

ARTICLE 2
NON-SUBURBAN DISTRICT REGULATIONS

DIVISION A: RURAL DISTRICTS

Section 2-100

AR-1 Agricultural Rural-1

2-101

Purpose and Intent. The purpose and intent of the AR-1 district is to:

- (A) Support the use of land for rural economy uses, with residential uses allowed at densities consistent with the general open and rural character of the rural economy uses.
- (B) Allow for a broad range of rural economy uses, including (agriculture, horticulture and animal husbandry), agriculture support and services associated with on-going agricultural activities, and other uses that can be developed in ways consistent with the rural character of the AR-1 district through mitigation or other standards.
- (C) Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to agricultural uses, conference and training center uses, and rural activity and special event uses.
- (D) Promote consistency between residential development and rural economy uses through lower density residential development or clustering of residential development.
- (E) Ensure that the rural economy uses are compatible with any existing permitted residential development.

2-102

Use Regulations. Table 2-102 summarizes the principal use regulations of the AR-1 district.

- (A) **Organization of Use Table.** Table 2-102 organizes the uses in the AR-1 district by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., agricultural uses and residential uses). The Use Classifications then organize land uses and activities into general "Use Categories" and specific "Use Types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the

type of customers or residents, how goods or services are sold or delivered, and site conditions.

- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
 - (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-102 are defined in Article VIII (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “AR-1” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-1 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the AR-1 district as a special exception in accordance with the procedures and standards of Section 6-1300. An “M” indicates that a Use Type is allowed in the AR-1 district as a Minor Special Exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a Special Exception or Minor Special Exception under other conditions. In those instances, it is identified as “P/S” or “P/M,” as appropriate.
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Category is defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-102 (AR-1 District Use Table) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.
- (F) **Minimum Lot Size Requirements.** Each principal permitted use shall meet the minimum acreage requirement, where specified in the “Additional Regulations for Specific Uses” in Section 5-600, for that use. Where two or more principal uses are located on one parcel, the parcel size shall be the larger of the two or more uses requirements, and not the sum of all the minimum lot sizes.

TABLE 2-102: AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Agri-education	P	Section 5-627
	Animal care business	P	Section 5-627
	Agritainment	P	Section 5-627
	Commercial winery with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian Event Facility	P	Section 5-627

**TABLE 2-102:
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Farm based tourism	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Feedlot (for on-going, on-site animal husbandry activities)	P	Section 5-627
	Limited Brewery	P	Section 5-667
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Pet farms	P	Section 5-627
	Restaurant	P	Section 5-627
	Sawmill	S	Section 5-629
	Stable, Livery	P	Section 5-627
	Stable, Private	P	Section 5-627
	Veterinary services	P	
	Virginia Farm Winery	P	
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
Agriculture Support and Services <u>Not Directly</u> Associated with On-Site Agricultural Activity	Agricultural research facility	P	Section 5-644
	Animal care businesses	P	Section 5-630
	Central farm distribution hub for agricultural products	P	Section 5-630

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USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Commercial winery with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625
	Equestrian Event Facility	P	Section 5-630
	Farm machinery repair	P	Section 5-630
	Farm machinery sales, rental and service	P	Section 5-615
	Feed and Farm Supply Center	P	Section 5-630
	Nursery, commercial	S	Section 5-605
	Stable, Livery	P	Section 5-630
	Stable, Private	P	Section 5-630
Animal Services	Animal hospital	P	Section 5-631
	Kennel	S	Section 5-606
	Kennel, Indoor	M	Section 5-606
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	May divide property in accordance with Section 2-103 Development Options.
	Portable Dwelling/Trailer Construction	P	
Group Living	Co-housing	P	
	Convent or monastery	P/S	Section 5-656
	Dormitory, seasonal labor	M	Section 5-632
	Rooming house	P	

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USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Agricultural cultural center	S	Section 5-634
	Fairground	S	Section 5-635
	Structures or uses for local government purposes not otherwise listed in the district	S	
Education	Public School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	S	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	S	
	Private Vocational school	S	
Park and Open Space	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P	Section 5-636
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	
	Community, neighborhood, or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	P	Section 5-638
	Police station or substation	P	Section 5-638

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AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
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USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 30 50 children, recreational facilities	S	Section 5-639
Utility	General Use Category	P	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
	Municipal drinking water supply reservoir	P	
	Sewage Treatment Plant	S	Section 5-621
	Sewer Pumping Station	P	Section 5-621
	Water Storage Tank	S	Section 5-621
	Water Treatment Plant	S	Section 5-621
	Water Pumping Station	P	Section 5-621
	Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses)	S	Unless excepted by Section 1-103(D)
	Water Well, Municipal	P	Section 5-621
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	P/M	Section 5-640
	Rural Corporate Retreat	P	Section 5-619

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USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Rural Resort	M	Section 5-601(D)
Food and Beverage	Teahouse; coffeehouse	P	Section 5-641
	Banquet/Event Facility	M	Section 5-642
	Restaurant	M	Section 5-643
Office	Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district	M	Section 5-644
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	M	Section 5-645
	Campground	M	Section 5-646
	Country Club	S	Section 5-660
	Cross country ski business	P	Section 5-647
	Eco-tourism	P	Section 5-647
	Golf course	S	Section 5-648
	Outdoor amphitheater	S	Section 5-649
	Private Club or Lodge	S	
	Rural recreational establishment, outdoor	P	
Retail Sales and Service	Antique shop	P	Section 5-650
	Art gallery or art studio	P	Section 5-650
	Auction house	S	Section 5-651
	Craft shop	P	Section 5-650

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USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Small business	P/M	Section 5-614
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	P	Section 5-601(B)
	Country Inn	P	Section 5-601(C)
	Country Inn with Restaurant with an occupancy of no more than 100	P	Section 5-601(C)
	Country Inn with Restaurant with an occupancy of more than 100	M	Section 5-601(C)
	Guest farm or ranch leasing up to 20 guest rooms	P	
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunications transmission tower	S	Section 5-618(C)(2)
Waste-Related Uses	Vegetative Waste Management facility	M	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Yard Waste Composting Facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Stockpiling of dirt	S	Section 5-657

2-103

Development Options. Land within the AR-1 zoning district may be subdivided under one of the three development options identified below. Nothing in this section shall preclude the opportunity for a property owner

to file for a Family Subdivision in accordance with the requirements of the Land Subdivision and Development Ordinance.

(A) **Base Density Division Option.** A Base Density Division meeting the following standards and criteria may be permitted in accordance with the procedures outlined in the Land Subdivision and Development Ordinance (LSDO) for such division:

(1) **Lot Yield.** Under the Base Density Division Option, the maximum lot yield shall be one lot per 20 acres.

(2) **Permitted Uses.** The uses permitted on lots developed in accordance with the Base Density Division Option are identified in Table 2-102 and are subject to the Additional Regulations for Specific Uses of Section 5-600.

(3) **Lot and Building Requirements.**

(a) **Minimum Lot Size.** 20 acres.

(b) **Minimum Lot Width.** 175 feet.

(c) **Minimum Yards.** Except where a greater setback is required by Section 5-900, no structure shall be located within 25 feet of any property line or within 35 feet from any other road right-of-way, private access easement, and/or prescriptive easement.

(d) **Maximum Lot Coverage.** 25%, but only 10% may be used for residential or non-residential structures excluding agricultural, horticultural, and animal husbandry structures not open to the public.

(e) **Maximum Building Height.** 35 feet, excluding agricultural, horticultural, and animal husbandry structures not open to the public.

(4) **Creation of Lots.**

(a) **Request.** Requests for creation of lots by plat of division in the AR-1 District shall be submitted to the Director of the Department of Building and Development (or designee) for review and approval in accordance with “AR-2 and AR-1 Divisions” of the Land Subdivision and Development Ordinance.

- (b) **Public Road Frontage.** No such lot shall be created fronting on a public road unless the publicly dedicated width of the road along the entire frontage of the newly created lot, measured from the centerline of the road to the property line of the lot, satisfies the criteria of the Virginia Department of Transportation (VDOT).
- (c) **Utility Requirements.** Each lot shall have an on-site water supply and individual sewage disposal system.

(5) **Lot Access.**

- (a) Access to individual lots may be provided by a private access easement that complies with the requirements of the Facilities Standards Manual.
- (b) A private access easement may serve as frontage in-lieu of public road frontage for up to 7 lots.
- (c) The plat of division shall contain a note detailing the provisions for the maintenance of the private access easement.

(B) **Principal/Subordinate Subdivision Option:** The Principal/Subordinate Subdivision Option is a subdivision of land in which a maximum lot yield is calculated for an Originating Tract based on the gross acreage of such tract. The maximum lot yield shall be as set forth in Subsection 2-103(B)(1)(b) below. The Principal/Subordinate Subdivision Option results in the creation of one Principal Lot, and one or more Subordinate Lots. The number of Subordinate Lots created is subtracted from the maximum lot yield and the resulting number establishes the remaining number of lots, which is assigned to the Principal Lot. The creation of subsequent Subordinate Lots from the Principal Lot is permitted, with the number of lots assigned to the Principal Lot reduced by one for each Subordinate Lot created. Once the number of lots assigned to the Principal Lot is reduced to one, no more Subordinate Lots can be created. The Principal/Subordinate Subdivision Option typically allows the landowner to achieve a greater lot yield than the base density of the Base Density Division Option, while providing for the establishment of rural economy uses as a primary use with single-family detached residential development as a secondary use.

(1) **General Requirements.**

- (a) **General.** A landowner may exercise this option on a site consisting of a minimum of 20 acres prior to development.
 - (b) **Lot Yield.** The maximum lot yield shall be 1 lot per 10 acres.
- (2) **Characteristics of Principal/Subordinate Subdivision Option.**
- (a) The lot yield of a Principal/Subordinate Subdivision shall be calculated from the Originating Tract of land in existence at the time the first Principal/Subordinate Subdivision is created.
 - (b) Once a Principal/Subordinate Subdivision is created, the number of lots assigned to the subdivision shall not be altered.
 - (c) The lot yield of the Originating Tract shall be calculated with each preliminary and/or record plat. At the time of the first subdivision, the number of Subordinate Lots created is subtracted from the number of lots calculated for the Originating Tract and the remaining number of lots is then assigned to the Principal Lot. Each subsequently created Subordinate Lot is subtracted from the number of lots assigned to the Principal Lot and shall reduce the number of lots assigned to the Principal Lot by one (1) for each lot.
 - (d) A Principal Lot may be further subdivided, provided the minimum requirements of the Zoning Ordinance and Land Subdivision and Development Ordinance (LSDO) are met. Once the number of lots assigned to the Principal Lot is reduced to one, the Principal Lot may no longer be subdivided.
 - (e) Subordinate Lots shall not be further subdivided. The record plat and initial deed of conveyance after establishment of a subdivision lot under the Principal/ Subordinate Subdivision Option shall contain a statement to this effect.

- (f) A subdivision of one or more lots may occur at one time or in a series of subdivisions up to the maximum lot yield calculated for the Originating Tract.
- (g) Any subdivision record plat for a Principal/Subordinate Subdivision shall contain a tabulation of density showing, in addition to all Land Subdivision and Development Ordinance (LSDO) requirements, the lot yield originally calculated for the Originating Tract, all prior subdivisions from the Originating Tract and each resulting Principal Lot and number of lots created pursuant to such subdivisions.
- (h) The Principal Lot shall be clearly labeled on each record plat.
- (i) Each Principal/Subordinate Subdivision shall contain at least one Rural Economy Lot of a minimum of 15 acres in size.

(3) **Permitted Uses.**

- (a) **Principal and Subordinate Lots.** The uses permitted on lots developed in accordance with the Principal/Subordinate Development Option are identified in Table 2-102 and are subject to the Additional Regulations for Specific Uses of Section 5-600.

(4) **Lot and Building Requirements.** The Lot and Building Requirements for development under the Principal/Subordinate Subdivision Option are identified below, except where the performance standards in Section 5-600 (Additional Regulations for Specific Uses) specify different requirements for a particular use.

- (a) **Minimum Lot Size.** 80,000 square feet, exclusive of major floodplain. At least one lot in the development shall be a Rural Economy Lot with a minimum of 15 acres.
- (b) **Minimum Lot Width.** 175 feet.
- (c) **Maximum Length/Width Ratio.** 3:1.

- (d) **Minimum Yards.** No structure shall be located within 25 feet of any property line or within 100 feet from the right-of-way of any arterial road; 75 feet from the right-of-way of any collector road; or 35 feet from any other road right-of-way, private access easement, and/or any prescriptive easement.
 - (e) **Maximum Lot Coverage.** 15%.
 - (f) **Building Height.** 35 feet maximum, excluding agricultural, horticultural, and animal husbandry structures.
- (5) **Landscaping/Buffering.** Notwithstanding the requirements of Section 5-1400, required buffers may be provided on either the Principal and/or Subordinate lot.
- (6) **Utility Requirements.**
 - (a) **Water.** All lots shall be served by individual water supply systems located on the lot.
 - (b) **Sewer.** All lots shall be served by individual sewage disposal systems located on the lot.
- (7) **Fire Protection.** The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.
- (8) **Lot Access.**
 - (a) Access to individual lots may be provided by a private access easement that complies with the requirements of Chapter 4: Transportation, of the Facilities Standards Manual.
 - (b) A private access easement may serve as frontage in lieu of public road frontage up to 25 lots per easement.
 - (c) The record plat of subdivision shall contain a note detailing the provisions for the maintenance of the private access easement.
- (C) **Cluster Subdivision Option.** The Cluster Subdivision Option allows for the subdivision of a tract of land with a more compact residential design plus one or more large lots suitable for rural

economy uses and/or common open space. Communal water and sewer systems may be used for such developments.

(1) **General Requirements.**

- (a) **General.** A landowner may exercise this option on a site consisting of a minimum of 20 acres prior to development.
- (b) **Lot Yield.** The maximum lot yield shall be 1 lot per 5 acres.

(2) **Characteristics of Cluster Subdivision Option.**

- (a) Depending on the tract size, the cluster subdivision may include one or more Rural Cluster Lots and at least one Rural Economy Lot and may include Common Open Space.
- (b) The lot yield of the cluster subdivision shall be calculated from the gross acreage for the tract of land from which the subdivision is created.
- (c) All lots within the cluster subdivision shall be created at one time.
- (d) The lots created by cluster subdivision shall not be further subdivided.
- (e) A Homeowners' Association is required for any subdivision with common elements as described in Section 2-104.
- (f) Each preliminary and record plat for a cluster subdivision shall contain a tabulation of lot yield for the cluster subdivision.
- (g) The perimeter setback required in Section 2-103(C)(6) shall be indicated and clearly labeled on each preliminary and record plat.
- (h) A minimum of 70% of the gross land area of the development shall be comprised of a Rural Economy Lot(s) or a combination of Rural Economy Lot(s) and Common Open Space.

- (i) **Variation of Lot Sizes:** In all new residential subdivisions containing seven (7) or more lots, a mixture of lot sizes and dimensions shall be provided in order for a variety of housing opportunities and avoid monotonous streetscapes. No more than 25 percent of all lots shall be similar in total area. For purposes of this subsection, “similar” lot areas shall be defined as within 1,500 square feet of each other.
- (3) **Lot standards for Residential Cluster Lots.** The site layout of the proposed development shall occur in conjunction with preliminary subdivision plat review. Development of the cluster option shall comply with all of the following standards, in addition to the LSDO:
- (a) **Number of Lots in Cluster(s).** Rural Cluster Lots shall be grouped in clusters consisting of a minimum of 5 lots and a maximum of 25 lots, except that a cluster may consist of fewer than 5 lots if any one of the following applies:
 - (i) There will be fewer than 5 lots in the entire subdivision.
 - (ii) In the AR-1 district, the area of the site is less than 50 acres.
 - (iii) It is demonstrated that a cluster of fewer than 5 lots will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.
 - (b) **Number of Clusters.** Multiple groupings of Rural Cluster Lots shall be required where the total number of lots on a site is greater than 25. A single grouping of Rural Cluster Lots shall contain all the lots where the total number of lots on a site is 25 or fewer, except that multiple clusters may be allowed where it is demonstrated that multiple clusters will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.

- (c) **Distance Between Clusters.** If more than one grouping of Rural Cluster Lots is to be created from a parcel, a minimum of 500 feet shall separate the lot lines of the outer boundaries of each grouping of Rural Cluster lots (exclusive of open space and lots 15 acres or greater).
 - (d) **Minimum Lot Size.**
 - (i) **On-site Water and Wastewater.** 40,000 sq. ft., exclusive of major floodplain.
 - (ii) **Off-site Wastewater, On-site Water.** 20,000 sq. ft., exclusive of major floodplain.
 - (iii) **Off-site Water and Off-Site Wastewater.** No minimum lot size.
 - (e) **Maximum Lot Size.** 4 acres.
 - (f) **Maximum Lot Coverage.**
 - (i) Lots less than 40,000 sq. ft.: 8%
 - (ii) Lots 40,000 sq. ft. – 4 acres: 15%
 - (g) **Permitted Uses on Lots.** The uses allowed on lots are identified in Table 2-102 and are subject to the Additional Regulations for Specific Uses in Section 5-600.
- (4) **Lot standards for Rural Economy Lots.** Each cluster subdivision shall contain at least one Rural Economy Lot of a minimum of 15 acres that shall meet the following standards:
- (a) **Minimum Lot Size.** 15 acres.
 - (b) **Maximum Lot Coverage.** 8%.
 - (c) **Minimum Lot Width.** 175 feet.
 - (d) **Maximum Length/Width Ratio.** 3:1.
 - (e) **Permitted Uses on Lots.** The uses allowed on lots are identified in Table 2-102, subject to the

Additional Regulations for Specific Uses in Section 5-600.

- (5) **Common Open Space.** Land that is neither part of a building lot nor a road right-of-way shall be placed in common open space and shall be maintained by a Homeowner's Association as described in Section 2-104. Common Open Space shall be designed to constitute a contiguous and cohesive unit of land which may be used as described below. Common Open Space has no minimum or maximum lot size and no lot width regulations. Further, Common Open Space does not count against the lot yield allotted to the subdivision.
- (a) **Permitted Uses.** The following uses shall be permitted in common open space.
- (i) Bona fide agriculture, horticulture, animal husbandry and structures accessory to such use, including, but not limited to barns and run-in sheds to house livestock or farm equipment, pursuant to Section 5-626.
 - (ii) Construction and/or sales trailer, during period of construction activity.
 - (iii) Easements and improvements for drainage, access, sewer or water lines, or other public purposes.
 - (iv) Passive open space or passive recreation, including but not limited to trails, picnic areas, community gardens.
 - (v) Sewage disposal system, communal.
 - (vi) Sewer pumping station.
 - (vii) RESERVED.
 - (viii) Stormwater management facilities for the proposed development or for a larger area in compliance with a watershed stormwater management plan.
 - (ix) Telecommunications antenna, pursuant to Section 5-618(A).

- (x) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (xi) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (xii) Utility substation, dedicated.
- (xiii) Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses).
- (xiv) Water pumping station.
- (xv) Water supply system, communal.
- (xvi) Uses permitted from the Agricultural Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site, Use Category, as follows:
 - a. Agricultural cultural center, pursuant to Section 5-634.
 - b. Agri-education, pursuant to Section 5-627
 - c. Agricultural Processing, pursuant to Section 5-627.
 - d. Arboretum, pursuant to Section 5-636.
 - e. Botanical garden or Nature Study Area, pursuant to Section 5-636.
 - f. Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own), pursuant to Section 5-627.
 - g. Farm co-op, pursuant to Section 5-627.

- h. Farm Market, on-site production, pursuant to Section 5-603.
- i. Nursery, production, pursuant to Section 5-605
- j. Pet farm, pursuant to Section 5-627.
- k. Stable, Livery, with frontage on a state maintained road, pursuant to Section 5-627.
- l. Stable, Private, pursuant to Section 5-627.
- m. Wayside Stand, pursuant to Section 5-604.

(b) **Special Exception Uses.** The following uses may be approved in common open space by the Board of Supervisors, and if approved, may be subject to certain conditions pursuant to Section 6-1300.

- (i) Active recreation space.
- (ii) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (iii) Stables, Livery, without frontage on a state maintained road, pursuant to Section 5-627.

(6) **Setback.**

(a) **Setback.** No structure shall be located within one hundred (100) feet from the right of way of any arterial road; seventy five (75) feet from the right of way of any collector road; or thirty five (35) feet from any other road right of way, private access easement, and/or prescriptive easement.

(b) **Perimeter Setback.** Residential dwellings within the subdivision, including the Rural Economy Lot, shall be set back a minimum of 100 feet from any lot line adjoining parcels not located within the cluster subdivision.

(7) **Yards.**

- (a) **Front.** 35 feet minimum.
 - (b) **Side.** 15 feet minimum.
 - (c) **Rear.** 35 feet minimum.
- (8) **Building Requirements.**
- (a) **Building Height.** Thirty five (35) feet maximum, excluding agricultural, horticultural, and animal husbandry structures.
- (9) **Utility Requirements.**
- (a) **Water.** All lots shall be served by either:
 - (i) Individual water systems, located on the lot served, or
 - (ii) Communal water system, located within Common Open Space, with maintenance to be provided pursuant to Section 2-103(C)(10).
 - (b) **Sewer.** All lots shall be served by either:
 - (i) Individual sewage disposal systems, located on the lot served or in Common Open Space. A maximum of seventy percent (70%) of the lots may have primary and/or reserve septic fields within common open space. The record plat shall identify the location of all septic fields and shall assign them to lots, or
 - (ii) Communal sewage disposal system that shall be located within Common Open Space with maintenance to be provided pursuant to Section 2-103(C)(10).
- (10) **Maintenance of Water and/or Sewage Disposal Systems.**
- (a) **Individual Systems.** Maintenance of Individual Water and Individual Sewage Disposal Systems shall be the responsibility of the owner of the lot the system serves.

- (b) **Communal.** If the development is served by a communal water and/or sewage disposal system, such systems shall be operated and maintained by LCSA, in accord with all LCSA adopted policies. If LCSA policies preclude maintenance by LCSA, then the HOA shall contract with a public water or sewer (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. An access easement shall be provided for the entity maintaining the system. All costs of operation and maintenance of such communal systems shall be borne as a common expense by the owners of the lots served.

(11) **Lot Access.**

- (a) Access to individual lots or common open space may be provided by a private access easement which shall comply with the requirements of the Facilities Standards Manual.
- (b) Private access easements may serve as frontage in lieu of public road frontage for up to 25 lots per easement.
- (c) The plat of subdivision shall contain a note detailing the maintenance provisions of the private access easement.

- (12) **Fire Protection.** The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.

2-104 Homeowners' Association and Responsibilities.

- (A) If the subdivision contains any of the common areas or improvements listed below, the development shall have an incorporated Homeowners' Association ("HOA"). The HOA shall have the responsibility to maintain the following areas or improvements:
 - (1) Common open space areas within the development that are not part of an individual lot;
 - (2) Lot(s), if owned by the HOA;

- (3) Private roads, if any, within or serving the development, except as provided in Section 2-104(C);
 - (4) Communal water and/or sewage disposal systems, except as provided in Section 2-104(D);
 - (5) Any stormwater management facilities or areas;
 - (6) Fire protection pond(s), dry mains, or other improvements;
 - (7) Such other common facilities or improvements as may be designated in the bylaws of the HOA.
- (B) Membership in the HOA shall be required for all purchasers of lots in the subdivision and their successors in title.
- (C) Notwithstanding the requirements of Section 2-104(A) above, if the only common element is the private roads or easements, then such private roads or easements shall either be maintained by an HOA or pursuant to a private road maintenance agreement. If such roads are to be maintained pursuant to a private road maintenance agreement, then the terms thereof shall be included on each record plat of subdivision for the development.
- (D) Notwithstanding the requirements of Section 2-104(A) above, communal water or sewage disposal systems may be maintained by LCSEA or a public water or sewer (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia.
- (E) Prior to approval of a record plat of subdivision for the cluster:
- (1) If an HOA is to be established, the landowner shall submit documents for the creation of the HOA to the County for review and approval, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for common areas, including a legal description of such areas and a description of restrictions placed upon the use and enjoyment of the land;
 - (2) If a communal water and/or sewage disposal system is to be maintained by a third party, a minimum two year maintenance contract is to be submitted for review by the County.
 - (3) If the subdivision is served by private roads and there is no HOA for the subdivision, the developer shall submit a

private road maintenance agreement to the County for review and approval.

2-105 Recognizing Protection by Right to Farm Act. Record plats and deeds authorized pursuant to this section shall include a statement that agricultural operations enjoy the protection of the Right to Farm Act (Va. Code Section 3.2-300 et seq.).

2-106 Existing Lots of Record.

- (A) Lots existing as of December 6, 2006 shall be permitted the uses identified in Table 2-102: AR-1 Agricultural Rural-1 District Use Table and shall follow the lot and building requirements for the Base Density Division option as identified in Section 2-103(A).
- (B) **Hamlet Lots.** For lots recorded prior to December 6, 2006 and developed under a hamlet subdivision, in accordance with the zoning ordinance in effect at the time of subdivision, such lots shall follow the Rural Hamlet requirements, including uses, as set forth in this Ordinance.

Section 2-200

AR-2 Agricultural Rural-2

2-201

Purpose and Intent. The purpose and intent of the AR-2 district is to:

- (A) Support the use of land for rural economy uses consistent with the pattern of rural and agricultural land uses in the district, including sustaining and nurturing the economically significant equine industry.
- (B) Allow residential uses at densities consistent with the general open and rural character of the rural economy uses, and consistent with the land use patterns in the district, which are marked by low density and large parcels relative to the other portions of the County.
- (C) Allow for a broad range of rural economy uses, including traditional and new agricultural uses (agriculture, horticulture and animal husbandry), agriculture support and basic services directly associated with on-going agricultural activities, and other uses that can be developed in ways that are consistent with the rural character of the AR-2 District through mitigation or other standards.
- (D) Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to agricultural uses, conference and training center uses, and rural activity and special event uses for tourists.
- (E) Promote consistency between residential development and rural economy uses through lower density residential development or the clustering of residential development.
- (F) Ensure that the rural economy uses are compatible with any existing permitted residential development.

2-202

Use Regulations. Table 2-202 summarizes the principal use regulations of the AR-2 district.

- (A) **Organization of Use Table.** Table 2-202 organizes the uses in the AR-2 district by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., agricultural uses and residential uses).

The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
 - (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-202 are defined in Article VIII (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “AR-2” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-2 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the AR-2 district as a special exception in accordance with the procedures and standards of Section 6-1300. An “M” indicates that a Use Type is allowed in the AR-2 district as a Minor Special Exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a Special Exception or Minor Special Exception under other conditions. In those instances, it is identified as “P/S” or “P/M,” as appropriate.
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column mean all of the uses in the

Use Category are allowed. The Use Category is defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-202 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.
- (F) **Minimum Lot Size Requirements.** Each principal permitted use shall meet the minimum acreage requirement, where specified in the “Additional Regulations for Specific Uses” in Section 5-600, for that use. Where two or more principal uses are located on one parcel, the parcel size shall be the larger of the two or more uses requirements, and not the sum of all minimum lot sizes.

TABLE 2-202:			
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Agri-education	P	Section 5-627
	Animal care business	P	Section 5-627
	Agritainment	P	Section 5-627
	Commercial winery with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site - including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian Event Facility	P	Section 5-627
	Farm based tourism	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Feedlot (for on-going, on-site animal husbandry activities)	P	Section 5-627
	Limited Brewery	P	Section 5-667
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Pet farms	P	Section 5-627
	Restaurant	P	Section 5-627
	Sawmill	S	Section 5-629
	Stable, Livery	P	Section 5-627
	Stable, Private	P	Section 5-627
	Veterinary services	P	
	Virginia Farm Winery	P	
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agriculture Support and Services <u>Not Directly</u> Associated with On-Site Agricultural Activity	Agricultural research facility	P	Section 5-644
	Animal care businesses	P	Section 5-630
	Central farm distribution hub for agricultural products	P	Section 5-630
	Commercial winery, with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625
	Equestrian Event Facility	P	Section 5-630
	Farm machinery repair	P	Section 5-630
	Farm machinery sales, rental and service	P	Section 5-615
	Feed and Farm Supply Center	P	Section 5-630
	Nursery, commercial	S	Section 5-605
	Stable, Livery	P	Section 5-630
	Stable, Private	P	Section 5-630
Animal Services	Animal hospital	P	Section 5-631
	Kennel	S	Section 5-606
	Kennel, Indoor	M	Section 5-606
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	May subdivide property in accordance with Section 2-203 Development Options.
	Portable Dwelling/Trailer Construction	P	
Group Living	Co-housing	P	
	Convent or monastery	P/S	Section 5-656

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Dormitory, seasonal labor	M	Section 5-632
	Rooming house	P	
PUBLIC AND INSTITUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Agricultural cultural center	S	Section 5-634
	Fairground	S	Section 5-635
	Structures or uses for local government purposes not otherwise listed	S	
Education	Public School (Elementary, Middle, or High)	S	
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	S	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	S	
	Private Vocational school	S	
Park and Open Space	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P	Section 5-636
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Community, neighborhood, or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	P	Section 5-638
	Police station or substation	P	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50__children, recreational facilities	S	Section 5-639
Utility	General Use Category	P	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
	Municipal drinking water supply reservoir	P	
	Sewage Treatment Plant	S	Section 5-621
	Sewer Pumping Station	P	Section 5-621
	Water Storage Tank	S	Section 5-621
	Water Treatment Plant	S	Section 5-621
	Water Pumping Station	P	Section 5-621
	Utility transmission lines, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103(D)
	Water Well, Municipal	P	Section 5-621

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	M	Section 5-640
	Rural corporate retreat	P	Section 5-619
	Rural Resort	M	Section 5-601(D)
Food and Beverage	Teahouse; coffeehouse	P	Section 5-641
	Banquet/Event Facility	M	Section 5-642
	Restaurant	M	Section 5-643
Office	Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district	M	Section 5-644
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	M	Section 5-645
	Campground	M	Section 5-646
	Country Club	S	Section 5-660
	Cross country ski business	P	Section 5-647
	Eco-tourism	P	Section 5-647
	Golf course	S	Section 5-648
	Outdoor amphitheater	S	Section 5-649
	Private Club or Lodge	S	
	Rural recreational establishment, outdoor	P	
Retail Sales and Service	Antique shop	P	Section 5-650
	Art gallery or art studio	P	Section 5-650

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Auction house	S	Section 5-651
	Craft shop	S	Section 5-650
	Small business	P/M	Section 5-614
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	P	Section 5-601(B)
	Country Inn	P	Section 5-601(C)
	Country Inn with Restaurant with an occupancy of no more than 100	P	Section 5-601(C)
	Country Inn with Restaurant with an occupancy of more than 100	M	Section 5-601(C)
	Guest farm or ranch leasing up to 20 guest rooms	P	
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunications transmission tower	S	Section 5-618(C)(2)
Waste-Related Uses	Vegetative waste management facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Yard waste composting facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Stockpiling of dirt	S	Section 5-657

2-203

Development Options. Land within the AR-2 zoning district may be subdivided under one of the three development options identified below. Nothing in this section shall preclude the opportunity for a property owner to file for a Family Subdivision in accordance with the requirements of the Land Subdivision and Development Ordinance.

(A) **Base Density Division Option.** A Base Density Division meeting the following standards and criteria may be permitted in accordance with the procedures outlined in the Land Subdivision and Development Ordinance (LSDO) for such division:

(1) **Lot Yield.** Under the Base Density Division Option, the maximum lot yield shall be one lot per 40 acres.

(2) **Permitted Uses.** The uses permitted on lots developed in accordance with the Base Density Division Option are identified in Table 2-202 and are subject to the Additional Regulations for Specific Uses of Section 5-600.

(3) **Lot and Building Requirements.**

(a) **Minimum Lot Size.** 40 acres.

(b) **Minimum Lot Width.** 175 feet.

(c) **Minimum Yards.** Except where a greater setback is required by Section 5-900, no structure shall be located within 25 feet of any property line or within 35 feet from any other road right-of-way, private access easement, and/or prescriptive easement.

(d) **Maximum Lot Coverage.** 25%, but only 10% may be used for residential or non-residential structures excluding agricultural, horticultural, and animal husbandry structures not open to the public.

(e) **Maximum Building Height.** 35 feet, excluding agricultural, horticultural, and animal husbandry structures not open to the public.

(4) **Creation of Lots.**

(a) **Request.** Requests for creation of lots by plat of division in the AR-2 District shall be submitted to the Director of the Department of Building and Development (or designee) for review and approval

in accordance with “AR-2 and AR-1 Divisions” of the Land Subdivision and Development Ordinance.

- (b) **Public Road Frontage.** No such lot shall be created fronting on a public road unless the publicly dedicated width of such road along the entire frontage of the newly created lot, measured from the centerline of the road to the property line of the lot, satisfies the criteria of the Virginia Department of Transportation (VDOT).
- (c) **Utility Requirements.** Each lot shall have an on-site water supply and individual sewage disposal.

(5) **Lot Access.**

- (a) Access to individual lots may be provided by a private access easement that complies with the requirements of the Facilities Standards Manual.
- (b) A private access easement may serve as frontage in-lieu of public road frontage for up to 7 lots.
- (c) The plat of division shall contain a note detailing the provisions for the maintenance of the private access easement.

(B) **Principal/Subordinate Subdivision Option:** The Principal/Subordinate Subdivision Option is a subdivision of land in which a maximum lot yield is calculated for an Originating Tract based on the gross acreage of such tract. The maximum lot yield shall be as set forth in Subsection 2-203(B)(1)(b) below. The Principal/Subordinate Subdivision Option results in the creation of one Principal Lot, and one or more Subordinate Lots. The number of Subordinate Lots created is subtracted from the maximum lot yield and the resulting number establishes the remaining number of lots, which is assigned to the Principal Lot. The creation of subsequent Subordinate Lots from the Principal Lot is permitted, with the number of lots assigned to the Principal Lot reduced by one for each Subordinate Lot created. Once the number of lots assigned to the Principal Lot is reduced to one, no more Subordinate Lots can be created. The Principal/Subordinate Subdivision Option typically allows the landowner to achieve a greater lot yield than the base density of the Base Density Division Option, while providing for the establishment of rural economy uses as a primary use with single-family detached residential development as a secondary use.

(1) **General Requirements.**

- (a) **General.** A landowner may exercise this option on a site consisting of a minimum of 40 acres prior to development.
- (b) **Lot Yield.** The maximum lot yield shall be 1 lot per 20 acres.

(2) **Characteristics of Principal/Subordinate Subdivision Option.**

- (a) The lot yield of a Principal/Subordinate Subdivision shall be calculated from the Originating Tract of land in existence at the time the first Principal/Subordinate Subdivision is created.
- (b) Once a Principal/Subordinate Subdivision is created, the number of lots assigned to the subdivision shall not be altered.
- (c) The lot yield of the Originating Tract shall be calculated with each preliminary and/or record plat. At the time of the first subdivision, the number of Subordinate Lots created is subtracted from the number of lots calculated for the Originating Tract and the remaining number of lots is then assigned to the Principal Lot. Each subsequently created Subordinate Lot is subtracted from the number of lots assigned to the Principal Lot and shall reduce the number of lots assigned to the Principal Lot by one (1) for each lot.
- (d) A Principal Lot may be further subdivided, provided the minimum requirements of the Zoning Ordinance and Land Subdivision and Development Ordinance (LSDO) are met. Once the number of lots assigned to the Principal Lot is reduced to one, the Principal Lot may no longer be subdivided.
- (e) Subordinate Lots shall not be further subdivided. The record plat and initial deed of conveyance after establishment of a subdivision lot under the Principal/ Subordinate Subdivision Option shall contain a statement to this effect.

- (f) A subdivision of one or more lots may occur at one time or in a series of subdivisions up to the maximum lot yield calculated for the Originating Tract.
- (g) Any subdivision record plat for a Principal/Subordinate Subdivision shall contain a tabulation of density showing, in addition to all Land Subdivision and Development Ordinance (LSDO) requirements, the lot yield originally calculated for the Originating Tract, all prior subdivisions from the Originating Tract and each resulting Principal Lot and number of lots created pursuant to such subdivisions.
- (h) The Principal Lot shall be clearly labeled on each record plat.
- (i) Each Principal/Subordinate Subdivision shall contain at least one Rural Economy Lot of a minimum of 25 acres in size.

(3) **Permitted Uses.**

- (a) **Principal and Subordinate Lots.** The uses permitted on lots developed in accordance with the Principal/Subordinate Development Option are identified in Table 2-202 and are subject to the Additional Regulations for Specific Uses of Section 5-600.

(4) **Lot and Building Requirements.** The Lot and Building Requirements for development under the Principal/Subordinate Subdivision Option are identified below, except where the performance standards in Section 5-600 (Additional Regulations for Specific Uses) specify different requirements for a particular use.

- (a) **Minimum Lot Size.** 80,000 square feet, exclusive of major floodplain. At least one lot in the development shall be a Rural Economy Lot with a minimum of 25 acres.
- (b) **Minimum Lot Width.** 175 feet.
- (c) **Maximum Length/Width Ratio.** 3:1.

- (d) **Minimum Yards.** No structure shall be located within 25 feet of any property line or within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and/or any prescriptive easement.
 - (e) **Maximum Lot Coverage.** 15% maximum.
 - (f) **Building Height.** 35 feet maximum, excluding agricultural, horticultural, and animal husbandry structures.
- (5) **Landscaping/Buffering.** Notwithstanding the requirements of Section 5-1400, required buffers may be provided on either the Principal and/or Subordinate lots.
- (6) **Utility Requirements.**
- (a) **Water.** All lots shall be served by individual water supply systems located on the lot.
 - (b) **Sewer.** All lots shall be served by individual sewage disposal systems located on the lot.
- (7) **Fire Protection.** The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.
- (8) **Lot Access.**
- (a) Access to individual lots may be provided by a private access easement that complies with the requirements of Chapter 4: Transportation, of the Facilities Standards Manual.
 - (b) A private access easement may serve as frontage in lieu of public road frontage up to 25 lots per easement.
 - (c) The record plat of subdivision shall contain a note detailing the provisions for the maintenance of the private access easement.
- (C) **Cluster Subdivision Option.** The Cluster Subdivision Option allows for the subdivision of a tract of land with a more compact residential design plus one or more large lots suitable for rural

economy uses and/or common open space. Communal water and sewer systems may be used for such developments.

(1) **General Requirements.**

- (a) **General.** A landowner may exercise this option on a site consisting of a minimum of 40 acres prior to development.
- (b) **Lot Yield.** The maximum lot yield shall be 1 lot per 15 acres.

(2) **Characteristics of Cluster Subdivision Option.**

- (a) Depending on the tract size the cluster subdivision may include one or more Rural Cluster Lots and at least one Rural Economy Lot and may include Common Open Space.
- (b) The lot yield of the cluster subdivision shall be calculated from the gross acreage for the tract of land from which the subdivision is created.
- (c) All lots within the cluster subdivision shall be created at one time.
- (d) The lots created by cluster subdivision shall not be further subdivided.
- (e) A Homeowners' Association is required for any subdivision with common elements as described in Section 2-204.
- (f) Each preliminary and record plat for a cluster subdivision shall contain a tabulation of lot yield for the cluster subdivision.
- (g) The perimeter setback required in Section 2-203(C)(6) shall be indicated and clearly labeled on each preliminary and record plat.
- (h) A minimum of 70% of the gross land area of the development shall be comprised of a Rural Economy Lot(s) or a combination of a Rural Economy Lot(s) and common open space.

(3) **Lot standards for Rural Cluster Lot(s).** The site layout of the proposed development shall occur during preliminary subdivision plat review. Development of the cluster option shall comply with all of the following standards in addition to the requirements of the LSDO:

(a) **Number of Lots in Cluster(s).** Lots shall be grouped in clusters consisting of a minimum of 5 lots and a maximum of 25 lots, except that a cluster may consist of fewer than 5 lots if any one of the following applies:

(i) There will be fewer than 5 lots in the entire subdivision.

(ii) In the AR-2 district, the area of the site is less than 100 acres.

(iii) It is demonstrated that a cluster of fewer than 5 lots will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.

(b) **Number of Clusters.** Multiple groupings of Rural Cluster Lots shall be required where the total number of lots on a site is greater than 25. A single grouping of Rural Cluster Lots shall contain all the lots where the total number of lots on a site is 25 or fewer, except that multiple clusters may be allowed where it is demonstrated that multiple clusters will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.

(c) **Distance Between Clusters.** If more than one grouping of cluster lots is to be created from a parcel, a minimum of 500 feet shall separate the lot lines of the outer boundaries of each grouping of cluster lots (exclusive of common open space and lots 25 acres or greater).

(d) **Minimum Lot Size.**

- (i) **On-site Water and Wastewater.** 40,000 sq. ft., exclusive of major floodplain.
 - (ii) **Off-site Wastewater, On-site Water.** 20,000 sq. ft., exclusive of major floodplain.
 - (iii) **Off-site Water and Off-Site Wastewater.** No minimum lot size.
 - (e) **Maximum Lot Size.** 4 acres.
 - (f) **Maximum Lot Coverage.**
 - (i) Lots less than 40,000 sq. ft.: 8%.
 - (ii) Lots 40,000 sq. ft. – 4 acres: 15%.
 - (g) **Permitted Uses on Lots.** The uses allowed on lots are identified in Table 2-202 and are subject to the Additional Regulations for Specific Uses in Section 5-600.
- (4) **Lot standards for Rural Economy Lots.** Each cluster subdivision shall contain at least one Rural Economy Lot that shall meet the following standards:
- (a) **Minimum Lot Size.** 25 acres.
 - (b) **Maximum Lot Coverage.** 8%.
 - (c) **Minimum Lot Width.** 175 feet.
 - (d) **Maximum Length/Width Ratio.** 3:1.
 - (e) **Permitted Uses on Lots.** The uses allowed on lots are identified in Table 2-202, subject to the Additional Regulations for Specific Uses in Section 5-600.
- (5) **Common Open Space.** Land that is neither part of a building lot nor a road right-of-way shall be placed in common open space and shall be maintained by a Homeowner's Association as described in Section 2-204. Common Open Space shall be designed to constitute a contiguous and cohesive unit of land which may be used as described below. Common Open Space has no minimum or maximum lot size and no lot width regulations. Further,

Common Open Space does not count against the lot yield allotted to the subdivision.

- (a) **Permitted Uses.** The following uses shall be permitted in common open space.
- (i) Agriculture, horticulture, animal husbandry and structures accessory to such use, including, but not limited to barns and run-in sheds to house livestock or farm equipment, pursuant to Section 5-626.
 - (ii) Construction and/or sales trailer, during period of construction activity.
 - (iii) Easements and improvements for drainage, access, sewer or water lines, or other public purposes.
 - (iv) Passive open space or passive recreation, including but not limited to trails, picnic areas, community gardens.
 - (v) Sewage disposal system, communal.
 - (vi) Sewer pumping station.
 - (vii) RESERVED.
 - (viii) Stormwater management facilities for the proposed development or for a larger area in compliance with a watershed stormwater management plan.
 - (ix) Telecommunications antenna, pursuant to Section 5-618(A).
 - (x) Telecommunications monopole, pursuant to Section 5-618(B)(1).
 - (xi) Telecommunications monopole, pursuant to Section 5-618(B)(2).
 - (xii) Utility substation, dedicated.
 - (xiii) Utility transmission lines, overhead (excluding connections of lines from existing

overhead public utility transmission lines to individual uses).

- (xiv) Water pumping station.
- (xv) Water supply system, communal.
- (xvi) Uses permitted from the Agricultural Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site, Use Category, as follows:
 - a. Agricultural cultural center, pursuant to Section 5-634.
 - b. Agri-education, pursuant to Section 5-627
 - c. Agricultural Processing, pursuant to Section 5-627.
 - d. Arboretum, pursuant to Section 5-636.
 - e. Botanical garden or Nature Study Area, pursuant to Section 5-636.
 - f. Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own), pursuant to Section 5-627.
 - g. Farm co-op, pursuant to Section 5-627.
 - h. Farm Market, on-site production, pursuant to Section 5-603.
 - i. Nursery, production, pursuant to Section 5-605
 - j. Pet farm, pursuant to Section 5-627.
 - k. Stable, Livery, with frontage on a state maintained road, pursuant to Section 5-627.

- l. Stable, Private, pursuant to Section 5-627.
- m. Wayside Stand, pursuant to Section 5-604.

(b) **Special Exception Uses.** The following uses may be approved in common open space by the Board of Supervisors, and if approved, may be subject to certain conditions pursuant to Section 6-1300.

- (i) Active recreation space.
- (ii) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (iii) Stables, Livery, without frontage on a state maintained road, pursuant to Section 5-627.

(6) **Setback.**

- (a) No structure shall be located within one hundred (100) feet from the right of way of any arterial road; seventy five (75) feet from the right of way of any collector road; or thirty five (35) feet from any other road right of way, private access easement, and/or prescriptive easement.
- (b) **Perimeter Setback.** Residential dwellings within the subdivision, including the Rural Economy Lot, shall be set back a minimum of 100 feet from any lot line adjoining parcels not located within the cluster subdivision.

(7) **Yards.**

- (a) **Front.** 35 feet minimum.
- (b) **Side.** 15 feet minimum.
- (c) **Rear.** 35 feet minimum.

(8) **Building Requirements.**

- (a) **Building Height.** Thirty five (35) feet maximum, excluding agricultural, horticultural, and animal husbandry structures.

(9) **Utility Requirements.**

(a) **Water.** All lots shall be served by either:

- (i) Individual water systems, located on the lot served; or
- (ii) Communal water system, located within Common Open Space, with maintenance to be provided pursuant to Section 2-203(C)(10).

(b) **Sewer.** All lots shall be served by either:

- (i) Individual sewage disposal systems. Such system shall be located on the lot served or in common open space. A maximum of seventy percent (70%) of the lots may have primary and/or reserve septic fields within common open space. The record plat shall identify the location of all septic fields and shall assign them to lots, or
- (ii) Communal sewage disposal system that shall be located within Common Open Space with maintenance to be provided pursuant to Section 2-203(C)(10).

(10) **Maintenance of Water and/or Sewage Disposal Systems.**

(a) **Individual Systems.** Maintenance of Individual Water and Individual Sewage Disposal Systems shall be the responsibility of the owner of the lot the system serves.

(b) **Communal.** If the development is served by a communal water and/or sewage disposal system, such systems shall be operated and maintained by LCSA, in accord with all LCSA adopted policies. If LCSA policies preclude maintenance by LCSA, then the HOA shall contract with a public water or sewer (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. An access easement shall be provided for the entity maintaining the system. All costs of operation and maintenance

of such communal systems shall be borne as a common expense by the owners of the lots served.

(11) **Lot Access.**

- (a) Access to individual lots or common open space may be provided by a private access easement which shall comply with the requirements of the Facilities Standards Manual.
- (b) Private access easements may serve as frontage in lieu of public road frontage for up to 25 lots per easement.
- (c) The plat of subdivision shall contain a note detailing the maintenance provisions for the private access easement.

(12) **Fire Protection.** The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.

2-204 Homeowners' Association and Responsibilities.

- (A) If the subdivision contains any of the common areas or improvements listed below, the development shall have an incorporated Homeowners' Association ("HOA"). The HOA shall have the right and responsibility to maintain the following areas or improvements:
- (1) Common open space areas within the development that are not part of an individual lot;
 - (2) Lot(s), if owned by the HOA;
 - (3) Private roads, if any, within or serving the development, except as provided in Section 2-204(C);
 - (4) Communal water and/or sewage disposal systems, except as provided in Section 2-204(D);
 - (5) Any stormwater management facilities or areas;
 - (6) Fire protection pond(s), dry mains, or other improvements;
 - (7) Such other common facilities or improvements as may be designated in the bylaws of the HOA.

- (B) Membership in the HOA shall be required for all purchasers of lots in the subdivision and their successors in title.
- (C) Notwithstanding the requirements of Section 2-204(A) above, if the only common element is private roads or easements, then they shall either be maintained by an HOA or pursuant to a private road maintenance agreement. If such roads are to be maintained pursuant to a private road maintenance agreement, then the terms thereof shall be included on each record plat of subdivision for the development.
- (D) Notwithstanding the requirements of Section 2-204(A) above, communal water or sewage disposal systems may be maintained by LCSA or a public water or sewer (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia.
- (E) Prior to approval of a record plat of subdivision for the cluster:
 - (1) If a Homeowner's Association is to be established, the landowner shall submit documents for the creation of the HOA to the County for review and approval, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for common areas, including a legal description of such areas and a description of restrictions placed upon the use and enjoyment of the land.
 - (2) If a communal water and/or sewage disposal system is to be maintained by a third-party, a minimum two year maintenance contract is to be submitted for review by the County.
 - (3) If the subdivision is served by private roads and there is no HOA for the subdivision, the developer shall submit a private road maintenance agreement to the County for review and approval.

2-205 Recognizing Protection by Right to Farm Act. Record plats and deeds authorized pursuant to this section shall include a statement that agricultural operations enjoy the protection of the Right to Farm Act (Va. Code Section 3.2-300 et seq.).

2-206 Existing Lots of Record.

- (A) Lots existing as of December 6, 2006 shall be permitted the uses identified in Table 2-202: AR-2 Agricultural Rural-2 District Use

Table and shall follow the lot and building requirements for the Base Density Division option as identified in Section 2-203(A).

- (B) **Hamlet Lots.** For lots recorded prior to December 6, 2006 and developed under a hamlet subdivision, in accordance with the zoning ordinance in effect at the time of subdivision, such lots shall follow the Rural Hamlet requirements, including uses, as set forth in this Ordinance.

Section 2-300

A-10 Agriculture

2-301

Purpose. This district is established to protect rural areas of the county in which agriculture, farm operations, and low density residential development on parcels in excess of ten (10) acres have become the established land use pattern, and to provide an environment which encourages residents to continue to live and practice agricultural operations without adverse impacts arising from new, higher density development. The district permits uses compatible with and supportive of agriculture, including agriculturally related and home based businesses appropriate to a rural and farm setting. The district also permits direct marketing of farm products and services in conjunction with farm operations. The rezoning of land to A-10 in other areas of the County shall not be permitted.

2-302

Permitted Uses. The following uses are permitted in this district:

- (A) Agriculture, horticulture, forestry, and fishery, pursuant to Section 5-626.
- (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (C) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
- (D) Child care home, pursuant to Section 5-609(A).
- (E) Cluster development, pursuant to Section 2-305.
- (F) Equestrian Event Facility, with frontage on a state maintained road, pursuant to Section 5-630.
- (G) Farm machinery sales and service, pursuant to Section 5-615.
- (H) Guest farm or ranch, leasing no more than three (3) guest rooms.
- (I) Guest house, pursuant to Section 5-612.
- (J) Rural hamlet, pursuant to Section 5-702.
- (K) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.
- (L) Nursery, production, with frontage on a state maintained road, pursuant to Section 5-605.
- (M) Public or private playground or neighborhood park.

- (N) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (O) Dwelling, single family, detached, including manufactured housing.
- (P) Small business, pursuant to Section 5-614.
- (Q) Stable, Livery, with frontage on a state maintained road, pursuant to Section 5-630.
- (R) Stable, Private.
- (S) Tenant dwelling, pursuant to Section 5-602(A)(1) and (C).
- (T) Wayside stand pursuant to Section 5-604.
- (U) Utility substation, dedicated.
- (V) Veterinary service.
- (W) Bus shelter.
- (X) Commuter parking lot, with less than 50 spaces.
- (Y) Sewer pumping station.
- (Z) Feed and Farm Supply Center.
- (AA) Water pumping station.
- (BB) Rural corporate retreat, pursuant to Section 5-619.
- (CC) Pet Farm.
- (DD) Telecommunications antenna, pursuant to Section 5-618(A).
- (EE) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (FF) Bed and Breakfast Inn, pursuant to Section 5-601(B).
- (GG) Limited Brewery, pursuant to Section 5-667.

2-303

Special Exception Uses. The following uses may be approved by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

- (A) Airport.

- (B) RESERVED.
- (C) Community center.
- (D) Country Inn, pursuant to 5-601(C), by Minor Special Exception.
- (E) Camp, day and boarding.
- (F) Educational or research facilities related to uses permitted in this district.
- (G) Equestrian Event Facility, without frontage on a state maintained road, pursuant to Section 5-630.
- (H) Extraction of sedimentary rock.
- (I) Farm market, pursuant to Section 5-603.
- (J) Fire and/or rescue station.
- (K) Guest farms or ranch, leasing four to twenty (4-20) guest rooms.
- (L) Private club or lodge.
- (M) Nursery, production, without frontage on a state maintained road, pursuant to Section 5-605.
- (N) Orphanage, or similar institution.
- (O) Small business, pursuant to the provisions of Section 5-614.
- (P) Stable, Livery, without frontage on a state maintained road, pursuant to Section 5-630.
- (Q) Structure or use for federal, state, county or local government purposes, not otherwise listed.
- (R) Tenant dwelling, pursuant to Section 5-602.
- (S) Utility transmission lines, overhead.
- (T) Animal hospital.
- (U) Kennel, pursuant to Section 5-606.
- (V) Yard waste composting facility.
- (W) Cemetery, mausoleum or memorial park, pursuant to Section 5-637.

- (X) Church, synagogue and temple.
- (Y) Convent, monastery, or seminary, pursuant to Section 5-656.
- (Z) Child or adult day care center, pursuant to Section 5-609.
- (AA) Commuter parking lot with greater than 50 spaces.
- (BB) Congregate housing facility.
- (CC) Country club.
- (DD) Golf course.
- (EE) Public or private community or regional park.
- (FF) Sawmill, pursuant to Section 5-629.
- (GG) Agricultural processing facilities, such as abattoir, cannery, grain mill and the like.
- (HH) Water storage tank, pursuant Section to 5-621.
- (II) Water treatment plant, pursuant to Section 5-621.
- (JJ) Sewage treatment plant, pursuant to Section 5-621.
- (KK) Rural resort, pursuant to Section 5-601(D).
- (LL) Crematorium, pursuant to Section 5-637.
- (MM) Rural corporate retreat, pursuant to Section 5-619.
- (NN) Vegetative waste management facility.
- (OO) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (PP) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (QQ) Police Station.
- (RR) Banquet/Event Facility, pursuant to Section 5-642, by Minor Special Exception.
- (SS) Country Inn with Restaurant, pursuant to 5-601(C).

2-304

Lot Requirements (See Section 1-205).

- (A) **Size.** Ten (10) acres minimum.
- (B) **Width.** Three hundred (300) feet minimum for lots fronting on Class I Roads; two hundred (200) feet minimum for lots fronting on Class II or III Roads; and fifty (50) feet minimum for lots fronting on a private access easement.
- (C) **Yards.** Except where a greater setback is required by Section 5-900, no building shall be located within twenty five (25) feet of any property line or within fifty (50) feet from any other road right-of-way, private access easement, and/or prescriptive easement.
- (D) **Length/Width Ratio.** 5:1 maximum.

2-305 Lot Requirements for Cluster Development (See Section 1-205).

- (A) **Size.** Three (3) acres, exclusive of major floodplain.
- (B) **Width.** Three hundred (300) feet minimum for lots fronting on Class I Roads; two hundred (200) feet minimum for lots fronting on a Class II or III Roads; and fifty (50) feet minimum for lots fronting on a private access easement.
- (C) **Yards.** No building shall be located within twenty five (25) feet of any property line nor within one hundred (100) feet from the right of way of any arterial road, seventy five (75) feet from the right of way of any collector road, and fifty (50) feet from any other road right of way, any private access easement, and prescriptive easement.
- (D) **Length/Width Ratio.** 5:1.
- (E) **Common Open Space.** Common open space shall be provided and appropriately located with respect to permitted uses, in a sufficient amount such that gross density of one single family dwelling for each ten (10) acres shall be maintained. Common open space shall be permanently reserved as open space acceptable to the Board of Supervisors.

2-306 Building Requirements.

- (A) **Lot Coverage.** 25%, but only 10% may be used for residential or non-residential structures excluding agricultural and, horticultural structures not open to the public.
- (B) **Building Height.** Thirty five (35) feet, excluding agricultural and horticultural structures not open to the public.

2-307

Use Limitations.

- (A) No non-agricultural use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of noise, odor, fumes, gas, glare, light, vibration, smoke, emission of particulate matter or effluents, or for other similar reasons.
- (B) Except as expressly allowed by this Ordinance, no municipal and/or communal wastewater treatment system shall be established or extended in the A-10 district.
- (C) Except as expressly allowed by this Ordinance, no municipal and/or communal water service or system shall be established or extended in the A-10 district.
- (D) More than one structure housing a permitted or permissible principal use may be erected on a single lot provided that yard, area, and other requirements of this Ordinance shall be met for each structure as though it were on an individual lot.

Section 2-400

A-3 Agricultural Residential.

2-401

Purpose. This district is established to provide for the continued practice of agriculture, farm operations, agriculturally related and home based businesses, low density residential developments, preferably in a hamlet subdivision pattern, and other uses in a predominantly rural environment. The district also permits direct marketing of farm products and services.

2-402

Permitted Uses. The following uses are permitted in this district:

- (A) Agriculture, horticulture, forestry, and fishery, pursuant to Section 5-626.
- (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (C) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
- (D) Child care home, pursuant to Section 5-609(A).
- (E) Equestrian Event Facility, with frontage on a state maintained road, pursuant to Section 5-630,
- (F) Guest farm or ranch, leasing no more than three (3) guest rooms.
- (G) Guest house, pursuant to Section 5-612.
- (H) Rural hamlet, pursuant to Section 5-702.
- (I) Nature preserve, such as but not limited to, wildlife sanctuary, conservation areas, and game preserve.
- (J) Nursery, production, with frontage on a state maintained road, pursuant to Section 5-605.
- (K) Public or private playground, or neighborhood park.
- (L) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (M) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.
- (N) Dwelling, single-family, detached, including manufactured housing.
- (O) Small business, pursuant to the provisions of Section 5-614.
- (P) Stable, Livery, with frontage on a state maintained road, pursuant to Section 5-630.

- (Q) Stable, Private.
- (R) Tenant dwelling, pursuant to Section 5-602(A)(1) and (C).
- (S) Wayside stand, pursuant to Section 5-604.
- (T) Utility substation, dedicated.
- (U) Bus shelter.
- (V) Commuter parking lot, with 50 spaces or less.
- (W) Farm machinery sales and service, pursuant to Section 5-615.
- (X) Sewer pumping station, pursuant to Section 5-621.
- (Y) Water pumping station, pursuant to Section 5-621.
- (Z) Feed and Farm Supply Center.
- (AA) Rural corporate retreat, pursuant to Section 5-619.
- (BB) Public School (elementary, middle or high), pursuant to Section 5-666.
- (CC) Pet Farm.
- (DD) Telecommunications antenna, pursuant to Section 5-618(A).
- (EE) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (FF) Municipal drinking water supply reservoir.
- (GG) Bed and Breakfast Inn, pursuant to Section 5-601(B).
- (HH) Limited Brewery, pursuant to Section 5-667.

2-403

Special Exception Uses. The following uses may be approved by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

- (A) RESERVED.
- (B) Cemetery, mausoleum or memorial park, pursuant to Section 5-637.
- (C) Church, synagogue and temple.
- (D) Nursery, commercial, pursuant to Section 5-605.

- (E) Community center.
- (F) Convent, monastery, or seminary, pursuant to Section 5-656.
- (G) Country Inn, pursuant to Section 5-601(C), by Minor Special Exception.
- (H) Camp, day and boarding.
- (I) Equestrian Event Facility, without frontage on a state maintained road, pursuant to Section 5-630.
- (J) Extraction of sedimentary rock.
- (K) Farm market, pursuant to Section 5-603.
- (L) Fire and/or rescue station.
- (M) Guest farm or ranch, leasing four to twenty (4-20) guest rooms.
- (N) Kennel, pursuant to Section 5-606.
- (O) Nursery, production, without frontage on a state maintained road, pursuant to Section 5-605.
- (P) Private club or lodge.
- (Q) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (R) Public utility service center and storage yard.
- (S) Recycling drop-off collection center, large, pursuant to Section 5-607.
- (T) Continuing care facility.
- (U) Orphanage, or similar institution.
- (V) RESERVED.
- (W) Small business, pursuant to Section 5-614.
- (X) Stable, Livery, without frontage on a state maintained road, pursuant to Section 5-630.
- (Y) Structure or use for federal, state, county, or local governmental purposes, not otherwise listed.

- (Z) Tenant dwelling, pursuant to Section 5-602(B) and (C).
- (AA) Testing station.
- (BB) Veterinary service.
- (CC) Utility substation, transmission, pursuant to 5-616.
- (DD) Utility transmission lines, overhead.
- (EE) Hospital, pursuant to Section 5-610.
- (FF) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (GG) Yard waste composting facility.
- (HH) Airport.
- (II) Arboretum.
- (JJ) Auction house.
- (KK) Borrow pit for construction.
- (LL) Child or adult daycare center, pursuant to Section 5-609.
- (MM) Commuter parking lot with greater than 50 spaces.
- (NN) Congregate housing facility.
- (OO) Country club.
- (PP) Educational or research facility related to uses permitted in this district.
- (QQ) Fairgrounds.
- (RR) Golf course
- (SS) Marina.
- (TT) Playing fields and courts, lighted.
- (UU) Public or private community or regional park.
- (VV) Radio and/or television tower.
- (WW) Sawmill, pursuant to Section 5-629.

- (XX) Sewage treatment plant.
- (YY) Agricultural processing facilities such as, abattoir, cannery, grain mill, and the like.
- (ZZ) Animal hospital.
- (AAA) Water storage tank.
- (BBB) Utility substation, distribution, pursuant to Section 5-616.
- (CCC) Rural resort, pursuant to Section 5-601(D).
- (DDD) Crematorium, pursuant to Section 5-637.
- (EEE) Rural corporate retreat, pursuant to Section 5-619.
- (FFF) Vegetative waste management facility.
- (GGG) Recreation establishment, outdoor or indoor.
- (HHH) Magazine contained explosives facility, pursuant to Section 5-622.
- (III) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (JJJ) Police Station.
- (KKK) Banquet/Event Facility, pursuant to Section 5-642, by Minor Special Exception.
- (LLL) Country Inn with Restaurant, pursuant to Section 5-601(C).

2-404

Lot Requirements (See Section 1-205).

- (A) **Size.** Three (3) acres minimum.
- (B) **Width.** Three hundred (300) feet minimum for lots fronting on Class I Roads; two hundred (200) feet minimum for lots fronting on Class II or III Roads; and fifty (50) feet minimum for lots fronting on a private access easement.
- (C) **Length/Width Ratio.** 5:1 maximum.
- (D) **Yards.** Except where a greater setback is required by Section 5-900, no building shall be located within twenty five (25) feet of any property line or thirty five (35) feet from any other road right of way, private access easement, and/or prescriptive easement.

2-405 Building Requirements.

- (A) **Lot Coverage.** 25%, but only 10% may be used for residential or non-residential structures excluding agricultural and horticultural structures not open to the public.
- (B) **Building Height.** Thirty five (35) feet, excluding agricultural and horticultural structures not open to the public.

2-406 Use Limitations.

- (A) No non-agricultural use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of noise, odor, fumes, gas, glare, light, vibration, smoke, emission of particulate matter or effluents, or for other similar reasons.
- (B) Except as expressly allowed by this Ordinance, no municipal and/or communal wastewater treatment systems shall be established or extended in the A-3 district.
- (C) Except as expressly allowed by this Ordinance, no municipal and/or communal water service or system shall be established or extended in the A-3 district.
- (D) More than one structure housing a permitted or permissible principal use may be erected on a single lot provided that yard, area, and other requirements of this Ordinance shall be met for each structure as though it were on an individual lot.

Section 2-500

Countryside Residential-1: CR-1

- 2-501 Purpose.** This district is established to foster the conversion of existing residential properties zoned R-1 under the 1972 Zoning Ordinance which are not served by communal or municipal water and sewer. These areas can be served by on-site well and wastewater systems, but are areas in which the County encourages a countryside hamlet pattern served by public water and sewer facilities to preserve open space and to achieve a traditional design envisioned in the Comprehensive Plan.
- 2-502 Size and Location.** The Comprehensive Plan does not support the creation of additional districts having development of a type characteristic of the CR-1 district, and this district is not intended to be enlarged beyond the limits mapped for this district with the adoption of this Ordinance.
- 2-503 Permitted Uses.** The following uses are permitted in this district:
- (A) Agriculture, horticulture, forestry and fisheries, pursuant to Section 5-626.
 - (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
 - (C) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
 - (D) Child care home, pursuant to Section 5-609.
 - (E) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.
 - (F) Dwelling, single family detached.
 - (G) Public or private playground, or neighborhood park.
 - (H) Tenant dwelling, pursuant to Section 5-602(A)(1) and (C).
 - (I) Guest house, pursuant to Section 5-612.
 - (J) Wayside stand, pursuant to Section 5-604, when located on a parcel ten (10) acres or greater.
 - (K) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.
 - (L) Bus shelter.
 - (M) Commuter parking lot, with less than 50 spaces.

- (N) Nursery, production with state road frontage, pursuant to Section 5-605.
- (O) Recycling drop off collection center, small, pursuant to Section 5-607.
- (P) Sewer pumping station pursuant to Section 5-621.
- (Q) Stable, Livery, with frontage on a state maintain road, pursuant to Section 5-630.
- (R) Stable, Private.
- (S) Utility substation, dedicated.
- (T) Water pumping station, pursuant to Section 5-621.
- (U) Public School (elementary, middle, or high), pursuant to Section 5-666.
- (V) Pet Farm.
- (W) Compact cluster development option, pursuant to Section 2-507.
- (X) Telecommunications antenna, pursuant to Section 5-618(A).
- (Y) Telecommunications monopole, pursuant to Section 5-618(B)(1).

2-504

Special Exception Uses. The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Bed and Breakfast Inn, pursuant to Section 5-601(B), by Minor Special Exception.
- (B) Cemetery, mausoleum, or memorial park, pursuant to Section 5-637.
- (C) Church, synagogue and temple.
- (D) Community center.
- (E) Congregate housing facility.
- (F) Country club.
- (G) Country Inn, pursuant to Section 5-601(C), by Minor Special Exception.

- (H) Fire and/or rescue station.
- (I) Orphanage or other similar institution.
- (J) Private club or lodge.
- (K) Recycling drop off collection center, large, pursuant to Section 5-607.
- (L) Sewage treatment plant, pursuant to Section 5-621.
- (M) Tenant dwelling, pursuant to Section 5-602(B) & (C).
- (N) Utility transmission line, overhead.
- (O) Water treatment plant, pursuant to Section 5-621.
- (P) Stable, Livery, without frontage on a state maintain road, pursuant to Section 5-630.
- (Q) Kennel, pursuant to Section 5-606.
- (R) Veterinary service.
- (S) Animal hospital.
- (T) Camp, day and boarding, pursuant to Section 5-645.
- (U) Nursery, production, without frontage on a state maintain road, pursuant to Section 5-605.
- (V) Library.
- (W) Golf course.
- (X) Child or adult daycare center, pursuant to Section 5-609.
- (Y) Commuter parking lot, with greater than 50 spaces.
- (Z) Structure or use primarily for federal, state, county, or local governmental purposes, not otherwise listed.
- (AA) Playing fields and courts, lighted.
- (BB) Public or private community or regional park.
- (CC) Public utility service center and storage yard.

- (DD) Radio and/or television tower.
- (EE) Continuing care facility.
- (FF) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (GG) Utility substation, transmission, pursuant to Section 5-616.
- (HH) Water storage tank.
- (II) Utility substation, distribution, pursuant to Section 5-616.
- (JJ) Rural resort, pursuant to Section 5-601(D).
- (KK) Crematorium, pursuant to Section 5-637.
- (LL) Recreation establishment, outdoor.
- (MM) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (NN) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (OO) Police Station.
- (PP) Banquet/Event Facility, pursuant to Section 5-642.
- (QQ) Country Inn with Restaurant, pursuant to Section 5-601(C).

2-505 Lot Requirements for Lots Served By On-site Well and Wastewater Systems.

- (A) Size. Forty thousand (40,000) square feet minimum.
- (B) Width. 175 feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Thirty five (35) feet minimum.
 - (2) Side. Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
 - (3) Rear. Fifty (50) feet minimum.
- (D) Length/Width Ratio. 5:1 maximum.

- (E) Maximum Residential Density. One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

2-506 Lot Requirements for Lots Served by Public Sewer/Cluster Option.

- (A) Size. Twenty thousand (20,000) square feet minimum.
- (B) Width. Seventy-five (75) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Twenty-five (25) feet minimum.
 - (2) Side. Nine (9) feet minimum.
 - (3) Rear. Twenty-five (25) feet minimum.
- (D) Length/Width Ratio. 5:1 maximum.
- (E) Minimum Open Space Area. Open space shall be provided in a sufficient amount such that gross density of one lot per forty thousand (40,000) square feet is maintained calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) Minimum Buffer/Setback. A permanent building setback of Fifty (50) feet in depth with a Category 1 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of twenty thousand (20,000) square feet or greater. Such buffer may be included in open space calculations.
- (G) Utilities. Public sewer facilities must be provided to the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.

2-507 Lot Requirements for Compact Cluster Development Option.

- (A) Size. Fifteen thousand (15,000) square feet minimum.
- (B) Width. Sixty (60) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Fifteen (15) feet minimum.

- (2) Side. Nine (9) feet minimum.
- (3) Rear. Twenty-five (25) feet minimum.
- (D) Length/Width Ratio. 5:1 maximum.
- (E) Minimum Open Space Area. Open space shall be provided in a sufficient amount such that gross density of one lot per forty thousand (40,000) square feet is maintained calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) Minimum Buffer/Setback. A permanent building setback of fifty (50) feet in depth with a Category 1 Buffer Yard (Section 5-1414[B]) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of fifteen thousand (15,000) square feet or greater. Such buffer may be included in open space calculations.
- (G) Utilities. Both public water and public sewer facilities must be provided to serve the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.
- (H) Lot Design Requirements.
 - (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
 - (2) Garages shall be set back at least twenty (20) feet behind the front line of buildings.
- (I) Other Requirements.
 - (1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.
 - (2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

2-508 Building Requirements for Lots Served By On-site Well And Wastewater Systems.

- (A) Lot Coverage. Fifteen (15) percent maximum.

(B) Building Height. Forty (40) feet maximum.

2-509 Building Requirements for Lots Served By Public Sewer/Cluster Option and Compact Cluster Development Option.

(A) Lot Coverage. Twenty five (25) percent maximum.

(B) Building Height. Forty (40) feet maximum.

2-510 Utility Requirements. All utility distribution lines located in the CR-1 district shall be placed underground.

2-511 Development Setback and Access from Major Roads. In designing residential development, the requirements of Section 5-900 shall be observed.

Section 2-600

Countryside Residential-2: CR-2

2-601

Purpose. This district is established to foster the conversion of existing residential properties zoned R-2 under the 1972 Zoning Ordinance which are not served by communal or municipal water and sewer facilities. These areas can be served by on-site well and wastewater systems at lower densities, but are areas in which the County allows higher densities when a cluster development pattern is served by public water and/or sewer facilities to preserve open space and to achieve a traditional design as envisioned in the Comprehensive Plan.

2-602

Size and Location. The Comprehensive Plan does not support the creation of additional districts having development of a type characteristic of a CR-2 district, and this district is not intended to be enlarged beyond the limits mapped to this district with the adoption of this Ordinance.

2-603

Permitted Uses. The following uses are permitted in this district:

- (A) Agriculture, horticulture, forestry and fisheries, pursuant to Section 5-626.
- (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (C) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
- (D) Child care home, pursuant to Section 5-609(A).
- (E) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.
- (F) Dwelling, single family detached.
- (G) Guest house, pursuant to Section 5-612.
- (H) Public or private playground, or neighborhood park.
- (I) Tenant dwelling, pursuant to Section 5-602(A) & (C).
- (J) Compact cluster development option, pursuant to Section 2-607.
- (K) Bus shelter.
- (L) Commuter parking, lot, with less than 50 spaces.
- (M) Recycling drop off collection center, small, pursuant to Section 5-607.

- (N) Sewer pumping station, pursuant to Section 5-621.
- (O) Utility substation, dedicated.
- (P) Water pumping station, pursuant to Section 5-621.
- (Q) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.
- (R) Public School (elementary, middle, or high), pursuant to Section 5-666.
- (S) Pet Farm.
- (T) Telecommunications antenna, pursuant to Section 5-618(A).
- (U) Telecommunications monopole, pursuant to Section 5-618(B)(1).

2-604

Special Exception Uses. The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Bed and Breakfast Inn, pursuant to Section 5-601(B), by Minor Special Exception.
- (B) Cemetery, mausoleum, or memorial park, pursuant to Section 5-637.
- (C) Church, synagogue and temple.
- (D) Community center.
- (E) Congregate housing facility.
- (F) Country club.
- (G) Country Inn, pursuant to Section 5-601(C), by Minor Special Exception.
- (H) Fire and/or rescue station.
- (I) Orphanage, or other similar institution.
- (J) Private club or lodge.
- (K) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (L) Sewage treatment plant, pursuant to Section 5-621.

- (M) Tenant dwelling, pursuant to Section 5-602(B) & (C).
- (N) Utility transmission lines, overhead.
- (O) Water treatment plant.
- (P) Library.
- (Q) Golf course.
- (R) Child or adult daycare, pursuant to Section 5-609.
- (S) Commuter parking lot, with greater than 50 spaces.
- (T) Structure or use primarily for federal, state, county, or local governmental purposes, not otherwise listed.
- (U) Playing fields and courts, lighted.
- (V) Public or private community or regional park.
- (W) Radio and/or television tower.
- (X) Continuing care facility.
- (Y) Utility substation, transmission, pursuant to Section 5-616.
- (Z) Water storage tank.
- (AA) Utility substation, distribution, pursuant to Section 5-616.
- (BB) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (CC) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (DD) Police Station.
- (EE) Banquet/Event Facility, pursuant to Section 5-642.
- (FF) Country Inn with Restaurant, pursuant to Section 5-601(C).

2-605

Lot Requirements for Lots Served By On-Site Well and Wastewater Systems.

- (A) Size. Forty thousand (40,000) square feet minimum.
- (B) Width. One hundred seventy five (175) feet minimum.

- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Twenty five (25) feet minimum.
 - (2) Side. Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
 - (3) Rear. Fifty (50) feet minimum.
- (D) Length/Width Ratio. 5:1 maximum.
- (E) Maximum Residential Density. One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

2-606 Lot Requirements for Lots Served by Either Public Water or Public Sewer.

- (A) Size. Twenty thousand (20,000) square feet minimum.
- (B) Width. Seventy five (75) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Twenty five (25) feet minimum.
 - (2) Side. Nine (9) feet minimum.
 - (3) Rear. Twenty five (25) feet minimum.
- (D) Length/Width Ratio. 5:1 maximum.
- (E) Utilities. Public water and/or public sewer facilities must be provided to serve the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.
- (F) Maximum Residential Density. One lot per 20,000 square feet calculated on the overall parcel, exclusive of streets.

2-607 Lot Requirements for Compact Cluster Development Option.

- (A) Size. Ten thousand (10,000) square feet minimum.
- (B) Width. Fifty (50) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Fifteen (15) feet minimum.

- (2) Side. Nine (9) feet minimum.
- (3) Rear. Twenty five (25) feet minimum.
- (D) Length/Width Ratio: 5:1 maximum.
- (E) Minimum Open Space Area. Open space shall be provided in a sufficient amount such that gross density of one lot per twenty thousand (20,000) square feet is maintained calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) Minimum Buffer/Setback. A permanent building setback of fifty (50) feet in depth with a Category 1 Buffer Yard (Section 5-1414[B]) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of twenty thousand (20,000) square feet or greater. Such buffer area may be included in open space calculations.
- (G) Utilities: Both public water and public sewer facilities must be provided to the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.
- (H) Lot Design Requirements.
 - (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
 - (2) Garages shall be set back at least 20 feet behind the front line of buildings.
- (I) Other Requirements.
 - (1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.
 - (2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

2-608

Building Requirements for Lots Served By On-Site Well and Wastewater Systems.

- (A) Lot Coverage. Fifteen (15) percent maximum.

(B) Building Height. Forty (40) feet maximum.

2-609 Building Requirements for Lots Served by Either Public Water or Public Sewer.

(A) Lot Coverage. Twenty five (25) percent maximum.

(B) Building Height. Forty (40) feet maximum.

2-610 Building Requirements for Compact Cluster Development Option.

(A) Lot Coverage. Thirty five (35) percent maximum.

(B) Building Height. Forty (40) feet maximum.

2-611 Utility Requirements. All utility distribution lines located in the CR-2 district shall be placed underground.

2-612 Development Setback and Access from Major Roads. In designing residential development, the requirements of Section 5-900 shall be observed.

Section 2-700

Countryside Residential-3: CR-3

- 2-701 Purpose.** This district is established to foster the conversion of existing residential properties zoned R-2 under the 1972 Zoning Ordinance which are served by public sewer only. These areas can be served by on-site well and wastewater systems at lower densities, but are areas in which the County allows higher densities when a cluster development pattern is served by public water and/or sewer facilities to preserve open space and to achieve a traditional design as envisioned in the Comprehensive Plan.
- 2-702 Size and Location.** The Comprehensive Plan does not support the creation of additional districts having development of a type characteristic of a CR-3 district, and this district is not intended to be enlarged beyond the limits mapped to this district with the adoption of this Ordinance.
- 2-703 Permitted Uses.** The following uses are permitted in this district:
- (A) Agriculture, horticulture, forestry and fisheries, pursuant to Section 5-626.
 - (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
 - (C) Child care home, pursuant to Section 5-609(A).
 - (D) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.
 - (E) Dwelling, single family detached.
 - (F) Guest house, pursuant to Section 5-612.
 - (G) Public or private playground, or neighborhood park.
 - (H) Compact cluster development option, pursuant to Section 2-707.
 - (I) Bus shelter.
 - (J) Commuter parking lot, with less than 50 spaces.
 - (K) Recycling drop off collection center, small, pursuant to Section 5-607.
 - (L) Sewer pumping station pursuant to Section 5-621.
 - (M) Water pumping station pursuant to Section 5-621.
 - (N) Utility substation, dedicated.

- (O) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.
- (P) Public School (Elementary, Middle, or High), pursuant to Section 5-666.
- (Q) Pet Farm.
- (R) Telecommunications antenna, pursuant to Section 5-618(A).
- (S) Telecommunications monopole, pursuant to Section 5-618(B)(1).

2-704

Special Exception Uses. The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Bed and Breakfast Inn, pursuant to Section 5-601(B), by Minor Special Exception.
- (B) Cemetery, mausoleum, or memorial park, pursuant to Section 5-637.
- (C) Church, synagogue and temple, pursuant to Section 5-639.
- (D) Community center.
- (E) Congregate housing facility.
- (F) Country club.
- (G) Country Inn, pursuant to Section 5-601(C), by Minor Special Exception.
- (H) Fire and/or rescue station.
- (I) Orphanage or other similar institution.
- (J) Private club or lodge.
- (K) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (L) Sewage treatment plant, pursuant to Section 5-621.
- (M) Utility transmission lines, overhead.
- (N) Water treatment plant, pursuant to Section 5-621.
- (O) Library.

- (P) Golf course.
- (Q) Child or adult daycare, pursuant to Section 5-609.
- (R) Commuter parking lot, with greater than 50 spaces.
- (S) Structure or use primarily for federal, state, county, or local governmental purposes, not otherwise listed.
- (T) Playing fields and courts, lighted.
- (U) Public or private community or regional park.
- (V) Radio and/or television tower.
- (W) Utility substation, transmission, pursuant to Section 5-616.
- (X) Water storage tank.
- (Y) Utility substation, distribution, pursuant to Section 5-616.
- (Z) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (AA) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (BB) Police Station.
- (CC) Banquet/Event Facility, pursuant to Section 5-642.
- (DD) Country Inn with Restaurant, pursuant to Section 5-601(C).

2-705

Lot Requirements for Lots Served By On-Site Well and Wastewater Systems.

- (A) Size. Forty thousand (40,000) square feet minimum.
- (B) Width. One hundred seventy five (175) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Twenty five (25) feet minimum.
 - (2) Side. Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
 - (3) Rear. Fifty (50) feet minimum.
- (D) Length/Width Ratio: 5:1 maximum.

- (E) Maximum Residential Density. One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

2-706 Lot Requirements for Lots Served by Public Sewer Only.

- (A) Size. Fifteen (15,000) square feet minimum.
- (B) Width. Sixty (60) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Twenty five (25) feet minimum.
 - (2) Side. Nine (9) feet minimum.
 - (3) Rear. Twenty five (25) feet minimum.
- (D) Length/Width Ratio: 5:1 maximum.
- (E) Utilities. Public sewer facilities shall be provided to serve the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.
- (F) Maximum Residential Density. One lot per 15,000 square feet calculated on the overall parcel, exclusive of streets.

2-707 Lot Requirements for Compact Cluster Development Option.

- (A) Size. Ten thousand (10,000) square feet minimum to fifteen thousand (15,000) square feet maximum.
- (B) Width. Fifty (50) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Fifteen (15) feet minimum.
 - (2) Side. Nine (9) feet minimum.
 - (3) Rear. Twenty five (25) feet minimum.
- (D) Length/Width Ratio: 5:1 maximum.
- (E) Minimum Open Space Area. Open space shall be provided in a sufficient amount such that a gross density of one lot per fifteen thousand (15,000) square feet is maintained, calculated based on the overall parcel. Open space shall be preserved by means of a

permanent open space easement acceptable to the Board of Supervisors.

- (F) **Minimum Buffer/Setback.** A permanent building setback of fifty (50) feet in depth with a Category 1 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development, which has a minimum allowable lot size of fifteen thousand (15,000) square feet or greater. Such buffer area may be included in open space calculations.
- (G) **Utilities.** Both public water and public sewer shall be provided to serve the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.
- (H) **Lot Design Requirements.**
 - (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
 - (2) Garages shall be set back at least twenty (20) feet behind the front line of buildings.
- (I) **Other Requirements.**
 - (1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.
 - (2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

2-708 Building Requirements for Lots Served by On-site Well and Wastewater Systems.

- (A) Lot Coverage. Fifteen (15) percent maximum.
- (B) Building Height. Forty (40) feet maximum.

2-709 Building Requirements for Lots Served by Public Sewer Only.

- (A) Lot Coverage. Twenty five (25) percent maximum.
- (B) Building Height. Forty (40) feet maximum.

2-710 Building Requirements for Compact Cluster Development Option.

(A) Lot Coverage. Thirty five (35) percent maximum.

(B) Building Height. Forty (40) feet maximum.

2-711 Utility Requirements. All utility distribution lines located in the CR-3 district shall be placed underground.

2-712 Development Setback and Access from Major Roads. In designing residential development, the requirements of Section 5-900 shall be observed.

Section 2-800

Countryside Residential-4: CR-4

2-801

Purpose. This district is established to foster the conversion of existing residential properties zoned R-4 under the 1972 Zoning Ordinance which are not served by public water and public sewer. These areas can be served by on-site well and wastewater systems at lower densities, but are areas in which the County allows higher densities when a cluster development pattern is served by public water and/or sewer facilities, to preserve open space and to achieve a traditional design as envisioned in the Comprehensive Plan.

2-802

Size and Location. The Comprehensive Plan does not support the creation of additional districts having development of a type characteristic of a CR-4 district, and this district is not intended to be enlarged beyond the limits mapped to this district with the adoption of this Ordinance.

2-803

Permitted Uses. The following uses are permitted in this district:

- (A) Agriculture, horticulture, forestry and fisheries.
- (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (C) Child care home, pursuant to Section 5-609(A).
- (D) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.
- (E) Dwelling, single family detached.
- (F) Guest house, pursuant to Section 5-612.
- (G) Public or private playground, or neighborhood park.
- (H) Bus shelter.
- (I) Commuter parking lot, with less than 50 spaces.
- (J) Recycling drop off collection center, small, pursuant to Section 5-607.
- (K) Sewer pumping station, pursuant to Section 5-621.
- (L) Water pumping station, pursuant to Section 5-621.
- (M) Utility substation, dedicated.

- (N) Public School (Elementary, Middle, or High), pursuant to Section 5-666.
- (O) Pet Farm.
- (P) Telecommunications antenna, pursuant to Section 5-618(A).
- (Q) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (R) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.

2-804

Special Exception Uses. The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Cemetery, mausoleum, or memorial park.
- (B) Church, synagogue and temple.
- (C) Community center.
- (D) Congregate housing facility.
- (E) Country club.
- (F) Country Inn, pursuant to Section 5-601(C), by Minor Special Exception.
- (G) Fire and/or rescue station.
- (H) Orphanage or other similar institution.
- (I) Private club or lodge.
- (J) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (K) Sewage treatment plant, pursuant to Section 5-621.
- (L) Utility transmission lines, overhead.
- (M) Water treatment plant, pursuant to Section 5-621.
- (N) Library.
- (O) Golf course.

- (P) Child or adult daycare center, pursuant to Section 5-609.
- (Q) Commuter parking lot, with greater than 50 spaces.
- (R) Structure or use primarily for federal, state, county, or local governmental purposes, not otherwise listed.
- (S) Playing fields and courts, lighted.
- (T) Public or private community or regional park.
- (U) Radio and/or television tower.
- (V) Utility substation, transmission, pursuant to Section 5-616.
- (W) Water storage tank.
- (X) Utility substation, distribution, pursuant to Section 5-616.
- (Y) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (Z) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (AA) Police Station.
- (BB) Banquet/Event Facility, pursuant to Section 5-642.
- (CC) Country Inn with Restaurant, pursuant to Section 5-601(C).

2-805

Lot Requirements for Lots Served by On-Site Well and Wastewater Systems.

- (A) Size. Forty thousand (40,000) square feet minimum.
- (B) Width. One hundred seventy five (175) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Twenty five (25) feet minimum.
 - (2) Side. Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
 - (3) Rear. Fifty (50) feet minimum.
- (D) Length/Width Ratio: 5:1 maximum.

- (E) Maximum Residential Density. One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

2-806 Lot Requirements for Lots Served by Either Public Water or Public Sewer.

- (A) Size. Fifteen thousand (15,000) square feet minimum.
- (B) Width. Sixty (60) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Twenty five (25) feet minimum.
 - (2) Side. Nine (9) feet minimum.
 - (3) Rear. Twenty five (25) feet minimum.
- (D) Length/Width Ratio: 5:1 maximum.
- (E) Maximum Residential Density. One lot per 15,000 square feet calculated on the overall parcel, exclusive of streets.

2-807 Lot Requirements for Lots Served by Both Public Water and Public Sewer.

- (A) Size. Ten thousand (10,000) square feet minimum.
- (B) Width. Fifty (50) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
 - (1) Front. Fifteen (15) feet minimum.
 - (2) Side. Nine (9) feet minimum.
 - (3) Rear. Twenty five (25) feet minimum.
- (D) Length/Width Ratio. 5:1 maximum.
- (E) Lot Design Requirements.
 - (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
 - (2) Garages shall be set back at least twenty (20) feet behind the front line of buildings.

- (F) Other Requirements.
 - (1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.
 - (2) Parallel parking may be provided on streets in front of residential lots except lots fronting on collector and arterial roads.
- (G) Maximum Residential Density. One lot per 10,000 square feet calculated on the overall parcel, exclusive of streets.

2-808 Building Requirements for Lots Served by On-Site Well and Wastewater Systems.

- (A) Lot Coverage. Fifteen (15) percent maximum.
- (B) Building Height. Forty (40) feet maximum.

2-809 Building Requirements for Lots Served by Either Public Water or Public Sewer.

- (A) Lot Coverage. Twenty five (25) percent maximum.
- (B) Building Height. Forty (40) feet maximum.

2-810 Building Requirements for Lots Served by Both Public Water and Public Sewer.

- (A) Lot Coverage. Thirty five (35) percent maximum.
- (B) Building Height. Forty (40) feet maximum.

2-811 Utility Requirements. All utility distribution lines located in the CR-4 district shall be placed underground.

2-812 Development Setback and Access from Major Roads. In designing residential development, the requirements of Section 5-900 shall be observed

Section 2-900

RC Rural Commercial District.

- 2-901 Purpose.** This district is established for the conversion of existing commercial properties zoned C-1 under the 1972 Zoning Ordinance which are located sporadically in rural Loudoun but deemed appropriate to be retained as commercially zoned land for development to a more preferred development pattern. The district is also established in other areas to allow for residential and commercial uses where existing settlement patterns provide a unique opportunity for a variety of permitted and special exception uses. Uses in the RC District shall be compatible with existing village and neighborhood scale and character and allow local, neighborhood related commercial uses to be developed.
- 2-902 Size and Location.** New rural commercial districts shall be of a sufficient size to allow for a variety of uses, and shall only be located inside existing rural villages, which are those areas within the Village Conservation Overlay District, or those areas deemed appropriate for the range of uses that are allowed within the district.
- 2-903 Permitted Uses.** The following uses are permitted in this district:
- (A) Agriculture, horticulture, forestry or fishery, pursuant to Section 5-626.
 - (B) Art gallery.
 - (C) Business service establishment.
 - (D) Community center.
 - (E) Convenience food store, without gas pumps, pursuant to Section 5-617.
 - (F) Farm market, pursuant to Section 5-603.
 - (G) Farm machinery sales and service, pursuant to Section 5-615.
 - (H) Nursery, commercial, pursuant to Section 5-605.
 - (I) Personal service establishment.
 - (J) Post office, drop off and pick up.
 - (K) Public utility service center, without outdoor storage.
 - (L) Recycling collection center, small, pursuant to Section 5-607.

- (M) Restaurant, including carry out.
- (N) Residential uses, including single-family detached dwellings, single family attached dwellings, and multi-family dwellings.
- (O) Retail sales establishment.
- (P) Studio space - artist, crafts person, writer, etc.
- (Q) Bank or financial institution, pursuant to Section 5-659.
- (R) Theatre, indoor.
- (S) Home service establishment.
- (T) Office, administrative, business, and professional.
- (U) Office, medical and dental.
- (V) Park.
- (W) Veterinary service.
- (X) Wayside stand.
- (Y) Commuter parking lot.
- (Z) Facilities for lessons in dance, gymnastics, judo, and sports training.
- (AA) Utility substation, dedicated.
- (BB) Animal hospital.
- (CC) Church, synagogue, and temple.
- (DD) Dwelling, accessory to a permitted or special exception use.
- (EE) Farm supplies.
- (FF) Printing service.
- (GG) Water pumping station, pursuant to Section 5-621.
- (HH) Sewer pumping station, pursuant to Section 5-621.
- (II) Food store.
- (JJ) Library.

- (KK) Telecommunications antenna, pursuant to Section 5-618(A).
- (LL) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (MM) Contractor's Service Establishment, limited to landscape contractors and lawn maintenance services.
- (NN) Mill, feed and grain.
- (OO) Training Facility, accessory to a permitted or special exception use.
- (PP) Banquet/Event Facility, pursuant to Section 5-642.
- (QQ) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
- (RR) Bed and Breakfast Inn, pursuant to Section 5-601(B).
- (SS) Country Inn, pursuant to Section 5-601(C).
- (TT) Country Inn with Restaurant, pursuant to Section 5-601(C).
- (UU) Craft Beverage Manufacturing, pursuant to Section 5-668.

2-904

Special Exception Uses. The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

- (A) Any one permitted use in excess of 10,000 sq. ft. in gross floor area provided that agricultural uses, mill, feed and grain, farm supplies, farm market, and farm machinery sales and service are not subject to this limit.
- (B) Auction facility, livestock.
- (C) Automobile service station.
- (D) Funeral home or mortuary.
- (E) Private club or lodge.
- (F) Motor vehicle sales and accessory service.
- (G) Hotel/Motel.
- (H) Motor vehicle service and repair, accessory to an approved use.
- (I) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.

- (J) Recreation establishment, outdoor.
- (K) Fire and/or rescue station.
- (L) Mass transit facilities and stations.
- (M) Adult daycare center.
- (N) Child care center, pursuant to Section 5-609.
- (O) Recreation establishment, indoor.
- (P) Auction house.
- (Q) Sewage treatment plant, pursuant to Section 5-621.
- (R) Water treatment plant, pursuant to Section 5-621.
- (S) Water storage tank, pursuant to Section 5-621.
- (T) Crematorium, pursuant to Section 5-637.
- (U) School, private, accessory to a church.
- (V) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (W) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (X) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (Y) Police Station.
- (Z) Training Facility.
- (AA) Public School (Elementary, Middle, or High), by minor special exception.
- (BB) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.
- (CC) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (DD) Craft Beverage Manufacturing, not served by central water and central sewer, pursuant to Sections 5-668(A) and (B), by Minor Special Exception.

2-905**Lot Requirements.**

- (A) **Size.** Ten thousand (10,000) square feet minimum
- (B) **Width.** Fifty (50) feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
 - (1) **Front.** No minimum.
 - (2) **Side.** No requirement, except fifteen (15) feet for a non-residential use abutting a lot used for residential purposes, or a lesser distance to continue the setback of an existing building.
 - (3) **Rear.** No requirement, except thirty (30) feet for a non-residential use abutting a lot used for residential purposes, or a lesser distance to continue the setback of an existing building.
- (D) **Length/Width Ratio.** 5:1 maximum.

2-906**Building Requirements.**

- (A) **Lot Coverage.** Seventy (70) percent maximum.
- (B) **Building Height.** Forty (40) feet maximum.
- (C) **Floor Area Ratio.** .40 maximum.

2-907**Use Limitations.**

- (A) On-street parking may be provided in the rural commercial district. In addition, off-street parking on the side and rear of the lot is preferred. Where off-street parking is provided in the front, such parking shall be effectively screened, landscaped and buffered to protect the surrounding residential district from undesirable views, lighting, noise, or other adverse impacts.
- (B) Dwellings, shops and workplaces shall be generally located in close proximity to each other.
- (C) Buildings shall front on and be aligned with streets.
- (D) Streets and blocks shall have a general rectilinear pattern.

- (E) The development shall be a size and scale which accommodates and promotes pedestrian travel rather than motor vehicle use.
- (F) All utility distribution lines located in the RC district shall be placed underground.
- (G) Multiple vehicular entrances along streets which present a threat to public safety through numerous vehicular turning movements, and which inhibit higher operating speeds and higher levels of service shall be prohibited.
- (H) Strip commercial development patterns which produce aesthetic conditions characterized by marked and discordant contrast with the predominantly rustic open character of the County's major highways shall be prohibited.

2-908

Administrative Waivers and Modifications of Buffering and Screening Requirements and Parking Lot Landscaping and Screening Requirements.

- (A) Uses that are subject to parking lot landscaping and screening as required by Section 5-1413, and buffering and screening as required by Section 2-907, may pursue an administrative waiver and modification process, whereby the parking lot landscaping and screening may be waived, reduced or modified by the Zoning Administrator, where the strict adherence to the provisions of Section 5-1413 would reduce the usable area of a lot to a point which would preclude reasonable use of the lot, or the expansion of an existing use (provided required setbacks are met) for a permitted or special exception use. Parking lot landscaping and screening may be waived reduced or modified by the Zoning Administrator, if it is demonstrated that the site has been designed to minimize adverse impacts through a combination of architectural, landscape and/or other design techniques.

2-909 Administrative Reductions, Waivers, or Modifications of Parking Requirements.

- (A) The Zoning Administrator may grant administrative reductions, waivers, or modifications of parking requirements for permitted or special exception uses contained in Sections 2-903 and 2-904 above, in accordance with the provisions of Section 5-1100 (F), as applicable.

2-910 Development Setback and Access From Major Roads. In designing nonresidential development, the requirements of Section 5-900 shall be observed.

2-911 Maximum Residential Density. The maximum gross residential density shall be four (4) dwelling units per acre.

DIVISION B: JOINT LAND MANAGEMENT AREA (JLMA) DISTRICTS

Section 2-1000 Joint Land Management Area-1 District: JLMA-1

2-1001 Purpose and Intent. This district is established to accommodate and foster the development of land within the joint land management areas (JLMAs) outside the incorporated towns in Loudoun County to:

- (A) Ensure development in the JLMA-1 district is consistent with the JLMA serving as a gateway to the towns;
- (B) Encourage an appropriate mix of residential and nonresidential land uses;
- (C) Provide a variety of housing types and lot sizes;
- (D) Where appropriate, achieve a pattern of development that generally conforms to the established, traditional pattern of development in the towns;
- (E) Establish the type and scale of development desired for the entranceway of the towns; and
- (F) Implement jointly adopted area plans, where applicable.

2-1002 Size and Location. This district modifies and replaces the Countryside Residential (CR-1) district within the JLMAs. It is the intent of the County that the JLMA-1 boundaries not be extended beyond the existing JLMA boundaries. The limits of this district are as designated on the Zoning Map.

2-1003 Use Regulations. Table 2-1003 summarizes the principal use regulations of the JLMA-1 district.

- (A) **Organization of Use Table.** Table 2-1003 organizes the uses in the JLMA-1 district Use Table by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the

type of customers or residents, how goods or services are sold or delivered, and site conditions.

- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classifications, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
 - (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1003 are defined in Article 8 (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “JLMA-1” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the JLMA-1 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the JLMA-1 district as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted under certain conditions, or allowed as a special exception under other conditions. These uses are identified as “P/S”.
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column means all of the uses in the Use Category are allowed. The Use Category is defined in Article 8. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article 8.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1003 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific

regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.

TABLE 2-1003 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627

**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian Event Facility, with frontage on a state maintained road	P	Section 5-627
	Equestrian Event Facility, without frontage on a state maintained road	S	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery sales, rental, and services	S	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Feed and Farm Supply Center	S	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, Livery, with frontage on a state maintained road	P	Section 5-627
	Stable, Livery, without frontage on a state maintained road	S	Section 5-627
	Stable, Private	P	Section 5-627
	Virginia Farm Winery	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
PUBLIC AND INSTITUTIONAL USES			

**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with 50 spaces or less	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	Public School (Elementary, Middle, or High)	P	Section 5-666
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	P	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	
Park and Open Space	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
	Wetlands mitigation bank	P	

**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewage and/or water treatment plant	S	Section 5-621
	Utility substation, distribution	S	Section 5-616
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103(D)
	Water and/or sewer pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
	Water Well, Municipal	P	Section 5-621
COMMERCIAL USES			
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Golf course	S	Section 5-648
Retail Sales and Service	Artist studio	S	

**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Small business	P/S	Section 5-614
	Farm Market (off-site production)	S	Section 5-603
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	M	Section 5-601(B)
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

2-1004 Lot and Building Requirements.

- (A) **Minimum Lot Size.** Twenty thousand (20,000) square feet.
- (B) **Minimum Lot Width.** Fifty (50) feet.
- (C) **Minimum Front Yard.** Thirty-five (35) feet.
- (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- (E) **Minimum Side Yard.** Nine (9) feet.
- (F) **Building Height.** Forty (40) feet maximum.

2-1005 General Development Requirements. The following general development requirements shall apply to all development in the JLMA-1 district.

- (A) **Minimum Open Space.** Thirty (30) percent. Active recreational uses may be located within the open space.

(B) **Maximum Gross Density.** The maximum gross residential density shall be one (1) unit per forty thousand (40,000) square feet, calculated based on the overall parcel, excluding roads. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(C) **Utilities.**

(1) Both municipal water and municipal sewer facilities must be provided to every development site, if available as determined by the Zoning Administrator, in consultation with the Town, and if the Town permits the connection. If municipal water and/or municipal sewer facilities are not available, or if the Town does not permit the connection, development may be served by an individual water supply system (private well) and/or an individual sewage disposal system.

(2) Notwithstanding subsection 2-1005(C)(1) above, Town owned or County owned and operated public uses shall be required to connect to municipal water and/or municipal sewer facilities only if the existing municipal water line and/or municipal sewer line is within three hundred (300) feet of the property line of the parcel being developed and if the Town permits such connection, unless the County and Town agree that the presence of other physical or geographical constraints would make the connection unreasonable. Otherwise, such Town or County public uses may use communal systems or an individual water supply system (private well) and/or individual sewage disposal system.

(3) Notwithstanding subsection 2-1005(C)(1) above, any development on a lot existing prior to January 7, 2003, that does not require the approval of any type of subdivision or site plan application in order to be developed may use an individual water supply system (private well) and/or individual sewage disposal system, provided, however, that if such development is required to connect to a public/municipal sewer pursuant to the Codified Ordinances of Loudoun County, then an individual sewage disposal system shall not be permitted. For the purposes of this Section 2-1005(C)(3), and notwithstanding the provisions of Section 1243.03(B) of the Land Subdivision and Development Ordinance, lots established by or resulting from the recordation of a boundary line adjustment (BLAD) after January 7, 2003, where all of

the lots involved in the BLAD existed prior to January 7, 2003, shall be deemed to have existed prior to January 7, 2003.

- (4) All utility distribution lines shall be placed underground. Private wells, septic systems, and communal systems may be located within the open space.

(D) **Neighborhood Development Standards.** To ensure new development in the JLMA-1 district reinforces existing development patterns in the adjacent town to the maximum extent feasible, reduces the need for automobile trips, minimizes the need for additional road improvements, and encourages walking to employment, shopping, and public facilities, development in this district shall meet the following requirements:

(1) **Street System/Connectivity.**

- (a) **Connections to Existing Streets.** Connections to the existing or planned street system shall be made to the maximum extent feasible. All development plans shall incorporate and continue all streets stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development.
- (b) **Provision for Future Connections to Adjoining Land.** All developable land shall provide for future public street connections to adjacent developable parcels by providing a local street connection at least every six hundred sixty (660) feet along each subdivision plat boundary that abuts potentially developable or re-developable land, except that such street connections are not required on steep slopes, MDOD sensitivity areas, or FOD pursuant to Sections 5-1508, 4-1600, and 4-1500.
- (c) **Block Form and Size.** To the maximum extent feasible, blocks within developments shall maintain a rectilinear pattern except where deviation is necessitated by topographic or environmental considerations. Blocks shall measure not less than three hundred (300) nor more than six hundred sixty (660) feet along each side, as measured from the edge of the right-of-way, except where deviation is necessitated by topographic or environmental

considerations, or where deviation is required to comply with regulations concerning steep slopes, MDOD sensitivity areas, or FOD pursuant to Sections 5-1508, 4-1600 and 4-1500.

- (d) **Avoidance of Certain Street Types.** Cul-de-sacs and “P-loop” streets shall be avoided except where necessitated by topographic or environmental considerations.
- (e) **Provision of “T” Intersections.** "T" intersections are encouraged in locations where views of important civic, public or open space areas can be highlighted.

(2) **Variation of Lot Sizes.**

- (a) **General Rule.** In all new residential subdivisions containing ten (10) or more lots, a mixture of lot sizes and dimensions shall be provided in order to allow for a variety of housing opportunities and avoid monotonous streetscapes. For example, larger and wider lots are encouraged on corners. Smaller lots are encouraged adjacent to parks and open spaces. No more than sixty percent (60%) of all lots shall be similar in total lot area. For purposes of this subsection, "similar" lot areas shall be defined as within 500 square feet of each other.
- (b) **Exception.** Up to seventy percent (70%) of the lots within the subject subdivision may be similar if the Zoning Administrator, pursuant to Section 6-401, makes a finding that, notwithstanding deviation from the sixty percent (60%) standard stated above, lot sizes and dimensions are sufficiently varied, for different housing types, to avoid monotonous streetscapes.
- (c) **Dispersion of Lot Sizes.** Similar lot sizes shall be distributed throughout a subdivision rather than consolidated in one area, unless the Zoning Administrator, pursuant to Section 6-401, makes a finding that the intent of this district and of the Zoning Ordinance will be better served by a design that tends to consolidate lots of similar sizes.

(3) **Sidewalks.**

- (a) **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails shall be provided, at a minimum, along one side of all streets to provide pedestrian access to the town or neighborhood center, public buildings, schools, parks, and other destinations, or greater if required by the Facilities Standards Manual.
- (b) **Sidewalk and/or Trail Connections.** Connections to existing or planned sidewalks and/or trails shall be made at the property boundaries of the project by incorporating and continuing all sidewalks and/or trails stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development. All development plans shall provide for future sidewalk and/or trail connections to adjacent developable parcels at planned or current local street connections along each subdivision plat boundary.

(4) **Civic and Open Space.**

- (a) **Variety of Spaces to Be Provided.** A variety of greens, parks or natural open spaces shall be located throughout the development, where appropriate, to provide community identity.
- (b) **Access to Civic Spaces.** Direct and convenient pedestrian and bicycle access shall be provided on the site being developed to adjacent residential land uses and to the civic and open space.
- (c) **Configuration of Park Access.** Land dedicated for parks shall be bordered on at least one side by public streets, preferably local or collector streets.

(5) **Other Design Requirements.**

- (a) **Street Trees.** Street trees planted pursuant to Section 5-1300 shall be planted at a density of no less than one (1) canopy shade tree per twenty-five (25) feet on average, and shall be placed in arrangements consistent with the existing landscape of the vicinity.

- (b) **Garages.** Garages shall be set back at least four (4) feet behind the plane of the front door of the principal building. Garages shall have vehicular access only from the side or rear of the lot.
- (c) **On-Street Parking.** Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

(E) **Compatibility Standards.**

- (1) A minimum buffer width of twenty-five (25) feet with a Type 2 buffer yard shall be provided between existing agricultural uses and residential development sites.
- (2) On non-residential development sites:
 - (a) Areas for loading, delivery, and waste collection receptacles shall be sited so as to reduce the impact on surrounding properties to the maximum extent feasible, with highest priority given to reducing the impact on residential properties.
 - (b) Outdoor lighting shall be directed towards the interior of the development site and shall be shielded to prevent all direct illumination of other properties.

2-1006

Alternate Neighborhood Development Standards. In lieu of the development requirements specified in Sections 2-1004 and 2-1005 above, either the Board of Supervisors may initiate, or the landowner(s) in a JLMA-1 district may request the adoption of alternate neighborhood development standards as a special exception pursuant to the standards of this Section and Section 6-1300. These alternate development standards may be reviewed for all or a portion of a JLMA-1 district. Once adopted, the alternate neighborhood development standards supersede the requirements of Sections 2-1004 and 2-1005. The following requirements shall be met:

- (A) **Minimum Area.** Alternate neighborhood design standards shall be adopted for all of a JLMA-1 district or a portion of the district consisting of a minimum of twenty-five (25) contiguous acres.
- (B) **Initiation.** A request to have alternate neighborhood development standards adopted for all or a portion of a JLMA-1 district may be initiated by the Board of Supervisors or the landowners in the area for which the request is made by submitting an application to the County for a Special Exception pursuant to Section 6-1300.

- (C) **Study/Proposed Standards.** Subsequent to the request, the applicant shall submit a set of proposed alternate neighborhood development standards for consideration that comply with the standards in Section 2-1006(E). The proposed alternate neighborhood development standards shall be in compliance with any overlay district requirements and based on a study of the existing and prevailing patterns of development in the adjoining town in the vicinity of the lands where the alternate neighborhood development standards are proposed to be adopted, as they relate to lot sizes, yards, setbacks, lot coverage, building heights, garages, porches, civic and open spaces, open space areas, block form, street pattern, sidewalks, and street trees.
- (D) **Recommendation of Staff and Town Council.** After their receipt, County staff shall forward a copy of the proposed alternate neighborhood development standards to the affected town for review and comment, and prepare a staff report on whether they comply with the standards of Section 2-1006(E).
- (E) **Standards.** The Board of Supervisors shall adopt the alternate neighborhood development standards only if the Board finds that:
- (1) The standards include requirements addressing lot size, lot width and length, yards, lot coverage, building height, and open space that are consistent with the existing and prevailing patterns of development in the adjoining town in the vicinity of the lands where the alternate neighborhood development standards are to be adopted; and
 - (2) The standards include specific provisions requiring street system connectivity, variation of lot sizes, the provision of civic and open spaces, the provision of sidewalks, the provision of street trees, a grid street pattern and block sizes in a form that is consistent with the existing and prevailing patterns of development in the adjoining town in the vicinity of the lands where the alternate neighborhood development standards are to be adopted.
- (F) **Effect.** The approval of the special exception by the Board of Supervisors for all or a portion of a JLMA-1 district shall constitute a modification of the development standards for that area, subject to the conditions and terms of the special exception, and recognition by the County that all development within the area subject to alternate neighborhood development standards shall comply with the alternate neighborhood development standards. In the case of conflict between adopted alternate neighborhood development

standards and any other provision of this Ordinance, the alternate neighborhood development standards shall apply.

Section 2-1100

Joint Land Management Area-2 District: JLMA-2

2-1101

Purpose and Intent. This district is established to accommodate and foster the development of land within the joint land management areas (JLMAs) outside the incorporated towns in Loudoun County to:

- (A) Ensure development in the JLMA-2 district is consistent with the JLMA serving as a gateway to the towns;
- (B) Encourage an appropriate mix of residential and nonresidential land uses;
- (C) Provide a variety of housing types and lot sizes;
- (D) Where appropriate, achieve a pattern of development that generally conforms to the established, traditional pattern of development in the towns;
- (E) Establish the type and scale of development desired for the entranceway of the towns; and
- (F) Implement jointly adopted area plans, where applicable.

2-1102

Size and Location. This district modifies and replaces the Countryside Residential (CR-2) district within the JLMAs. It is the intent of the County that the JLMA-2 boundaries not be extended beyond the existing JLMA boundaries.

2-1103

Use Regulations. Table 2-1103 summarizes the principal use regulations of the JLMA-2 district.

- (A) **Organization of Use Table.** Table 2-1103 organizes the uses in the JLMA-2 district Use Table by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classifications, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
- (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings are a Use Type in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1103 are defined in Article 8 (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “JLMA-2” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the JLMA-2 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the JLMA-2 district as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted under certain conditions, or allowed as a special exception under other conditions. These uses are identified as “P/S”.
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column means all of the uses in the Use Category are allowed. The Use Category is defined in Article 8. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article 8.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1103 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services directly related to on-going agriculture, horticulture and animal husbandry activity, on-site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian Event Facility, with frontage on a state maintained road	P	Section 5-627
	Equestrian Event Facility, without frontage on a state maintained road	S	Section 5-627
	Virginia farm winery	P	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery sales, rental, and services	S	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Feed and Farm Supply Center	S	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, Livery, with frontage on a state maintained road	P	Section 5-627
	Stable, Livery, without frontage on a state maintained road	S	Section 5-627
	Stable, Private	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
PUBLIC AND INSTITUTIONAL USES			

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Day Care Facilities	Child care home	P	Section 5-609
	Child or adult day care center	S	Section 5-609
Cultural and Government Facilities	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with 50 spaces or less	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	Public School (Elementary, Middle, or High)	P	Section 5-666
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	P	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	
Park and Open Space	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewage and/or water treatment plant	S	Section 5-621
	Utility substation, distribution	S	Section 5-616
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103 (D)
	Water and/or sewer pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
	Water Well, Municipal	P	Section 5-621
COMMERCIAL USES			
Food and Beverage	Restaurant	S	Section 5-643
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Golf course	S	Section 5-648
Retail Sales and Service	Artist studio	S	

**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Small business	P/S	Section 5-614
	Farm market (off-site production)	S	Section 5-603
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	M	Section 5-601(B)
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

2-1104 Lot and Building Requirements.

- (A) **Minimum Lot Size.** Ten thousand (10,000) square feet.
- (B) **Minimum Lot Width.** Fifty (50) feet.
- (C) **Minimum Front Yard.** Fifteen (15) feet.
- (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- (E) **Minimum Side Yard.** Eight (8) feet
- (F) **Building Height.** Forty (40) feet maximum.

2-1105 General Development Requirements. The following general development requirements shall apply to all development in the JLMA-2 district.

- (A) **Minimum Open Space.** Thirty (30) percent. Active recreational uses may be located within the open space.
- (B) **Maximum Gross Density.** The maximum gross residential density shall be one (1) unit per twenty thousand (20,000) square feet, calculated based on the overall parcel, excluding roads. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (C) **Utilities.**
 - (1) Both municipal water and municipal sewer facilities must be provided to every development site, if available as determined by the Zoning Administrator, in consultation with the Town, and if the Town permits the connection. If municipal water and/or municipal sewer facilities are not available, or if the Town does not permit the connection, development may be served by an individual water supply system (private well) and/or an individual sewage disposal system.
 - (2) Notwithstanding subsection 2-1105(C)(1) above, Town owned or County owned and operated public uses shall be required to connect to municipal water and/or municipal sewer facilities only if the existing municipal water line and/or municipal sewer line is within three hundred (300) feet of the property line of the parcel being developed and if the Town permits such connection, unless the County and Town agree that the presence of other physical or geographical constraints would make the connection unreasonable. Otherwise, such Town or County public uses may use communal systems or an individual water supply system (private well) and/or individual sewage disposal system.
 - (3) Notwithstanding subsection 2-1105(C)(1) above, any development on a lot existing prior to January 7, 2003, that does not require the approval of any type of subdivision or site plan application in order to be developed may use an individual water supply system (private well) and/or individual sewage disposal system, provided, however, that if such development is required to connect to a public/municipal sewer pursuant to the Codified Ordinances of Loudoun County, then an individual sewage disposal system shall not be permitted. For the purposes of this Section 2-1105(C)(3), and notwithstanding the provisions of Section 1243.03(B) of the Land Subdivision and Development Ordinance, lots

established by or resulting from the recordation of a boundary line adjustment (BLAD) after January 7, 2003, where all of the lots involved in the BLAD existed prior to January 7, 2003, shall be deemed to have existed prior to January 7, 2003.

- (4) All utility distribution lines shall be placed underground. Private wells, septic systems, and communal systems may be located within the open space.

(D) **Neighborhood Development Standards.** To ensure new development in the JLMA-2 district reinforces existing development patterns in the adjacent towns to the maximum extent feasible, reduces the need for automobile trips, minimizes the need for additional road improvements, and encourages walking to employment, shopping, and public facilities, development in this district shall meet the following requirements:

(1) **Street System/Connectivity.**

- (a) **Connections to Existing Streets.** Connections to the existing or planned street system shall be made to the maximum extent feasible. All development plans shall incorporate and continue all streets stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development.
- (b) **Provision for Future Connections to Adjoining Land.** All developable land shall provide for future public street connections to adjacent developable parcels by providing a local street connection at least every six hundred sixty (660) feet along each subdivision plat boundary that abuts potentially developable or re-developable land, except that such street connections are not required on steep slopes, MDOD sensitivity areas, or FOD pursuant to Sections 5-1508, 4-1600, and 4-1500.
- (c) **Block Form and Size.** To the maximum extent feasible, blocks within developments shall maintain a rectilinear pattern except where deviation is necessitated by topographic or environmental considerations. Blocks shall measure not less than three hundred (300) nor more than six hundred sixty (660) feet along each side, as measured from the edge

of the right-of-way, except where deviation is necessitated by topographic or environmental considerations, or where deviation is required to comply with regulations concerning steep slopes, MDOD sensitivity areas, or FOD pursuant to Sections 5-1508, 4-1600 and 4-1500.

- (d) **Avoidance of Certain Street Types.** Cul-de-sacs and “P-loop” streets shall be avoided except where necessitated by topographic or environmental considerations.
- (e) **Provision of “T” Intersections.** "T" intersections are encouraged in locations where views of important civic, public or open space areas can be highlighted.

(2) **Variation of Lot Sizes.**

- (a) **General Rule.** In all new residential subdivisions containing ten (10) or more lots, a mixture of lot sizes and dimensions shall be provided in order to allow for a variety of housing opportunities and avoid monotonous streetscapes. For example, larger and wider lots are encouraged on corners. Smaller lots are encouraged adjacent to parks and open spaces. No more than sixty percent (60%) of all lots shall be similar in total lot area. For purposes of this subsection, "similar" lot areas shall be defined as within 500 square feet of each other.
- (b) **Exception.** Up to seventy percent (70%) of the lots within the subject subdivision may be similar if the Zoning Administrator, pursuant to Section 6-401, makes a finding that, notwithstanding deviation from the sixty percent (60%) standard stated above, lot sizes and dimensions are sufficiently varied, for different housing types, to avoid monotonous streetscapes.
- (c) **Dispersion of Lot Sizes.** Similar lot sizes shall be distributed throughout a subdivision rather than consolidated in one area, unless the Zoning Administrator, pursuant to Section 6-401, makes a finding that the intent of this district and of the

Zoning Ordinance will be better served by a design that tends to consolidate lots of similar sizes.

(3) **Sidewalks.**

- (a) **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails shall be provided, at a minimum, along one side of all streets to provide pedestrian access to the town or neighborhood center, public buildings, schools, parks, and other destinations, or greater if required by the Facilities Standards Manual.
- (b) **Sidewalk and/or trail Connections.** Connections to existing or planned sidewalks and/or trails shall be made at the property boundaries of the project by incorporating and continuing all sidewalks and/or trails stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development. All development plans shall provide for future sidewalk and/or trails connections to adjacent developable parcels at planned or current local street connections along each subdivision plat boundary.

(4) **Civic and Open Space.**

- (a) **Variety of Spaces to Be Provided.** A variety of greens, parks or natural open spaces shall be located throughout the development, where appropriate, to provide community identity.
- (b) **Access to Civic Spaces.** Direct and convenient pedestrian and bicycle access shall be provided adjacent residential land uses and to the civic and open space.
- (c) **Configuration of Park Access.** Land dedicated for parks shall be bordered on at least one side by public streets, preferably local or collector streets.

(5) **Other Design Requirements.**

- (a) **Street Trees.** Street trees planted pursuant to Section 5-1300 shall be planted at a density of no less than one canopy shade tree per twenty-five (25) feet

on average, and shall be placed in arrangements consistent with the existing landscape of the vicinity.

- (b) **Garages.** Garages shall be set back at least four (4) feet behind the plane of the front door of the principal building. Garages shall have vehicular access only from the side or rear of the lot.
- (c) **On-Street Parking.** Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

(E) **Compatibility Standards.**

- (1) A minimum buffer width of twenty-five (25) feet with a Type 2 buffer yard shall be provided between existing agricultural uses and residential development sites.
- (2) On non-residential development sites:
 - (a) Areas for loading, delivery, and waste collection receptacles shall be sited so as to reduce the impact on surrounding properties to the maximum extent feasible, with highest priority given to reducing the impact on residential properties.
 - (b) Outdoor lighting shall be directed towards the interior of the development site and shall be shielded to prevent all direct illumination of other properties.

Section 2-1200

Joint Land Management Area-3 District: JLMA-3

2-1201

Purpose and Intent. This district is established to accommodate and foster the development of land within the town’s joint land management areas (JLMAs) outside the incorporated towns in Loudoun County to:

- (A) Ensure development in the JLMA-3 district is consistent with the JLMA serving as a gateway to the towns;
- (B) Provide for the continued practice of agriculture, farm operations, agriculturally related and home based businesses, low density clustered residential developments and other uses in a predominantly rural environment;
- (C) Encourage an appropriate mix of residential and nonresidential land uses;
- (D) Where appropriate, achieve a pattern of development that generally conforms to the established, traditional pattern of development in the towns; and
- (E) Implement jointly adopted plans where applicable.

2-1202

Size and Location. This district replaces the Agricultural Residential (A-3) district within the JLMAs. It is the intent of the County that the JLMA-3 district boundaries not be extended beyond the existing JLMA boundaries.

2-1203

Use Regulations. Table 2-1203 summarizes the principal use regulations of the JLMA-3 district.

- (A) **Organization of Use Table.** Table 2-1203 organizes the uses in the JLMA-3 district use table by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classifications, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
- (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings are a Use Type in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1203 are defined in Article 8 (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “JLMA-3” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the JLMA-3 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the JLMA-3 district as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions, or allowed as a special exception under other conditions. These uses are identified as “P/S”.
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column mean all of the uses in the Use Category are allowed. The Use Category is defined in Article 8. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Type is defined in Article 8.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1203 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory apartment or dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Convent, monastery, or seminary	S	Section 5-656
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian Event Facility, with frontage on a state maintained road	P	Section 5-627
	Equestrian Event Facility, without frontage on a state maintained road	S	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm machinery sales, rental, and service	S	Section 5-627
	Farm markets	P	Section 5-603
	Feed and Farm Supply Center	S	Section 5-627
	Nursery, production	P	Section 5-605
	Nursery, commercial	S	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, Livery, with frontage on a state maintained road	P	Section 5-627
	Stable, Livery without frontage on a state maintained road	S	Section 5-627

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Stable, Private	P	Section 5-627
	Virginia Farm Winery	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
Animal Services	Animal hospital	S	Section 5-631
	Kennel	S	Section 5-606(A)
	Kennel, Indoor	P	Section 5-606(B)
	Veterinary service	P	Section 5-627
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with less than 50 spaces	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	Public School (Elementary, Middle, or High)	P	Section 5-666
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	P	Section 5-655

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	
Health Services	Office, medical	S	
	Hospital	S	Section 5-610
Park and Open Space	Arboretum	S	
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Sewage and/or water treatment plant	S	Section 5-621
	Utility substation, dedicated	P	Section 5-621

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Utility substation, transmission	S	Section 5-616 and 5-621
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103(D)
	Water and/or sewer pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
	Water Well, Municipal	P	Section 5-621
COMMERCIAL USES			
Conference and Training Centers	Rural corporate retreat	S	Section 5-619
	Rural Resort	S	Section 5-601(D)
Food and Beverage	Banquet/Event Facility	S	Section 5-642
	Restaurant	S	Section 5-643
Office	Educational or research facility related to the uses in this district	S	
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Country club	S	
	Golf course	S	Section 5-648
	Private club or lodge	S	
	Recreation establishment, outdoor	S	
Retail Sales and Service	Artist studio	S	
	Small business	P/S	Section 5-614
	Farm market (off-site production)	S	Section 5-603

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	M	Section 5-601(B)
	Country Inn	M	Section 5-601(C)
	Country Inn with Restaurant	S	Section 5-601(C)
	Guest farm or ranch, leasing no more than three (3) guest rooms	P	
INDUSTRIAL USES			
Telecommunications Use and/or Structure	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

2-1204 Lot and Building Requirements.

- (A) **Minimum Lot Size.** Twenty thousand (20,000) square feet.
- (B) **Minimum Lot Width.** Sixty (60) feet.
- (C) **Front Yard.**
 - (1) **On Arterial Road.** Thirty-five (35) feet.
 - (2) **On Collector Road.** Twenty-five (25) feet.
 - (3) **On Other Roads.** Fifteen (15) feet.
- (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- (E) **Minimum Side Yard.** Ten (10) feet.
- (F) **Building Height.** Forty (40) feet maximum, except no restriction for buildings used exclusively for agriculture.

- (G) **Minimum Open Space.** Fifty (50) percent.
- (H) **Gross Density.** One (1) residential unit per three (3) acres.

2-1205

Neighborhood Development Standards. To ensure new development in the JLMA-3 district reinforces existing development patterns in the adjacent town to the maximum extent feasible, reduces the need for automobile trips, minimizes the need for additional road improvements, and encourages walking to employment, shopping, and public facilities, development in this district shall meet the following requirements:

- (A) **Street System/Connectivity.**
 - (1) **Connections to Existing Streets.** Connections to the existing or planned street system shall be made to the maximum extent feasible. All development plans shall incorporate and continue all streets stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development.
 - (2) **Provision for Future Connections to Adjoining Land.** All developable land shall provide for future public street connections to adjacent developable parcels by providing a local street connection at least every six hundred sixty (660) feet along each subdivision plat boundary that abuts potentially developable or re-developable land, except that such street connections are not required on steep slope, MDOD sensitivity areas, or FOD pursuant to Sections 5-1508, 4-1600, and 4-1500.
 - (3) **Block Form and Size.** To the maximum extent feasible, blocks within developments shall maintain a rectilinear pattern except where deviation is necessitated by topographic or environmental considerations. Blocks shall measure not less than three hundred (300) nor more than six hundred sixty (660) feet along each side, as measured from the edge of the right-of-way, except where deviation is necessitated by topographic or environmental considerations, or where deviation is required to comply with regulations concerning steep slope, MDOD sensitivity areas, or FOD pursuant to Sections 4-1508, 4-1600 and 4-1500.
 - (4) **Avoidance of Certain Street Types.** Cul-de-sacs and “P-loop” streets shall be avoided except where necessitated by topographic or environmental considerations.

- (5) **Provision of “T” Intersections.** "T" intersections are encouraged in locations where views of important civic, public or open space areas can be highlighted.

(B) **Variation of Lot Sizes.**

- (1) **General Rule.** In all new residential subdivisions containing ten (10) or more lots, a mixture of lot sizes and dimensions shall be provided in order to allow a variety of housing opportunities and avoid monotonous streetscapes. For example, larger and wider lots are encouraged on corners. Smaller lots are encouraged adjacent to parks and open spaces. No more than sixty percent (60%) of all lots shall be similar in total lot area. For purposes of this subsection, "similar" lot areas shall be defined as within five hundred (500) square feet of each other.
- (2) **Exception.** Up to seventy percent (70%) of the lots within the subject subdivision may be similar if the Zoning Administrator, pursuant to Section 6-401, makes a finding that, notwithstanding deviation from the sixty percent (60%) standard stated above, lot sizes and dimensions are sufficiently varied, for different housing types, to avoid monotonous streetscapes.
- (3) **Dispersion of Lot Sizes.** Similar lot sizes shall be distributed throughout a subdivision rather than consolidated in one area, unless the Zoning Administrator, pursuant to Section 6-401, makes a finding that the intent of this district and of the Zoning Ordinance will be better served by a design that tends to consolidate lots of similar sizes.

(C) **Sidewalks.**

- (1) **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails shall be provided, at a minimum, along one side of all streets to provide pedestrian access to the town or neighborhood center, public buildings, schools, parks, and other destinations, or greater if required by the Facilities Standards Manual.
- (2) **Sidewalk and/or Trail Connections.** Connections to existing or planned sidewalks and/or trails shall be made at the property boundaries of the project by incorporating and continuing all sidewalks and/or trails stubbed to or shown as stubbed to the boundary of the development by previously

approved development plans/plats or existing development. All development plans shall provide for future sidewalk and/or trail connections to adjacent developable parcels at planned or current local street connections along each subdivision plat boundary.

(D) **Civic and Open Space.**

- (1) **Variety of Spaces to Be Provided.** A variety of greens, parks or natural open spaces shall be located throughout the development, where appropriate, to provide community identity.
- (2) **Access to Civic Spaces.** Direct and convenient pedestrian and bicycle access shall be provided (on the site being developed) to adjacent residential land uses and to the civic and open space.
- (3) **Configuration of Park Access.** Land dedicated for parks shall be bordered on at least one side by public streets, preferably local or collector streets.

(E) **Other Design Requirements.**

- (1) **Street Trees.** Street trees planted pursuant to Section 5-1300 shall be planted at a density of no less than one canopy shade tree per twenty-five (25) feet on average, and shall be placed in arrangements consistent with the existing landscape of the vicinity.
- (2) **Garages.** Garages shall be set back at least four (4) feet behind the plane of the front door of the principal building. Garages shall have vehicular access only from the side or rear of the lot.
- (3) **On-Street Parking.** Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

2-1206 Utilities.

- (A) Both municipal water and municipal sewer facilities must be provided to every development site, if available as determined by the Zoning Administrator, in consultation with the Town, and if the Town permits the connection. If municipal water and/or municipal sewer facilities are not available, or if the Town does not permit the

connection, development may be served by an individual water supply system (private well) and/or an individual sewage disposal system.

- (B) Notwithstanding subsection 2-1206(A) above, Town owned or County owned and operated public uses shall be required to connect to municipal water and/or municipal sewer facilities only if the existing municipal water line and/or municipal sewer line is within three hundred (300) feet of the property line of the parcel being developed and if the Town permits such connection, unless the County and Town agree that the presence of other physical or geographical constraints would make the connection unreasonable. Otherwise, such Town or County public uses may use communal systems or an individual water supply system (private well) and/or individual sewage disposal system.
- (C) Notwithstanding subsection 2-1206(A) above, any development on a lot existing prior to January 7, 2003, that does not require the approval of any type of subdivision or site plan application in order to be developed may use an individual water supply system (private well) and/or individual sewage disposal system, provided, however, that if such development is required to connect to a public/municipal sewer pursuant to the Codified Ordinances of Loudoun County, then an individual sewage disposal system shall not be permitted. For the purposes of this Section 2-1206(C), and notwithstanding the provisions of Section 1243.03(B) of the Land Subdivision and Development Ordinance, lots established by or resulting from the recordation of a boundary line adjustment (BLAD) after January 7, 2003, where all of the lots involved in the BLAD existed prior to January 7, 2003, shall be deemed to have existed prior to January 7, 2003.
- (D) All utility distribution lines shall be placed underground. Private wells, septic systems, and communal systems may be located within the open space.

2-1207

Use Limitations.

- (A) No non-agricultural use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of noise, odor, fumes, gas, glare, light, vibration, smoke, emission of particulate matter or effluents, or for other similar reasons.

Section 2-1300

JLMA-20 (JOINT LAND MANAGEMENT AREA – 20)

2-1301

Purpose and Intent. The purpose and intent of the JLMA-20 district is to:

- (A) Provide for uses that are compatible with the Leesburg Executive Airport and allow for future expansion of the airport and/or existing agricultural use.
- (B) Provide for the continued practice of agriculture, farm operations, agriculturally related and home based businesses.
- (C) Encourage an appropriate mix of land uses;
- (D) Implement jointly adopted area plans, where applicable.

2-1302

Size and Location. It is the intent of the County that the JLMA-20 district boundaries not be extended beyond the existing JLMA-20 boundaries.

2-1303

Use Regulations. Table 2-1303 summarizes the principal use regulations of the JLMA-20 district.

- (A) **Organization of Use Table.** Table 2-1303 organizes the uses in the JLMA-20 district by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: agricultural uses; residential use; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., agricultural uses and residential uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
 - (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

- (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings are a Use Type in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1303 are defined in Article 8 (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “JLMA-20” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the JLMA-20 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the JLMA-20 district as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional regulations for Specific Uses (Section 5-600), a Use type will be permitted under certain conditions, or allowed as a special exception under other conditions. These uses are identified as “P/S”.
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Category is defined in Article 8. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Type is defined in Article 8.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1303 (JLMA-20 District Use Table) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.

**TABLE 2-1303
JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-20	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Caretaker's residence (accessory to single family detached dwelling)	P	
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
Group Living	Dormitory, seasonal labor	P	Section 5-632
	Tenant dwelling	P	Section 5-602
	Tenant dwelling, seasonal labor	P	Section 5-602(C)
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services directly related to on-going agriculture, horticulture and animal husbandry activity, on-site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Agritainment	P	Section 5-627
	Commercial winery	S	Section 5-625
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site- including but not limited to PYO (pick-your-own)	P	Section 5-627

**TABLE 2-1303
JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-20	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian Event Facility	P	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Feedlot (for on-going, on-site animal husbandry activities)	P	Section 5-627
	Nursery, commercial	P	Section 5-605
	Pet farms	P	Section 5-627
	Stable, Livery	P	Section 5-627
	Stable, Private	P	Section 5-627
	Virginia farm winery	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
	Sawmill	S	Section 5-629
Agriculture Support and Services not directly related to on-going agriculture, horticulture and animal husbandry activity, on-site	Agricultural research facility	P	Section 5-644
	Animal care businesses	P	
	Equestrian Event Facility	P	Section 5-630
	Farm machine repair	P	
	Stable, Livery	P	Section 5-630
	Stable, Private	P	
Animal Services	Animal hospital	S	Section 5-631

**TABLE 2-1303
JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-20	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Kennel	S	Section 5-606
	Veterinary service	P	
PUBLIC AND INSTITUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633
Cultural and Government Facilities	General Government Use	S	
	Fairground	S	Section 5-635
Education	Public School (Elementary, Middle, or High)	P	Section 5-666
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	P	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	
	Private Vocational School	S	
Park and Open Space	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P	Section 5-636
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638

**TABLE 2-1303
JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-20	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue, temple, or mosque, with seating capacity of 300 or less in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children.	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Sewage and/or water treatment plant	S	Section 5-621
	Utility substation, dedicated	S	Section 5-621
	Utility substation, transmission	S	Section 5-616 and 5-621
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103 (D)
	Water and/or sewer pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
COMMERCIAL USES			
Retail Sales and Service	Small Business	S	Section 5-614
Conference and Training Centers	Conference and training centers	S	Section 5-640
	Rural corporate retreat	S	Section 5-619
	Rural Resort	S	Section 5-601(D)

**TABLE 2-1303
JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-20	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Food and Beverage	Banquet/Event Facility	M	Section 5-642
	Restaurant	S	
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	S	Section 5-645
	Campground	S	Section 5-646
	Cross-country ski business	P	Section 5-647
	Golf course	S	Section 5-648
	Rural recreational establishment, outdoor	P	
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	P	Section 5-601(B)
	Country Inn	M	Section 5-601(C)
	Country Inn with Restaurant	S	Section 5-601(C)
<u>INDUSTRIAL USES</u>			
Telecommunication Use and/or Structure	Telecommunications antenna	P	Section 5-618(A)

2-1304 Lot and Building Requirements. Table 2-1304 identifies the lot and building requirements that apply to all development in the JLMA-20 district.

**TABLE 2-1304
JLMA-20 LOT AND BUILDING REQUIREMENTS**

Minimum Lot Size	20 acres
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Minimum Lot Width	200 feet on paved roads; 50 feet on unpaved roads
Section 1.01 Minimum Yards	Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and/or prescriptive easement.
Maximum Lot Coverage	25%, but only 10% may be used for residential structures excluding agricultural, horticultural, and animal husbandry structures not open to the public.
Maximum Building Height	40 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry, or for General Government Use.
Lot Access	<p>Access to individual lot provided by privately owned and maintained travelway which shall either be:</p> <ul style="list-style-type: none"> • A private access easement that complies with the requirements of Chapter 4:Transportation of the Facilities Standards Manual; or • A private lane that: <ul style="list-style-type: none"> ■ Is within a 24’ private easement; ■ Is at least 12’ in width; ■ If paved, is 2” over a 4” base; ■ If gravel is 6”; ■ Has a minimum grade of 10% with a Minimum 30’ centerline curve radius. • Private access easement or private lane may serve as frontage in-lieu of public road frontage up to 25 lots. <p>Plat of division shall contain note and provide for maintenance of private access easement or private lane.</p>

2-1305 Utility Requirements.

- (A) **Water.** Development shall be served by individual wells, except for Town-owned or County-owned and operated public uses that may be served by municipal water facilities, if available as determined by the Town, or may be served by communal water supply systems.
- (B) **Wastewater.** Development shall be served by an on-site septic system, except for Town owned or County owned and operated public uses that may be served by municipal sewer facilities, or may be served by communal sewer systems.

DIVISION C – TRANSITION DISTRICT REGULATIONS

Section 2-1400 TR-10 (Transitional Residential - 10)

2-1401 **Purpose and Intent.** The purpose and intent of the TR-10 district is to:

- (A) Create a visual/spatial transition between the suburban area and the rural area of the County;
- (B) Provide for an environment that is low density in character to facilitate a transition between the suburban area and the rural area of the County;
- (C) Achieve a blend of rural and suburban development;
- (D) Achieve a balance between the built and natural environment;
- (E) Protect drinking water resources; and
- (F) Implement requirements that open space be provided in conjunction with the standards of this Ordinance.

2-1402 **Use Regulations.** Table 2-1402 summarizes the principal use regulations of the TR-10 district.

- (A) **Organization of Use Table.** Table 2-1402 organizes the uses in the TR-10 district by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
 - (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining

the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

- (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1402 are defined in Article 8 (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “TR-10” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the TR-10 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the TR-10 district as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions, or allowed as a special exception under other conditions. In those instances, it is identified as “P/S.”
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Categories are defined in Article 8. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article 8.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1402 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600. All the Use Categories and Use Types listed in Table 2-1402 are defined in Article 8 (Definitions).

**TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Caretaker's residence (accessory to single family detached dwelling)	P	
	Dwelling, single-family detached, including manufactured housing	P	
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Convent or monastery	S	Section 5-656
	Orphanage or similar institution	S	
	Tenant dwelling (accessory to agriculture, horticulture or animal husbandry uses)	P/S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	S	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627

**TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian Event Facility, with frontage on a state maintained road	P	Section 5-627
	Equestrian Event Facility, without frontage on a state maintained road	M	Section 5-627
	Farm co-ops	P	Section 5-627
	Farm based tourism	P	Section 5-628
	Farm markets	P	Section 5-603
	Pet farms	P	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Stable, Livery, with frontage on a state maintained road	P	Section 5-627
	Stable, Livery, without frontage on a state maintained road	M	Section 5-627
	Stable, Private	P	Section 5-627
	Virginia farm winery	P	
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
Agricultural Support and Services Not Directly Associated with on-Site Agricultural Activity	Agricultural research facility	S	Section 5-644
	Animal care businesses	P	Section 5-630
	Central farm distribution hub	S	Section 5-630
	Equestrian Event Facility	P	Section 5-630

**TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian Event Facility, without frontage on a state maintained road	M	Section 5-630
	Nursery, commercial	S	Section 5-605
	Stable, Livery, with frontage on state maintained road	P	Section 5-630
	Stable, Livery, without frontage on state maintained road	M	Section 5-630
	Stable, Private	P	Section 5-630
Animal Services	Animal hospital	S	Section 5-631
	Kennel	P	Section 5-606
	Kennel, Indoor	P	Section 5-606
	Veterinary service	P	
PUBLIC AND INSTITUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Governmental Facilities	Community center, HOA facilities only	P	
	Structures or uses for local government purposes not otherwise listed in the district	S	
Education	Colleges or universities (including dorms)	S	
	Public School (Elementary, Middle, or High)	P	Section 5-666
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	P	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	

**TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Park and Open Space	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P	Section 5-636
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple or mosque with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Communal sewer system	P	Section 5-621
	Communal water supply system	P	Section 5-621
	Public utility service center and storage yard	S	Section 5-621
	Public utility service center, without outdoor storage	P	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607

**TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Sewage and/or water treatment plant	S	Section 5-621
	Utility substation, dedicated	S	Section 5-621
	Utility substation, distribution	S	Section 5-616 and 5-621
	Utility substation, transmission	S	Section 5-616 and 5-621
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless exempted by Section 1-103(D)
	Utility transmission line, underground	P	
	Water storage tank	S	Section 5-621
	Water and/or sewer pumping station	P	Section 5-621
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	S	Section 5-640
	Rural corporate retreat	S	Section 5-619
	Rural Resort	S	Section 5-601(D)
Food and Beverage	Banquet/Event Facility	M	Section 5-642
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	S	Section 5-645
	Campground	S	Section 5-646
	Eco-tourism	P	Section 5-647
	Golf course	S	Section 5-648
	Private club or lodge	S	

**TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Recreation establishment, outdoor	S	
	Rural recreation establishment, outdoor	P	
Retail Sales and Service	Antique shop	S	Section 5-650
	Art gallery or art studio	S	Section 5-650
	Craft shop	S	Section 5-650
	Farm machinery sales and service	S	Section 5-615
	Feed and Farm Supply Center	S	
	Small business	P/S	Section 5-614
	Studio space – artist, craftsman, writer, etc.	P	Section 5-650
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	P	Section 5-601(B)
	Country Inn	M	Section 5-601(C)
	Country Inn with Restaurant	S	Section 5-601(C)
INDUSTRIAL USES			
Telecommunication Facilities	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)
Waste-Related Uses	Vegetative waste management facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Yard waste composting facility	S	

**TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Stockpiling of dirt	S	Section 5-657

2-1403 Development Standards.

- (A) **General.** All development in the TR-10 district, unless exempted pursuant to Section 2-1403(B) shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and Section 5-900.
- (B) **Exemptions.** The development of a lot existing on January 7, 2003, is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards). The development of such lot shall be subject to the development standards of Table 2-1403(B).

**TABLE 2-1403(B):
TR-10 BUILDING REQUIREMENTS FOR EXISTING LOTS
(Lots Existing Prior to January 7, 2003)**

Minimum Required Yards	Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Floor Area Ratio	0.05
Maximum Building Height	40 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.

Section 2-1500

TR-3 (Transitional Residential-3)

2-1501

Purpose and Intent.

- (A) The purpose and intent of the TR-3 district is to:
 - (1) Create a visual/spatial transition between the suburban area and the rural area of the County;
 - (2) Achieve a blend of rural and suburban development;
 - (3) Encourage new development designs that incorporate both suburban and rural features;
 - (4) Achieve a balance between the built and natural environment;
 - (5) Protect and integrate open space and natural resources; and
 - (6) Implement requirements that open space be provided in conjunction with the standards of this Ordinance.
- (B) **TR-3UBF.** This sub-district establishes a minimum of 50% open space to be more compatible with adjacent suburban development.
- (C) **TR-3LBR** is created as a sub-district of TR-3 to reflect differing open space requirements. This sub-district establishes a minimum of 70% open space in order to be more compatible with rural development patterns in adjoining jurisdictions and to protect the environment and areas surrounding the Bull Run.
- (D) **TR-3LF.** This sub-district establishes a minimum of 50% open space in order to be more compatible with adjacent suburban development.

2-1502

Use Regulations. Table 2-1502 summarizes the principal use regulations of the TR-3 districts.

- (A) **Organization of Use Table.** Table 2-1502 organizes the uses in the TR-3 districts by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general

classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
 - (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1502 are defined in Article 8 (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “TR-3” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the TR-3 districts, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the TR-3 districts as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a special exception under other conditions. In those instances, it is identified as “P/S.”
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Category is defined in Article 8. Where specific Use Types are listed in the Use Type column, only

the listed Use Types in the Use Category are allowed. The Use Types are defined in Article 8.

- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1502 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600. All the Use Categories and Use Types listed in Table 2-1502 are defined in Article 8 (Definitions).

TABLE 2-1502					
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE					
P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES					
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	P	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	P	P	Manufactured housing subject to Section 5-620.
	Guest house (accessory to single family detached dwelling)	P	P	P	Section 5-612
Group Living	Congregate housing facility	S	S	S	
	Continuing care facility	S	S	S	
	Convent or monastery	S	S	S	Section 5-656
	Orphanage or similar institution	S	S	S	
	Tenant dwelling	P/S	P/S	P/S	Section 5-602
AGRICULTURAL USES					
Agriculture	General Use Category	P	P	P	Section 5-626
Horticulture	General Use Category	P	P	P	Section 5-626
Animal Husbandry	General Use Category	P	P	P	Section 5-626
Agriculture Support and	Agricultural processing		S		Section 5-627

**TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Animal care business	P	P	P	Section 5-627
	Custom operators	P	P	P	Section 5-627
	Direct market business for sale of products produced on-site- including but not limited to PYO (pick- your-own)	P	P	P	Section 5-627
	Equestrian Event Facility, with frontage on a state maintained road	P	P	P	Section 5-627
	Equestrian Event Facility, without frontage on a state maintained road	S	M	S	Section 5-627
	Farm co-ops	P	P	P	Section 5-627
	Farm based tourism	P	P	P	Section 5-628
	Farm markets	P	P	P	Section 5-603
	Nursery, commercial	S	S	S	Section 5-605
	Nursery, production		P		Section 5-605
	Nursery, production, without frontage on a state maintained road		S		Section 5-605
	Pet farms	P	P	P	Section 5-627
	Stable, Livery, with frontage on a state maintained road	P	P	P	Section 5-627
	Stable, Livery, without frontage on a state maintained road	M	M	M	Section 5-627
	Stable, Private	P	P	P	Section 5-627
Virginia farm winery	P	P	P		
Wayside stand	P	P	P	Section 5-604	

**TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agricultural Support and Services <u>not</u> directly associated with agricultural activity	Agricultural Research Facility	S	S	S	Section 5-644
	Animal Care Business	P	P	P	Section 5-630
	Equestrian Event Facility, with frontage on a state maintained road	P	P	P	Section 5-630
	Equestrian Event Facility, without frontage on a state maintained road	S	M	S	Section 5-630
	Stable, Livery, with frontage on a state maintained road	P	P	P	Section 5-630
	Stable, Livery, without frontage on a state maintained road	M	M	M	Section 5-630
	Stable, Private	P	P	P	Section 5-630
Animal Services	Animal Hospital	S	S	S	Section 5-631
	Kennel		S		Section 5-606
	Kennel, Indoor		P		Section 5-606
	Veterinary service	P	P	P	
PUBLIC AND INSTITUTIONAL USES					
Day Care Facilities	Child care home	P	P	P	Section 5-609(A)
	Child or adult day care center	S	S	S	Section 5-609(B)
Cultural and Governmental Facilities	Community center, HOA facilities only	P	P	P	
	Structures or uses for local government purpose not otherwise listed in the district	S	S	S	
Education	Colleges or universities (including dorms)	S	S	S	

**TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Public School (Elementary, Middle, or High)	P	P	P	Section 5-666
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	P	P	P	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	M	M	
	Private Vocational school	S	S	S	
	Seminary	S	S	S	
Park and Open Space	Arboretum	P	P	P	Section 5-636
	Botanical garden or nature study area	P	P	P	Section 5-636
	Cemetery	S	S	S	Section 5-637
	Mausoleum	S	S	S	Section 5-637
	Crematorium	S	S	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	P	P	
	Community, neighborhood or regional park, active recreational uses	S	S	S	
	Wetland mitigation bank	P	P	P	
Public Safety	Fire and/or rescue station	S	S	S	Section 5-638
	Police station or substation	S	S	S	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity area	P	P	P	Section 5-639

**TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Church, synagogue, temple, or mosque with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	S	S	Section 5-639
Utility	Communal sewer system	P			Section 5-621
	Communal water supply system	P			Section 5-621
	Public utility service center and storage yard	S	S	S	Section 5-621
	Public utility service center, without outdoor storage	P	P	P	Section 5-621
	Recycling drop off collection center, public	P	P	P	Section 5-607
	Recycling drop off collection center, private	S	S	S	Section 5-607
	Sewage and/or water treatment plant	S	S	S	Section 5-621
	Utility substation, dedicated	P	S	P	Section 5-621
	Utility substation, distribution	S	S	S	Section 5-616 and 5-621
	Utility substation, transmission	S	S	S	Section 5-616 and 5-621
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	S	S	Unless exempted by Section 1-103 (D)
	Utility transmission line, underground	P	P	P	
	Water storage tank	S	S	S	Section 5-621

**TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Water and/or sewer pumping station	P	P	P	Section 5-621
COMMERCIAL USES					
Food and Beverage	Banquet/Event Facility		M		Section 5-642
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	P	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	S	S	S	Section 5-645
	Golf course	S	S	S	Section 5-648
	Private club or lodge	S	S	S	
Retail Sales and Service	Small business	P/S	P/S	P/S	Section 5-614
Visitor Accommodation	Bed and Breakfast Homestay	P	P	P	Section 5-601(A)
	Bed and Breakfast Inn	P	P	P	Section 5-601(B)
	Country Inn		M		Section 5-601(C)
	Country Inn with Restaurant		S		Section 5-601(C)
INDUSTRIAL USES					
Telecommunication Facilities	Radio and/or television tower	S	S	S	Section 5-618
	Telecommunications antenna	P	P	P	Section 5-618(A)
	Telecommunications monopole	P	P	P	Section 5-618(B)(1)
	Telecommunications monopole	S	S	S	Section 5-618(B)(2)
	Telecommunication transmissions tower	S	S	S	Section 5-618(C)(2)
Waste-Related Uses	Yard Waste and/or Vegetative waste composting facility		S		

2-1503 Development Standards.

- (A) **General.** All development in the TR-3 districts, unless exempted pursuant to Section 2-1503(B), shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and Section 5-900.
- (B) **Exemptions.** The development of a lot existing on January 7, 2003, is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards). The development of such lot shall be subject to the development standards of Table 2-1503(B).

TABLE 2-1503(B): TR-3 BUILDING REQUIREMENTS FOR EXISTING LOTS (Lots Existing Prior to January 7, 2003)	
Minimum Required Yards	Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Floor Area Ratio	0.05
Maximum Building Height	40 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.

2-1504 Other Special Requirements. No non-agricultural use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of noise, odor, fumes, gas, glare, light, vibration, smoke, emission of particulate matter or effluents, or for other similar reasons.

Section 2-1600

TR-2 (Transitional Residential - 2)

2-1601

Purpose and Intent. The purpose and intent of the TR-2 district is to:

- (A) Create a visual/spatial transition between the suburban area and the rural area of the County;
- (B) Achieve a blend of rural and suburban development;
- (C) Encourage new development designs that incorporate both suburban and rural features;
- (D) Achieve a balance between the built and natural environment;
- (E) Protect and integrate open space and natural resources; and
- (F) Implement requirements that open space be provided in conjunction with the standards of this Ordinance.

2-1602

Use Regulations. Table 2-1602 summarizes the principal use regulations of the TR-2 district.

- (A) **Organization of Use Table.** Table 2-1602 organizes the uses in the TR-2 district by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
 - (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

- (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1602 are defined in Article 8 (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “TR-2” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the TR-2 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other county ordinances. An “S” indicates that a Use Type is allowed in the TR-2 district as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted under certain conditions (allowed as a permitted use), or allowed as a special exception under other conditions. In those instances, it is identified as “P/S.”
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Categories are defined in Article 8. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article 8.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1602 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600. All the Use Categories and Use Types listed in Table 2-1602 are defined in Article 8 (Definitions).

**TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620.
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Orphanage or similar institution	S	
	Monastery or convent	S	Section 5-656
	Tenant dwelling	P/S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627

**TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Direct market business for sale of products produced on-site including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian Event Facility, with frontage on a state maintained road	P	Section 5-627
	Equestrian Event Facility, without frontage on a state maintained road	S	Section 5-627
	Farm co-ops	P	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm markets	P	Section 5-603
	Pet farms	P	Section 5-627
	Stable, Livery, with frontage on a state maintained road	P	Section 5-627
	Stable, Livery, without frontage on a state maintained road	S	Section 5-627
	Stable, Private	P	Section 5-627
	Wayside stand	P	Section 5-604
Animal Services	Veterinary service	P	
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care	S	Section 5-609(B)
Cultural and Governmental Facilities	Community center, HOA facilities only	P	
	Structures or uses for local government purposes not otherwise listed	S	
Education	Colleges or Universities (including dorms)	S	

**TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Public School (Elementary, Middle, or High)	P	Section 5-666
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	P	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	
	Private Vocational School	S	
	Seminary	S	
Park and Open Space	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	
	Community, neighborhood, or regional park, active recreational uses	S	
	Wetlands mitigation bank	P	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple, or mosque with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers, with more than 50 children, recreational facilities	S	Section 5-639
Utility	Communal sewer system	P	Section 5-621
	Communal water supply system	P	Section 5-621

**TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Public utility service center and storage yard	S	Section 5-621
	Public utility service center, without outdoor storage	P	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewage and/or water treatment plant	S	Section 5-621
	Utility substation, dedicated	S	Section 5-621
	Utility substation, distribution	S	Section 5-616 and 5-621
	Utility substation, transmission	S	Section 5-616 and 5-621
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless exempted by Section 1-103 (D)
	Utility transmission line, underground	P	
	Water storage tank	S	Section 5-621
	Water and/or sewer pumping station	P	Section 5-621
COMMERCIAL USES			
Recreation and Entertainment	Golf course	S	Section 5-648
	Private club or lodge	S	
Retail Sales and Service	Small business	P/S	Section 5-614
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	M	Section 5-601(B)

**TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
INDUSTRIAL USES			
Telecommunication Facilities	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

2-1603 Development Standards.

- (A) **General.** All development in the TR-2 district, unless exempted pursuant to Section 2-1603(B) shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and Section 5-900.
- (B) **Exemptions.** The development of a lot existing on the date of adoption is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards). The development of such lot shall be subject to the development standards of Table 2-1603(B).

**TABLE 2-1603(B):
TR-2 BUILDING REQUIREMENTS FOR EXISTING LOTS
(Lots Existing Prior to January 7, 2003)**

Minimum Required Yards	Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Floor Area Ratio	0.05
Maximum Building Height	40 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.

Section 2-1700

TR-1 (Transitional Residential - 1)

2-1701

Purpose and Intent.

- (A) The purpose and intent of the TR-1 districts is to:
- (1) Create a visual/spatial transition between the suburban area and the rural area of the County;
 - (2) Achieve a blend of rural and suburban development;
 - (3) Encourage new development designs that incorporate both suburban and rural features;
 - (4) Achieve a balance between the built and natural environment;
 - (5) Protect and integrate open space and natural resources; and
 - (6) Implement requirements that open space be provided in conjunction with the standards of this Ordinance.

2-1702

Use Regulations. Table 2-1702 summarizes the principal use regulations of the TR-1 districts.

- (A) **Organization of Use Table.** Table 2-1702 organizes the uses in the TR-1 districts by Use Classifications, Use Categories and Use Types.
- (1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
 - (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining

the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

- (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1702 are defined in Article 8 (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “TR-1” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the TR-1 districts, subject to compliance with all applicable standards and regulations in this Ordinance and all other county ordinances. An “S” indicates that a Use Type is allowed in the TR-1 districts as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a special exception under other conditions. In those instances, it is identified as “P/S.”
- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Categories are defined in Article 8. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article 8.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1702 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600. All the Use Categories and Use Types listed in Table 2-1702 are defined in Article 8 (Definitions).

**TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES				
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	P	Manufactured housing subject to Section 5-620.
	Guest house (accessory to single family detached dwelling)	P	P	Section 5-612
Group Living	Congregate housing facility	S	S	
	Continuing care facility	S	S	
	Orphanage or similar institution	S	S	
	Monastery or convent	S	S	Section 5-656
	Tenant dwelling	P/S	P/S	Section 5-602
AGRICULTURAL USES				
Agriculture	General Use Category	P	P	Section 5-626
Horticulture	General Use Category	P	P	Section 5-626
Animal Husbandry	General Use Category	P	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry	Animal care business	P	P	Section 5-627
	Custom operators	P	P	Section 5-627

**TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Activity, On-Site	Direct market business for sale of products produced on-site - including but not limited to PYO (pick-your-own)	P	P	Section 5-627
	Equestrian Event Facility, with frontage on a state maintained road	P	P	Section 5-627
	Equestrian Event Facility, without frontage on a state maintained road	S	S	Section 5-627
	Farm co-ops	P	P	Section 5-627
	Farm based tourism	P	P	Section 5-628
	Farm markets	P	P	Section 5-603
	Pet farms	P	P	Section 5-627
	Stable, Livery, with frontage on a state maintained road	P	P	Section 5-627
	Stable, Livery, without frontage on a state maintained road	S	S	Section 5-627
	Stable, Private	P	P	Section 5-627
	Wayside stand	P	P	Section 5-604
Animal Services	Veterinary service	P	P	
PUBLIC AND INSTITUTIONAL USES				
Day Care Facilities	Child care home	P	P	Section 5-609(A)
	Child or adult day care	S	S	Section 5-609(B)

**TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Cultural and Governmental Facilities	Community center, HOA facilities only	P	P	
	Structure or uses for local government purposes not otherwise listed in district	S	S	
Education	Colleges or universities (including dorms)	S	S	
	Public School (Elementary, Middle, or High)	P	P	Section 5-666
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	P	P	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	M	
	Private Vocational School	S	S	
	Seminary	S	S	
Park and Open Space	Cemetery	S	S	Section 5-637
	Mausoleum	S	S	Section 5-637
	Crematorium	S	S	Section 5-637
	Community, neighborhood, or regional park , passive recreational uses	P	P	
	Community, neighborhood, or regional park, active recreational uses	S	S	
	Wetland mitigation bank	P	P	
Public Safety	Fire and/or rescue station	S	S	Section 5-638

**TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Police station or substation	S	S	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity area	P	P	Section 5-639
	Church, synagogue, temple, or mosque with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	S	Section 5-639
Utility	Communal sewer system	P		Section 5-621
	Communal water supply system	P		Section 5-621
	Public utility service center and storage yard	S	S	Section 5-621
	Public utility service center, without outdoor storage	P	P	Section 5-621
	Recycling drop off collection center, public	P	P	Section 5-607
	Recycling drop off collection center, private	S	S	Section 5-607
	Sewage and/or water treatment plant	S	S	Section 5-621
	Utility substation, dedicated	P	P	Section 5-621
	Utility substation, distribution	S	S	Section 5-616 and 5-621
	Utility substation, transmission	S	S	Section 5-616 and 5-621

**TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	S	Unless exempted by Section 1-103(D)
	Utility transmission line, underground	P	P	
	Water storage tank	S	S	Section 5-621
	Water and/or sewer pumping station	P	P	Section 5-621
COMMERCIAL USES				
Recreation and Entertainment	Golf course	S	S	Section 5-648
	Private club or lodge	S	S	
Retail Sales and Service	Small business	P/S	P/S	Section 5-614
Visitor Accommodation	Bed and Breakfast Homestay	P	P	Section 5-601(A)
	Bed and Breakfast Inn	M	M	Section 5-601(B)
INDUSTRIAL USES				
Telecommunication Facilities	Radio and/or television tower	S	S	Section 5-618
	Telecommunications antenna	P	P	Section 5-618(A)
	Telecommunications monopole	P	P	Section 5-618(B)(1)
	Telecommunications monopole	S	S	Section 5-618(B)(2)
	Telecommunication tower	S	S	Section 5-618(C)(2)

2-1703 Development Standards.

- (A) **General.** All development in the TR-1 districts, unless exempted pursuant to Section 2-1703(B) shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and Section 5-900.
- (B) **Exemptions.** The development of a lot existing on January 7, 2003 is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards). The development of such lot shall be subject to the development standards of Table 2-1703(B).

TABLE 2-1703(B): TR-1 BUILDING REQUIREMENTS FOR EXISTING LOTS (Lots Existing Prior to January 7, 2003)	
Minimum Required Yards	Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Floor Area Ratio	0.05
Maximum Building Height	40 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.