.

a. Agriculture uses identified in Section 3.02 that do not involve access by the public as part of such use."

To which of the following Chapter 3 Agriculture category of Uses is section 10.06.A.2.a applicable?

Agriculture; Agricultural Processing; Animal Husbandry; Horticulture; Feedlot; Nursery Production; Farm Distribution hub; Mill, Feed and Grain; Agritainment; Auction Facility Livestock; Pet Farm; Equestrian Event Facility; Community Garden; Wayside Stand; Farm Co-ops; Winery, Commercial; Winery, Virginia Farm; Brewery Limited; Distillery, Limited.

As always, thank you for your assistance,

Maura



Walsh-Copeland Consulting, LLC





Ag Education or Research Use in Chapters 3 & 4

From: Maura Walsh-Copeland <Maura@walsh-copelandconsulting.com>

Sent: Thursday, March 13, 2025 3:43 PM

To: Wilson, Brian R <Brian.R.Wilson@loudoun.gov>; Miller, Teresa <Teresa.Miller@loudoun.gov>

Cc: Birkitt, Judi <Judi.Birkitt@loudoun.gov>

Subject: [EXTERNAL] Ag Education or Research -- USS in Chapter 4?

Brian & Teresa,

I found an anomaly regarding "Ag Education or Research Facility" while reviewing information by request. I thought I would send the info below for your next pass at Chapter 4 "clean up" review:

- Ag Education or Research is currently under **Public/Civic** in the Ch. 3 Use Tables, and Ch.4 USS (**4.05.03**.)
- However, it also still appears in the **Agriculture** section of Ch 4 USS under **Ag Support Uses (Standalone)** in tables 4.08.04-1, -3 and -4.
- If this is intended to be in both places, then it likely will need to be explained at the April meeting.

Public/Civic/Institutional

Table 3.02.03-1. Principal Use Table for Transition, Rural, and Joint Land Management Area (JLMA) Zoning Districts Note: P = Permitted S = Special Exception M = Minor Special Exception blank cell = Prohibited											
Use-Specific Standard	Transition ¹					Rural ¹		JLMA ⁴			
	TR-10	TR-3	TR-1	TSN	TCN	TCC	AR-1	AR-2	JLMA-1	JLMA-2	JLMA-3
Education											
72 Agricultural Education or Research	4.05.03	S	S	S	S	S	P/M	P/M			

4.05.03 Agricultural Education or Research AR-1 AR-2

- A. **Applicability.** Section 4.05.03 applies to any Agricultural Education or Research use in the AR-1, AR-2, and JLMA-20 Zoning Districts.
- B. **Size of Use Standards.**
1. **Site Size.** The minimum lot area is 25 acres.
 2. **Visitors/Customers/Parking Spaces.** No more than 100 vehicles are allowed on site at any 1 time. Additional vehicles are permitted, subject to an increase in minimum site size at a rate of 1 acre per 5 vehicles in excess of 25 acres.
 3. **Structure.** The maximum floor area ratio is 0.04.
 4. **Storage Yards.** The maximum total area of storage yards must not exceed 10% of the total area of the principal structure(s).

4.08.04 Agriculture Support Uses (Standalone)

- A. **Applicability.** Section 4.08.04. applies to agricultural support and service uses that do not have a direct association with agriculture, horticulture or animal husbandry, on-site.
- B. **Intensity/Character.**
1. **Site Size.** The minimum lot area for an agriculture support use (standalone) is 5 acres. **Exceptions.** See Table 4.08.04-1.

Table 4.08.04-1. Intensity/Character Site Size Exceptions	
Use	Minimum Lot Area
1 Agricultural education or research	25 acres
2 Equestrian event facility	25 acres
3 Farm distribution hub	25 acres

Table 4.08.04-3. Structure		
Use	Minimum Lot Area	Maximum Size of Structures
1 Agricultural education or research facility	25 acres	FAR: 0.02
2 Farm distribution hub	25 acres	FAR: 0.02

Table 4.08.04-4. Site/Dimensional Standards		
Use	Maximum Size of Structures	Minimum Setback from Lot Lines
1 Agricultural education or research facility	FAR (all structures): 0.02	150 ft
2 Farm distribution Hub	FAR (all structures): 0.02	150 ft

TLUC Work Session Prep for CPAM/ZOAM 2024-0002 Western Loudoun Rural Uses & Standards (WLRUS)



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From: **Schniegenberg, David** <David.Schniegenberg@loudoun.gov>
Date: Mon, Mar 17, 2025 at 2:04 PM
Subject: RE: [EXTERNAL] Ag Education or Research -- USS in Chapter 4?
To: Miller, Teresa <Teresa.Miller@loudoun.gov>
Cc: Birkitt, Judi <Judi.Birkitt@loudoun.gov>, Wilson, Brian R <Brian.R.Wilson@loudoun.gov>, Maura Walsh-Copeland <maura@walsh-copelandconsulting.com>

Hi Teresa,

This conflict in regulations can be added to WLRUS. I've added it to the list to be discussed at a future TLUC special meeting.

Thank you,
Dave Schniegenberg, CZA
Planner | Zoning Administration
Loudoun County Department of Planning and Zoning
1 Harrison Street SE, 3rd Floor | PO Box 7000 | Leesburg, VA 20177
(571) 258-3959

From: Miller, Teresa <Teresa.Miller@loudoun.gov>
Sent: Monday, March 17, 2025 12:40 PM
To: Maura Walsh-Copeland <maura@walsh-copelandconsulting.com>
Cc: Birkitt, Judi <Judi.Birkitt@loudoun.gov>; Schniegenberg, David <David.Schniegenberg@loudoun.gov>; Wilson, Brian R <Brian.R.Wilson@loudoun.gov>
Subject: RE: [EXTERNAL] Ag Education or Research -- USS in Chapter 4?

Maura –

Thank you for letting us know about this conflict in the regulations. There does appear to be overlap and an inconsistency in the allowable FAR for such uses. I believe this is an item that may be added to the WLRUS project, or I can notate it for a future Zoning Ordinance review ZOAM.

Dave/Brian – please let me know if this can be included in the WLRUS or if I need to add this to a future ZOAM list.

Best,

Teresa

Teresa H. Miller, CZA, CTM
Deputy Zoning Administrator/Acting Zoning Administrator
Loudoun County Department of Planning and Zoning