

## MEMORANDUM

To: Zoning Ordinance Committee (ZOC)  
From: Ryan Reed, Deputy Zoning Administrator  
James David, Deputy Director  
Date: 8/18/2021  
Re: August 25, 2021, ZOC Meeting  
**Review Sections 3.06 Use-Specific Standards**

The Zoning Ordinance Committee is reviewing the Zoning Ordinance Rewrite (ZO Rewrite) draft Section 3.06 that contains draft use specific standards (Attachment 1, Draft Use Specific Standards). This is consistent with the ZOC bylaws that state, "at the discretion of the Planning Commission, County staff, or Board of Supervisors (Board), ZOC may be asked to provide input on proposed amendments prior to the initiation of the referral process." The following excerpt from the ZOC bylaws provides guidance on how to review draft Zoning Ordinance (ZO) text.

Recommendations may include, but are not limited to:

- a. Correcting errors and inconsistencies;
- b. Clarifying regulations;
- c. Simplifying the Zoning Ordinance to make it more user friendly;
- d. Keeping the Zoning Ordinance current to reflect changes in the state code, the market, economic, fiscal and land use conditions and the emergence of new uses;
- e. Addressing a specific issue;
- f. Identifying when proposed Zoning Ordinance amendments are inconsistent with the Comprehensive Plan and may require a Comprehensive Plan amendment (Board of Supervisors, October 6, 2020).

Please keep in mind that the ZO Rewrite team is at the beginning stages of socializing draft concepts and text in a public forum, and the ZOC is the first stop of many as we progress towards Board review and adoption hopefully next year. ZOC review of these draft documents will not only provide essential input regarding proposed revisions but will also help to capture unintentional errors and omissions in these draft documents.

### **What is in Draft Section 3.06?**

The purpose of this portion of the ZO Rewrite is to revise and consolidate the use specific standards that are currently located within the existing sections 5-100<sup>1</sup>, 5-400<sup>2</sup>, 5-5-500<sup>3</sup> and 5-600<sup>4</sup> of the Revised 1993 Loudoun County Zoning Ordinance.

The use specific standards are proposed as a subsection of proposed Chapter 3, Uses. Carrying forward most of the existing regulations, proposed Section 3.06 condenses, categorizes and alphabetizes the use-specific standards from the existing Zoning Ordinance into one section and appropriate subsections in a clear and concise manner. Edits and revisions have been made to make the language easier to understand and administer.

More substantial revisions are proposed to the following sections based on feedback and comments from ZOC and the multiple rounds of community engagement conducted earlier in the project timeline.

- 1) Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn, and Rural Resorts (Section 3.06.03.01)
- 2) Brewery, Limited (Section 3.06.08.04)

Additionally, staff continues to work on appropriate use specific standards and will update ZOC accordingly for the following uses that have placeholders in the draft:

- 1) Live / Work Dwelling (3.06.02.03)
- 2) Mobile Vendor (3.06.04.15)
- 3) Solar Facility, Commercial (3.06.07.05)

Overall, you will find the following changes:

- 1) Alignment and placement of the standards into general use categories, such as Residential, Commercial/Mixed Use and Industrial/Production, to improve ease of reference.
- 2) Inclusion of an applicability statement.
- 3) Inclusion of use specific standards that were embedded in use definitions or terminology of the existing Zoning Ordinance.
- 4) Consistency with the revised use table.

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<sup>1</sup> See Section 5-100, Accessory Uses and Structures, of the Revised 1993 Loudoun County Zoning Ordinance.

<sup>2</sup> See Section 5-400, Home Occupations, of the Revised 1993 Loudoun County Zoning Ordinance.

<sup>3</sup> See Sections 5-500, Temporary Uses/Zoning Permits, of the Revised 1993 Loudoun County Zoning Ordinance.

<sup>4</sup> See Sections 5-600, Additional Regulations for Specific Uses, of the Revised 1993 Loudoun County Zoning Ordinance.

Please note that some of the cross-references and hyperlinks in this section are still being updated. A tracked changes version of the draft text for Section 3.06 Use Specific Standards is enclosed as Attachment 2.

**Next Steps after the August 25<sup>th</sup> ZOC Meeting**

An abbreviated version of the ZOC Work Plan is shown below. This has been updated to reflect the additional week added in the August timeline, the subsequent condensing of some sections and the deadline provided from the Planning Commission<sup>5</sup>. Based on ZOC input, Use-Specific Standards will be revisited at the September 8, 2021 meeting if necessary. Please be advised that the workplan schedule is tentative and subject to change.

**Tentative Zoning Ordinance Committee Work Plan**

Topic	Meeting Date	Packet Distribution
No ZO Rewrite Item	4-Aug	-
Use Specific Standards	25-Aug	18-Aug
Use Specific Standards	8-Sep	1-Sep
Overlay Districts (except VCOD)	15-Sep	8-Sep
Overlay Districts (except VCOD)	6-Oct	29-Sep
Zoning Districts	20-Oct	13-Oct
Zoning Districts	3-Nov	27-Oct
Development Standards	17-Nov	10-Nov
Development Standards	1-Dec	24-Nov
Signs	15-Dec	8-Dec
Affordable Dwelling Units	5-Jan	29-Dec
Procedures	19-Jan	12-Jan
Nonconformities; Officials, Boards and Commissions, Definitions and Rules of Interpretation	2-Feb	26-Jan
<b>NOTE: EnCode changes to be released to public on February 25, 2022</b>		
<b>NOTE2: ZOC Work Plan subject to change</b>		

**Attachments:**

1. Draft Section 3.06 Use Specific Standards (clean)
2. Draft Use Specific Standards - Tracked

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<sup>5</sup> See email from James David, 7/30/2021 [FW: PC Action related to ZOC.](#)

## 3.06 Use-Specific Standards

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### 3.06.01 Purpose and Applicability

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- A. **Purpose.** The purpose of these standards is to establish requirements for specific uses to minimize negative impacts on neighboring properties, implement State and federal law, and ensure the orderly development of a diversity of land uses within the county. These standards will provide uniformity in the criteria for development approval, protect the public health, safety and welfare, and protect property values and economic development. These standards are consistent with and support The Loudoun County 2019 General Plan.
- B. **Conditions.** In addition to any standards in this Section 3.06, a use shall conform to any proffers applied pursuant to a zoning amendment (Section 7.08), conditions imposed pursuant to a special exception or minor special exception (Section 7.09) or variance (Section 7.13) review, or conditions or proffers applied pursuant to a planned unit development review (Section 7.10).

### 3.06.02 Residential

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#### 3.06.02.01 Accessory Dwellings

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Accessory dwellings are subject to the following standards:

- A. Accessory dwellings shall not exceed the following maximum size:
  - 1. In Rural Districts under Section 2.04, the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 2,500 square feet in gross floor area.
  - 2. In the Suburban Districts under Section 2.02 and the Planned Development Districts under Article 4 the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 1,200 square feet in gross floor area.
- B. On lots served by individual sewage disposal systems, accessory dwellings are permitted only upon approval from the Health Department. On lots served by communal sewer systems or communal wastewater systems, accessory dwellings are permitted only upon approval from Loudoun County Sanitation Authority (LCSA)
- C. Only 1 accessory dwelling is permitted on a lot of less than 20 acres. One additional accessory dwelling is permitted on a parcel with an area of 20 acres or more. In the ARN and ARS Districts, one additional accessory dwelling shall be permitted for each 25 acres in excess of 20 acres. Additional dwellings may be permitted by special exception f.
- D. Accessory dwellings may be located within an accessory building or in the principal structure.
- E. An accessory dwelling is subject to all yard requirements applicable to the building where it is located.
- F. All of the use limitations of Section 3.04 shall be met.
- G. A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an accessory dwelling and is exempt from the floor area and minimum lot area requirements specified above. Any expansion or enlargement of that structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.02.02 Guest Houses

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- A. **Applicability.** Guest houses are subject to the following additional regulations:
- B. **Users.** Only non-paying guests or occupants of the principal dwelling must use the guest house.
- C. **Commercial or Residential Use Prohibited.** Guest houses must not be rented, used as a short-term rental, operated for gain, or otherwise used as a separate dwelling.
- D. **Maximum Size.** The floor area of any guest house shall not exceed the lesser of:
  - 1. 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure, or
  - 2. 2,500 square feet of gross floor area.
- E. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a Guest House and is exempt from the floor area requirements specified above. Any expansion or enlargement of that structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.02.03 Live / Work Dwelling

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## 3.06.02.04 Manufactured Homes

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- A. **Applicability.** This section applies to manufactured homes. Manufactured homes in the ARN, ARS, A-3, and TLN districts are not subject to this section.
- B. **Manufactured Homes.** The following standards apply to manufactured homes:
  - 1. Manufactured housing shall be at least 900 square feet in floor area 19 feet in width.
  - 2. Roofs shall:
    - a. be pitched with a minimum vertical rise of 4 inches for each 12 inches of horizontal run; and
    - b. include a minimum of either a 6" overhang and a 4" gutter or 12" overhang on the front and back and a minimum of 6" on the sides.
  - 3. Exterior materials shall be of a color, material and scale compatible with site-built, single family construction.
  - 4. Manufactured homes shall have a non-reflective roof material such as asphalt or wood shingles, tile or slate or other products as used in surrounding areas.
  - 5. Perimeter non-load bearing foundation enclosures shall be compatible with foundation materials on site-built residential structures, and are limited to masonry, stone or concrete.
  - 6. Manufactured housing shall have wheels, axles, transporting lights, and removable towing apparatus removed from the site, and shall be placed on a permanent foundation.
- C. **Restrictive Covenants.** This section does not supersede valid restrictive covenants of record, except that a manufactured home is not considered a mobile home.

## 3.06.02.05 Portable Dwelling/Construction Trailer

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- A. **Applicability.** This section applies to any portable dwelling/construction trailer.
- B. **Removal.** The portable dwelling/construction trailer shall be removed within one month of the completion of construction on the primary residence.

### 3.06.02.06 Religious Housing

- A. **Applicability.** This section applies to religious housing in the ARN, ARS, TLN, TR-2, and JLMA-3 districts.
- B. **Intensity/Character.**
  - 1. The minimum lot area shall be as follows, unless the convent or monastery is developed as an adaptive re-use pursuant to Section 3.06.05.07.A.2:

Use	Size of Lot (Minimum)	No. of Residents
Level I – small scale	5 acres	4-10 residents
Level II – medium scale	10 acres	11-20 residents
Level III – large scale	20 acres	21-30 residents
Level IV- requires special exception approval pursuant to Section 7.09	30 acres	31-40 residents

- B. **Building/Lot requirements.**
  - 1. **Size of use.** The maximum floor area ratio is 0.04.
  - 2. **Minimum Required Yard Standards.** The minimum required yards are:
    - a. Level I – small scale: 50 feet minimum from all lot lines;
    - b. Level II – medium scale: 100 feet minimum from all lot lines
    - c. Level III- large scale: 150 feet minimum from all lot lines
  - 3. **Landscaping/Buffering/Screening.**
    - a. The use shall comply with Section 5.07.03.A.6.
    - b. Parking areas shall comply with Section 5.07.05.
    - c. Driveways are prohibited within a required buffer yard area except as necessary to access the site.
  - 4. **Roads/Access.** Refer to the road access standards in Section 5.13.
  - 5. **Parking.**
    - a. **General.** Parking and loading is required by Section 5.05.03.
  - 6. **Exterior Lighting.** Refer to Section 5.12.A Exterior Lighting Standards.
- C. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as religious housing and is exempt from the Level I minimum lot area, yard and floor area ratio requirements. Any expansion or enlargement of the structure is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.02.07 Seasonal Labor Dormitory

- A. **Applicability.** This section applies to seasonal labor dormitory uses in the ARN, ARS, and JLMA-20 districts. Seasonal labor dormitories are defined as part of the tenant dwellings use.
- B. **Intensity/Character.**
  - 1. **Location of Use.** The use must be located on the site of active agriculture, horticulture or animal husbandry operations.
  - 2. **Dwelling Unit Size.** The minimum size of a dormitory is 100 square feet per seasonal laborer housed, and shall not exceed 2,500 square feet.
  - 3. **Residents.** Residents must be employed at the onsite active agriculture, horticulture or animal husbandry operation during their occupancy of the unit.
- C. **Location on Site.**
  - 1. **Located on Internal Site Driveways.** Dormitories shall be accessed by internal site driveways and shall not have direct access to public roads.
  - 2. **Setback from Single-Family Dwellings.** Dormitories shall be set back at least 300 feet from off-site single family detached dwellings.
- D. **Landscaping/Buffering/Screening.** Yards, berms, vegetative screening, fences or walls shall buffer adjacent properties and public streets from dormitory structures.
- E. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).
- F. **Parking.**
  - 1. **General.** Parking shall be provided as required by Section 5.05.03.
  - 2. **Landscaping/Buffering/Screening.** Parking areas shall comply with Section 5.07.05.

### 3.06.02.08 Tenant Dwellings

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- A. **Applicability.** Tenant dwellings are subject to base district regulations and the following additional regulations :
- B. **Tenant Dwellings.**
  - 1. **All Parcels Except Open Space Parcels.**
    - a. **Number Permitted.**
      - 1. One tenant dwelling is permitted on a parcel of at least 10 acres.
      - 2. One additional tenant dwelling is permitted for each 25 acres of a parcel in excess of the minimum 10 acres.
    - b. **Tenant Dwellings for Seasonal Labor/Special Exception.** In addition to those structures permitted under Section B.1.a above, additional tenant dwellings for seasonal labor may be permitted by special exception.
  - 2. **Open Space Parcels.** Tenant dwellings on open space parcels are only allowed in the A-3, ARN, ARS, and TLN districts
    - a. on parcels with at least 25 acres.
- C. **General Standards.** Tenant dwellings shall meet the following additional criteria:
  - 1. **Screening.** Portable dwellings shall be screened from view from public roads and neighboring properties.
  - 2. **On Internal Roads/No Direct Access to Public Roads.** Structures for multi-family dwelling units shall be accessed by internal roads, shall not have direct access to public roads, and shall be screened from public roads and neighboring properties in accord with the landscaping and buffering requirements for multi-family dwellings.

- 3. **Separate Dwelling.** For the purposes of 3.06.03(B)(1)(a) above, each unit of a multiple dwelling structure is considered a separate tenant dwelling.
- 4. **Home Occupations.** Occupants of tenant dwellings may conduct home occupations subject to Section 3.06.09.03.
- 5. **Size of Tenant Dwelling.** No tenant dwelling unit shall exceed 2,500 square feet in gross floor area.
- 6. **Number of Tenant Dwellings** The number of tenant dwellings shall not exceed four per parcel.
- D. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12 (Exterior Lighting Standards).
- E. **Parking.**
  - 1. **General.** Parking and loading shall be provided as required by Section 5.05.03.
- F. **Landscaping/Buffering/Screening.**
  - 1. The use shall comply with Section 5.07.03.
  - 2. Parking areas shall comply with Section 5.07.05.
- G. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a Tenant Dwelling and is exempt from the parcel area for the first tenant dwelling and floor area requirements specified above. Any expansion or enlargement of that structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.03 Lodging

### 3.06.03.01 Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn, and Rural Resorts

- A. **Applicability.** This section applies to any Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn, or Rural Resort that is established either as the initial use of the subject property, by change of use of the property, or by conversion of one use to another.
- B. **Approval.** No Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn or Rural Resort shall be established until a site plan for the proposed use is approved and the appropriate building permit and applicable Fire Prevention Code permits obtained. Additional approval requirements are listed in Section 3.02 and on a per use basis in the following subsections.
- C. **Private Parties**
  - 1. Private parties are subject to the maximum attendees, times and durations described below:

Table 3.06.03.01-1 Private Parties		
Use	Maximum attendees (including overnight guests) for parties allowed on daily basis	Times per calendar year that parties may exceed maximum daily guests
Bed and Breakfast Homestay	20	10
Bed and Breakfast Inn	50	20
Country Inn	100	20
Rural Resort as Event Facility (see subsection G.7)	See Section 3.06.04.03	See Section 3.06.04.03

2. **Hours of Operation.** Hours of operation for private parties are limited to 7:00 AM to 12:00 midnight.
  3. **Landscaping/Buffering/Screening.** Outdoor private party areas shall meet the requirements of Section 5.07.03.A.6, regardless of the size of the adjacent property. For Bed and Breakfast Homestays or Bed and Breakfast Inns, the Zoning Administrator may waive this requirement in whole or in part in accordance with Section 5.07.07 or if the adjacent property owner(s) provides written consent to waive all part of the required landscaping/buffering/screening requirements.
  4. **Permits.** For Bed and Breakfast Homestays, Bed and Breakfast Inns, or Country Inns, private parties for more than the maximum daily attendees require approval of a Building Permit to allow the structure to be used for the private parties and a Zoning Permit for each private party. A Zoning Permit shall be applied for at least thirty (30) days in advance of each private party, or at least 30 days in advance of the first private party of the calendar year if the dates of all those private parties are listed. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and Fire Official.
- D. **Bed and Breakfast Homestay.** The following regulations apply to a Bed and Breakfast Homestay:
1. **Intensity/Character.**
    - a. **Management.** The owner of the premises shall reside on the premise and manage the Bed and Breakfast Homestay.
    - b. **Guest Rooms.** 4 guest rooms are permitted.
    - c. **Lot Size.** No minimum lot area.
    - d. **Food Service.** The Bed and Breakfast Homestay shall not contain restaurant facilities, but may provide food service only for overnight guests or private party attendees.
  2. **Parking.** Parking and loading for a Bed and Breakfast Homestay shall be provided as required by Section 5.05.03.
  3. **Exterior Lighting.** Exterior lighting for a Bed and Breakfast Homestay is subject to Section 5.12.A.2-3 (Exterior Lighting Standards). In addition to the requirements of Section 5.12, the maximum height of pole-mounted exterior lighting is 12 feet.
  4. **Noise.** No outdoor music permitted between 11 PM and 10 AM on Friday, Saturday, and any evening preceding a holiday recognized by Loudoun County, and between 10 PM and 10 AM on any other day.
  5. **Roads/Access.** For any Bed and Breakfast Homestay that is located on a lot which does not have access to a Class II or Class III road, the property owner shall provide documentation to the Zoning Administrator demonstrating that the establishment has permission to use the private road or private access easement serving such lot..
- E. **Bed and Breakfast Inn.** The following standards apply to a Bed and Breakfast Inn:
1. **Intensity/Character.**
    - a. **Number Permitted.** Only a single Bed and Breakfast Inn use type, and its related uses and accessory uses, is permitted on a lot in the ARN, ARS, and A-3 zoning districts.
    - b. **Management.** The owner or manager of the premises shall provide full-time management at all times when the Bed and Breakfast Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises and must be onsite at all times when the Bed and Breakfast Inn is occupied by overnight guests or private party attendees.
    - c. **Guest Rooms.** The number of guest rooms shall not exceed 10.
    - d. **Lot Area.** The minimum lot area is 5 acres.
    - e. **Size of Use.** Maximum floor area ratio: 0.04.

- f. **Food Service.** The Bed and Breakfast Inn shall not contain restaurant facilities, but may provide food service only for overnight guests or private party attendees.
      - g. **Yard Standards.** Parking shall be setback 40 feet from all lot lines.
    - 2. **Landscaping/Buffering/Screening.**
      - a. Parking areas shall comply with Section 5.07.05.
      - b. New driveways providing access to a Bed and Breakfast Inn use shall not be located within a required buffer yard area except as necessary to access the site.
    - 3. **Parking.** Parking and loading for a Bed and Breakfast Inn shall be provided as required by Section 5.05.03.
    - 4. **Exterior Lighting.** Exterior lighting for a Bed and Breakfast Inn is subject to Section 5.12.A.1-3 (Exterior Lighting Standards). In addition to the requirements of Section 5.12, the maximum height of pole-mounted exterior lighting, outside of parking areas is 12 feet.
    - 5. **Noise.** Outdoor music is not permitted between 11 PM and 10 AM on Friday, Saturday, and any evening preceding a holiday recognized by Loudoun County, or between 10 PM and 10 AM on any other day.
    - 6. **Roads/Access.**
      - a. The Bed and Breakfast Inn shall comply with the Road Access Standards in Section 5.13.
      - b. For any Bed and Breakfast Inn that is located on a lot which does not have access to a Class II or Class III road, the property owner shall provide documentation to the Zoning Administrator demonstrating that the establishment has permission to use the private road or private access easement serving the lot.
      - c. Only two points of access are permitted for the Bed and Breakfast Inn.
    - 7. **Historic Property.** A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as a Bed and Breakfast Inn and is exempt from the minimum lot area, yard and floor area ratio requirements specified above. Any expansion or enlargement of structure shall not exceed 15% of the total floor area existing prior to January 7, 2003, unless a greater expansion is approved by Minor Special Exception pursuant to Section 7.09.
  - F. **Country Inn.** The following applies to a Country Inn:
    - 1. **Approval.** Minor special exception review and approval is required in ARN, ARS, and A-3 zoning districts if a Country Inn contains:
      - a. more than 20 guest rooms, or
      - b. multiple structures, or
      - c. a restaurant that serves more than 100 persons.
    - 2. **Intensity/Character.**
      - a. **Number Permitted.** Only a single Country Inn use type, and its related uses and accessory uses, is permitted on a lot in the ARN, ARS, and A-3 zoning districts.
      - b. **Management.** The owner or manager of the premises shall provide full-time management at all times when the Country Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises and must be onsite at all times when the Country Inn is occupied by overnight guests or private party attendees.
      - c. **Guest Rooms.** The number of guest rooms shall not exceed 40.
      - d. **Minimum Lot Area.** The minimum lot area is 20 acres.
      - e. **Size of Use.**
        - i. The floor area ratio must not exceed 0.04.

- ii. Any restaurant and indoor Banquet/Event Facilities located on the property shall not exceed 49 percent of the total floor area of the Country Inn.
    - f. **Food Service.**
      - i. Food service may be provided for overnight guests and private party attendees.
      - ii. Full-service restaurant facilities may be provided to the general public in accordance with the individual Zoning District regulations.
    - g. **Yard Standards.**
      - i. The Country Inn use shall be setback 100 feet from all lot lines.
      - ii. Parking shall be setback 100 feet from all lot lines.
      - iii. Outdoor private party areas shall be setback 200 feet from all lot lines or 100 feet from a lot line of a property having a commercial use.
    - h. **Accessory Use.** A maximum of 10% of the gross floor area of the Country Inn may be composed of accessory day treatment, spa facilities.
  3. **Landscaping/Buffering/Screening.**
    - a. Parking areas shall comply with Section 5.07.05.
    - b. New driveways providing access to the Country Inn shall not be located within a required buffer yard area except as necessary to access the site.
  4. **Parking.** Parking and loading for a Country Inn shall be provided as required by Section 5.05.03.
  5. **Exterior Lighting.** All exterior lighting shall comply with the standards of Section 5.12.A.1-3 (Exterior Lighting Standards). In addition to the requirements of Section 5.12, the maximum height of pole-mounted exterior lighting, outside of parking areas, shall be 12 feet.
  6. **Noise.** No outdoor music shall be permitted between 12 AM (midnight) and 7 AM.
  7. **Roads/Access.**
    - a. The Country Inn shall comply with the Road Access Standards in Section 5.13.
    - b. For any Country Inn that is located on a lot which does not have access to a Class II or Class III road, the property owner shall provide documentation to the Zoning Administrator demonstrating that the establishment has permission to use the private access easement serving such lot..
    - c. Only two points of access for a Country Inn.
  8. **Historic Property.** A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as a Country Inn and is exempt from the minimum lot area, yard and floor area ratio requirements specified above. Any expansion or enlargement of a structure shall not exceed 15% of the total floor area existing prior to January 7, 2003, unless a greater expansion is approved by Minor Special Exception, pursuant to Section 7.09.
- G. **Rural Resorts.** The following standards apply to rural resorts:
1. **Parcel Size.** The minimum lot area of rural resorts shall comply with Section 3.06.03.01.G.8.a, except when located within the buffer area of a Planned Development-Rural Village (PD-RV) district.
  2. **Separation Requirement.** When not located within a Planned Development-Rural Village (PD-RV) district, rural resorts shall be appropriately sited so as not to infringe on the character of any existing village. At a minimum, rural resorts shall be located at least 1 mile from the boundaries of an existing Village Conservation Overlay District or an existing PD-CV or PD-RV zoned parcel.
  3. **Setbacks.** All new buildings, active recreational areas, parking, and lighted areas shall be set back a minimum of 200 feet from adjacent properties.
  4. **Access.** All rural resorts shall comply with the road access standards in Section 5.13.

5. **Water and Sewer.** The establishment shall be served by public water and sewer if located in a PD-RV district. Otherwise, the establishment shall be served by a communal water system and a communal wastewater collection and treatment system. Communal water and sewer systems may be located within the open space.
6. **Open Space.** A minimum of 75% of the site shall remain as open space. Recreational uses customarily incidental and subordinate to the rural resort permitted in the open space area may include: swimming pools and related facilities, boating facilities, tennis and other sports courts, equestrian facilities, picnic areas, golf courses and related facilities, ballfields, children’s play equipment and passive recreation facilities. Driveways and parking areas supporting these recreational facilities may also be located in the open space area.
7. **May be Open to Public.** These establishments may be open to the general public for patronage. A Rural Resort may be permitted as an Event Facility pursuant to Section 3.06.04.03 by Minor Special Exception.
8. **Additional Standards for Certain Districts.** In the ARN, ARS, TLN and TR-2 districts, rural resorts shall comply with the following additional regulations in addition to the general regulations identified above. Where there is a conflict between these regulations and the general regulations controlling the development of rural resorts, these standards shall control.

a. **Intensity/Character.** The lot area, guest room, and yard requirements for rural resorts are as follows:

Minimum Lot Size	Nos. of Guest Rooms	Minimum Required Yard (From All Lot Lines)
40 acres	Up to 20 rooms	125 feet
60 acres	21-40 rooms	200 feet
80 acres	41-60 rooms	250 feet
100 acres	61-80 rooms	300 feet
120 acres	81-100 rooms	350 feet
150 acres	101-120 rooms	375 feet

More than 120 rooms requires special exception approval pursuant to Section 7.09

- b. **Size of Use.**
  - i. Any restaurant and Banquet/Event Facilities, and conference and training facilities shall be less than 50 percent of the total floor area of the rural resort.
  - ii. Outdoor storage related to the rural resort facilities is permitted.
  - iii. Maximum Floor Area Ratio: 0.04.
- c. **Landscaping/Buffering/Screening.**
  - i. The use shall comply with Section 5.07.03.A.6.
  - ii. Parking areas shall comply Section 5.07.05.
  - iii. Driveways shall not be located within a required buffer yard area except as necessary to access the site.
- d. **Roads/Access.**
  - i. The rural resort shall comply with the road access standards in Section 5.13.
  - ii. Only two points of access are permitted to a rural resort. This requirement does not preclude an additional access for emergency vehicles only.
- e. **Parking.**
  - i. **General.** Parking and loading shall be provided as required by Section 5.05.03.

- ii. **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- f. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A(Exterior Lighting Standards).
- g. **Noise.** Outdoor music is not allowed after 11:00 PM.

### 3.06.03.02 Camp, Day and Boarding

- A. **Applicability.** This section applies to day and boarding camps in the ARN, ARS, TLN, TR-2, JLMA and PD-CV districts. Day and Boarding Camps are defined as part of the Campground use.
- B. **Approval.** Day and boarding camps that exceed 30 campers in the JLMA-20 district must have special exception review and approval.
- C. **Intensity/Character.**
  - 1. **Site Size.**
    - a. The minimum lot area for a day and boarding camp for less than 15 campers is 20 acres.
    - b. The minimum lot area for a day and boarding camp for 15 or more campers is:

Use	Scope of Use/Campers	Lot Area (Minimum)
Level I—small scale	Up to 30 campers daily.	15 acres
Level II—medium scale	Up to 100 campers or borders daily.	40 acres
Level III—large scale	Up to 250 campers or borders daily.	100 acres
Level IV	> 250 campers or borders daily.	Special exception pursuant to <a href="#">Section 7.09</a>

- 2. **Temporary Dwellings.** Day and boarding camps shall not be used as principle or accessory dwelling units except for the owner or manager and permanent maintenance personnel.
- 3. **Accessory Structures.** Accessory Structures incidental to the day and boarding camp, including those structures with restrooms and other facilities, shall be provided in accordance with the Loudoun County Health Department requirements.

D. **Location on Site/Dimensional Standards.** Structures shall be set back from lot lines as follows:

Use	Setback from Lot Lines
Level I—small scale	150 ft.
Level II—medium scale	200 ft.
Level III—large scale	250 ft.
Level IV	300 ft.

C. **Landscaping/Buffering/Screening.**

- 1. **Buffer.** The use shall comply with Section 5.07.03.A.6.
- 2. **Parking Areas.** Parking areas shall comply with Section 5.07.05.

D. **Roads/Access.**

- 1. **General Access Standards.** The use shall comply with the road access standards of Section 5.13.

- 2. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.
- 3. **Number of Access Points.**
  - a. **Camp with Less Than 15 Campers/Level I Camp.** Only one point of access is permitted to a Class I or Class II road from a camp with less than 15 campers or a Level I day and boarding camp. This requirement does not preclude an additional access for emergency vehicles only.
  - b. **Level II or III Day and Boarding Camp.** Only two points of access are permitted to a Class I or Class II road from a Level II or III day and boarding camp. This requirement does not preclude an additional access for emergency vehicles only.
- E. **Parking.**
  - 1. **General.** Parking shall be provided as required by Section [5.05.03](#).
- F. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section [5.12.A](#)(Exterior Lighting Standards).
- G. **Noise Standards.** The use shall comply with the noise standards of Section [5.12.B](#)(Noise Standards).

### 3.06.03.03 Campgrounds

- A. **Applicability.** This section applies to campgrounds in the ARN, ARS, TLN, TR-2, and JLMA districts.
- B. **Approval.** Campgrounds in the JLMA-20 district must have special exception review and approval.
- C. **Intensity/Character.**
  - 1. **Site Size.**
    - a. The minimum lot area for a campground is 40 acres.
    - b. The minimum lot area for a campground increases based on the following standards.

Use	Scope of Use/Campsites	Lot Area (Minimum)
Level I—small scale	Up to 50 campsites	40 acres
Level II—medium scale	>50 up to 100 campsites	80 acres
Level III—large scale	>100 up to 150 campsites	160 acres
Level IV	> 150 campsites	Special exception pursuant to <a href="#">Section 7.09</a>

- 2. **Not Permanent Residence.** Campgrounds shall not be used as permanent residences, except for the owner or manager and permanent maintenance personnel.
- 3. **Campsites.** Campsites shall be a minimum of 1,250 square feet and at least 25 feet in width.
- 4. **Recreational Area.** Each campground shall provide a recreational area consisting of 100 square feet per campsite.
- 5. **Communication.** Cellular service or accessible wifi should be provided somewhere on site. If not available, an emergency telephone shall be provided for each 50 campsites.
- 6. **Streets and Walks Lighted.** Streets and walks shall be lighted every 400 feet.
- 7. **Service Buildings.** Service buildings with restroom and other facilities shall be provided in accordance with the Loudoun County Health Department requirements.
- D. **Groundcover.** All areas within a campground shall have sufficient groundcover to prevent erosion and blowing dust.
  - 1. **Size of Use.**

- a. **Structure Size.** The size of structures (excluding tent platforms) used at a campground shall not exceed the following standards:

Use	Scope of Use/Campers	Total Size of Structures (Maximum)
Level I—small scale	Up to 50 campsites	8,000 square feet
Level II—medium scale	>50 up to 100 campsites	16,000 square feet
Level III—large scale	>100 up to 150 campsites	32,000 square feet
Level IV	>150 campsites	Special exception pursuant to Section <a href="#">7.09</a>

- E. **Location on Site/Dimensional Standards.** A campground shall be set back from lot lines as follows:

Use	Lot Area (Min)	Size of Structures (Max)	Setback from Lot Lines
Level I—small scale	40 acres	8,000 square feet	150 ft.
Level II—medium scale	80 acres	16,000 square feet	200 ft.
Level III—large scale	160 acres	32,000 square feet	250 ft.

- F. **Landscaping/Buffering/Screening.**

1. **Buffer.** The use shall comply with Section [5.07.03.A.6](#).
2. **Parking Areas.** Parking areas shall comply with Section [5.07.05](#).

- G. **Roads/Access.**

1. **General Access Standards.** The use shall comply with the road access standards of Section [5.13](#).
2. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.
3. **Number of Access Points.**
  - a. Only one point of access is permitted to a Class II or Class III road from a Level I campground. This requirement does not preclude an additional access for emergency vehicles only.
  - b. Only two points of access are permitted to a Class II or Class III road from a Level II, III or IV campground. This requirement does not preclude an additional access for emergency vehicles only.

- H. **Parking.**

1. **General.** Parking shall be provided as required by Section [5.05.03](#).

- I. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section [5.12.A](#)(Exterior Lighting Standards).

- J. **Noise Standards.** The use shall comply with the noise standards of Section [5.12.B](#)(Noise Standards).

### 3.06.03.04 Guest Farm or Ranch

- A. **Applicability.** This section applies to any guest farm or ranch.

- B. **Size.** No more than 20 guest rooms can be leased.

- C. **Approval.**

1. Leasing more than three guest rooms requires special exception review and approval in the RAR, RV and VAR districts.

### 3.06.03.05 Hotel/Motel

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- A. **Applicability.** This section applies to the hotels/motels.
- B. **Locational Criteria.**
  - 1. A Hotel/Motel must have direct access to collector or arterial roads.
  - 2. Hotel/Motel buildings and uses shall not be located in environmentally critical or sensitive areas as defined by the Comprehensive Plan.
- C. **Site Development Criteria.** Hotel/Motel uses shall be served by public water and sewer.
- D. **Hotels/Motels in the PD-OP and PD-IP Districts.** Hotels/Motels in the PD-OP and PD-IP districts are permitted if:
  - 1. The hotel/motel use includes at least 30 square feet per each hotel rooms of dividable meeting/conference space.
  - 2. A restaurant and/or carry-out food service is provided on-site.
  - 3. The following amenities are provided: Swimming pool, exercise room or fitness facility, a guest store or area offering personal necessities or other items, and the required meeting/conference space.

### 3.06.04 Commercial / Mixed-Use

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#### 3.06.04.01 Animal Hospital

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- A. **Applicability.** This section applies to animal hospitals in the UM, UE, SI, ARN, ARS and JLMA districts.
- B. **Intensity/Character.**
  - 1. The minimum lot area for any animal hospital in the SI, ARN, ARS, and JLMA districts is 5 acres.
- C. **Size of Use.**
  - 1. The maximum size is 7,500 square feet in the UM and UE districts.
  - 2. **Floor Area Ratio.** The floor area ratio shall not exceed 0.04 in the SI, ARN, ARS and JLMA districts.
  - 3. **Storage Yards.** The total area of storage yards shall not exceed 10% of the total area of the principal structure.
  - 4. **Location on Site/Dimensional Standards.** The minimum required yards in the SI, ARN, ARS and JLMA districts are:
    - a. Structures of less than 5,000 square feet of gross floor area: 100 feet minimum from all lot lines.
    - b. Structures greater than 5,000 square feet and less than 15,000 square feet of gross floor area: 150 feet minimum from all lot lines.
    - c. Structures greater than 15,000 square feet of gross floor area: 200 feet minimum from all lot lines.
- D. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** The use shall comply with Section 5.07.03.A.6.
  - 2. **Parking Areas.** Parking areas shall comply with Section 5.07.05.
  - 3. **Storage Yards.** All storage yards shall comply with Section 5.07.04.
- E. **Roads/Access.**
  - 1. **General Access Standards.** An animal hospital shall comply with the road access standards of Section 5.13.
  - 2. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.
  - 3. **Number of Access Points.** Only two points of access are permitted from an animal hospital to a Class I, Class II or Class III road. This requirement does not preclude an additional access for emergency vehicles only.

- F. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).
- G. **Noise Standards.** The use shall comply with the noise standards of Section 5.12.B (Noise Standards).
- H. **Parking.**
  - 1. **General.** Parking and loading shall be provided as required by Section 5.05.03.

### 3.06.04.02 Antique Shop, Art Gallery, Studio or Craft Shop

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- A. **Applicability.** This section applies to any antique shop, art gallery or studio, or craft shop in the ARN, ARS, TLN-10 and PD-CV districts. These uses are included in the definition of a retail use.]
- B. **Intensity/Character Standards.** Hours of operation are limited to 8:00 a.m. to 9:00 p.m.
- C. **Size of Use.**
  - 1. **Site Size.** The minimum lot area is 1 acre.
  - 2. **Structures.**
    - a. The maximum total size of all structures used for art galleries or studios and craft shops is 3,000 square feet in gross floor area.
    - b. The maximum total size of all structures used for antique shops is 10,000 square feet in gross floor area.
- D. **Location on Site/Dimensional Standards.** The minimum setback is 100 feet from all lot lines.
- E. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** The use shall comply with Section 5.07.03.A.6.
  - 2. **Parking Areas.** Parking areas shall comply with Section 5.07.05.
- F. **Parking.**
  - 1. **General.** Parking and loading shall be provided as required by Section 5.05.03.
- G. **Roads/Access Standards.**
  - 1. **General Access Standards.** The use shall comply with the road access standards in Section 5.13.
  - 2. **Number of Access Points.** Only 1 point of access is permitted to a Class I, Class II or Class III road. This requirement does not preclude an additional access for emergency vehicles only.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).
- I. **Noise.** The use shall comply with the noise standards of Section 5.12.B (Noise Standards).
- J. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an Antique Shop; Art Gallery or Studio; or Craft shop and is exempt from the minimum lot area, set back from lot line, and floor area requirements. Any expansion or enlargement of that structure is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.04.03 Auction House

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- A. **Applicability.** This section applies to any auction house in the ARN or ARS districts.
- B. **Intensity/Character Standards.**

1. **Hours of Operation.** Hours of operation are limited to 8:00 a.m. to 9:00 p.m.
  2. **Sanitary Facilities.** Bathroom facilities shall be provided on site, consistent with the Uniform Statewide Building Code.
- C. **Size of Use.**
1. **Site Size.** The minimum lot area is 10 acres.
  2. **Structure.** Only one structure is allowed on the lot. The structure shall not exceed 10,000 square feet in gross floor area.
  3. **Outdoor Storage.** The maximum area of outdoor storage is 2,000 square feet.
- D. **Location on Site/Dimensional Standards.** The auction house shall be set back at least 100 feet from all lot lines.
- E. **Landscaping/Buffering/Screening.**
1. **Buffer.** The use shall comply with Section [5.07.03.A.6](#).
  2. **Parking Areas.** Parking areas shall comply with Section [5.07.05](#).
  3. **Outdoor Storage.** All outdoor storage shall comply with Section [5.07.04](#).
- F. **Roads/Access Standards.**
1. **General Access Standards.** An auction house shall comply with the road access standards in Section [5.13](#).
  2. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.
  3. **Number of Access Points.** Only one point of access is permitted to a Class I, Class II or Class III road. This requirement does not preclude an additional access for emergency vehicles only.
- G. **Parking.**
1. **General.** Parking and loading shall be provided as required by Section [5.05.03](#).
  2. **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section [5.12.A](#) (Exterior Lighting Standards).
- I. **Noise Standards.** The use shall comply with the noise standards of Section [5.12.B](#) (Noise Standards).
- J. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under [Section 7.11](#) et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an Auction House and is exempt from the minimum lot area, and set back from lot line requirements. Any expansion or enlargement of that structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.04.04 Banquet/Event Facility

- A. **Applicability.** This section applies to Banquet/Event Facility use, except within the [SM](#) and [SE](#) district.
- B. **Intensity/Character.**
1. **Hours of Operation.** Hours of operation are limited to 7:00 AM to 12:00 midnight.
  2. **Size of Use.** The minimum lot area for a Banquet/Event Facility is 20 acres.
  3. **Floor Area.** The floor area ratio shall not exceed 0.04.
  4. **Location and Site/Dimensional Standards.**

- a. The Board of Supervisors may increase the outdoor area setback in establishing conditions associated with a Minor Special Exception for the Banquet/Event Facility use.
  - b. The Banquet/Event Facility use shall be setback 100 feet from all lot lines.
  - c. Parking shall be setback 100 feet from all lot lines.
  - d. Outdoor private party areas shall be setback 200 feet from all lot lines or 100 feet from a lot line of a property having a commercial use.
5. **Number of Attendees.** The maximum number of attendees for incremental acreage is based at the rate of 200 plus 2 persons per acre over 20 acres.

Minimum Acreage	No. of Attendees
20 acres	200 attendees
50 acres	260 attendees
75 acres	310 attendees
100 acres	360 attendees

**B. Landscaping/Buffering/Screening.**

- 1. **Buffer.** The use shall comply with Section 5.07.03.A.6.
- 2. **Parking Areas.** Parking areas shall comply with Section 5.07.05.
- 3. **Storage Yards.** All storage yards shall comply with Section 5.07.04.

**C. Roads/Access Standards.**

- 1. **General Access Standards.** A Banquet/Event Facility shall comply with the road access standards of Section 5.13.
- 2. **Number of Access Points.** Only 2 points of access are permitted to a publicly maintained road for the Banquet/Event Facility use. This requirement does not preclude an additional access for emergency vehicles only.
- 3. For any Banquet/Event Facility that is located on a lot which does not have frontage on a publicly maintained road, the applicant shall provide documentation to the Zoning Administrator demonstrating that they have permission to use the private access easement to provide access to the establishment.

**D. Parking.** Parking and loading shall be provided as required by Section 5.05.03.

**E. Exterior Lighting.** All exterior lighting shall comply with the standards of Section 5.12.A.1-3. (Exterior Lighting Standards). In addition to the requirements of Section 5.12, the maximum height of pole-mounted exterior lighting, outside of parking areas, is 12 feet.

**F. Noise.** A Banquet/Event Facility shall comply with the noise standards of Section 5.12.B. (Noise Standards).

### 3.06.04.05 Building Maintenance Services

- A. **Applicability.** This section applies to building maintenance services.
- B. **Storage.** All storage for these building maintenance service uses shall be enclosed.

### 3.06.04.06 Business Support Services

- A. **Applicability.** This section applies to business support services.
- B. **Retail Sales.** Retail sales to the general public shall not exceed 20% of the gross floor area devoted to business support services.

### 3.06.04.07 Child Day Care

- A. **Applicability.** This section applies to child day cares and child day homes.
- B. **Child Day Homes:**
1. A Minor Special Exception shall not modify subsections B.2, 3, 4, and 5 of this Section.
  2. The total number of children cared for in a child day home must not exceed 12 children under the age of 13. The "total number of children cared for in a child day home includes the provider's own children, children residing on the premises, and non-resident children.
  3. The child day home shall be the principal residence of the child day home provider.
  4. The child day home shall comply with any and all requirements of the County and State Code requirements, including without limitation, obtaining a Zoning Permit in accordance with Section 7.06 of this Ordinance, obtaining a County Business License, and obtaining a State Family Day Home License in accordance with the Code of Virginia, as applicable, prior to establishing the use.
  5. Prior to the approval of a Zoning Permit for a child day home, written notice of the Zoning Permit application shall be sent to the last known address of the owner of each adjacent property as shown on the County's current real estate tax assessment records. For purposes of this subsection, "adjacent" mean properties abutting the subject property and all property immediately and diagonally across the street or road from the subject property, but not including properties separated from the subject property by a roadway having more than 2 through lanes of travel or properties located across a roadway that are more than 100 feet from the boundary of the subject property. The applicant or the Zoning Administrator shall send the written notice by certified or registered mail. If the Zoning Administrator does not send the notice, the applicant shall submit mail receipts or an affidavit to the Zoning Administrator showing that the required notice was sent. The written notice shall include the following information:
    - a. A statement that a Zoning Permit application for a child day home has been submitted to the County;
    - b. The address of the property subject to the Zoning Permit application for the child day home;
    - c. A statement informing the adjacent property owner:
      1. that if they have any objection to the proposed child day home that they can send their objection in writing to the Zoning Administrator,
      2. that the objection must be received within 30 days from the date the notification letter was sent,
      3. that the written objection shall include the specific issues that are the basis for their objection, and
      4. A mailing address for the Zoning Administrator.
  6. The Zoning Permit application for the child day home shall include a Sketch Plan, in accordance with Section 7.03.C of this Ordinance, The Sketch Plan shall show the size and location of the required outdoor play area and fence required by subsection 8 below, and the required parking spaces.
  7. If the Zoning Permit application for the child day home is denied, the child day home may be permitted by approval of a Minor Special Exception by the Board of Supervisors, in accordance with Section 7.09 of this Ordinance.
  8. Unless exempted by 8.d. below, an outdoor play area shall be provided on the lot where the child day home is located. The outdoor play area shall meet the following standards:
    - a. The minimum size of the outdoor play area is 75 square feet for each child permitted in the outdoor play area at any given time.
    - b. A fence at least 3 feet 6 inches in height shall completely enclose the outdoor play area so that children are safely contained inside, and that all persons entering the outdoor play area are within direct line of sight from the child day home.
    - c. The outdoor play area shall be located in the rear or side yard.

- d. No outdoor play area is required on-site if:
  1. the child day home is located within 1,000 feet of an existing park or outdoor play area of at least 2 times the size required for the child day home, and
  2. the park or outdoor play area may be accessed without crossing an arterial or collector road, and
  3. the park or outdoor play area is either:
    - a. a public park (neighborhood, community or regional park), or
    - b. another public play area or park shown on the approved concept development plan, site plan, or subdivision plat for the development within which the child day home is located, and which is for the use of owners and residents of the portion of the development where the child day home is located.
9. No more than 2 non-resident assistants/employees are permitted at any time during hours of operation.
10. The hours of operation for the child day home are limited to 5 days a week between 6:00 AM and 7:00 PM.
11. Signs for the child day home are permitted in accordance with Section 6.01 of this Ordinance.
12. Parking spaces required by Section 5.05.03 of this Ordinance shall be designed for the drop off/pick up of children and shall be designed and constructed to enhance the safety of children as they arrive and leave the child day home.
13. A child day home that cares for more than 9 children (including the provider's own children, children residing on the premises, and non-resident children) is permitted only in a single family detached dwelling located on a lot that is at least 4,000 square feet.

## C. Child Day Care:

1. The child day care shall comply with all County and State Code requirements, including obtaining a Zoning Permit in accordance with Section 7.06 of this Ordinance, a County Business License, and a State Child Day Center License in accordance with the Code of Virginia prior to establishing the use. A Minor Special Exception must not modify this subsection.
2. Except as provided under 2.e. below, an outdoor play area shall be provided on the lot where the child day care is located. The outdoor play area shall meet the following standards:
  - a. The minimum size of the outdoor play area is 75 square feet for each child permitted in the outdoor play area at any given time.
  - b. A fence at least 3 ½ feet in height shall completely enclose the outdoor play area so that children are safely contained inside, and that all persons entering the outdoor play area are within direct line of sight from the child day care classroom areas.
  - c. The outdoor play area shall not be located within the minimum required front yard, but may extend into the minimum required side and rear yards. No play equipment shall be located within any required yard or setback of any district.
  - d. The outdoor play area shall be safely segregated from parking, loading, or service areas (such as dumpster pads or delivery sites).
  - e. No outdoor play area is required on-site if:
    1. the child day care is located within 1,000 feet of an existing park or outdoor play area of at least 2 times the size required for the child day care, and
    2. the park or outdoor play area may be accessed without crossing an arterial or collector road, and
    3. the park or outdoor play area is either:
      - a. a public park (neighborhood, community or regional park), or
      - b. other public play area or park shown on the approved concept development plan, site plan, or subdivision plat for the development the child day care is located, and which is for

the use of owners and residents of the portion of the development where the child day care is located.

3. Parking areas and vehicular circulation patterns shall meet the following standards:
  - a. Parking areas shall be designed to enhance the safety of children as they arrive at and leave the facility.
  - b. A designated area for the drop off/pick up of children, providing at a minimum 1 parking space per 20 children, shall be located in proximity to the child day care structure in such a way that provides safe and clearly designated access to enter or exit the day care. Such parking spaces may be used to meet the minimum off-street parking requirements of Section 5.05.03.

### 3.06.04.08 Commercial Nursery

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- A. **Applicability.** This section applies to all retail sales associated with production nurseries and commercial nurseries.
- B. **On-Site Production.** At least 25% of the area designated as a commercial nursery shall be dedicated to the cultivation of plants that are grown and sold on site. In calculating the percentage of plants grown on-site, plants must be cultivated at the subject nursery facility for at least 1 full season of new growth for that plant. Plants brought to the subject nursery for immediate resale are considered non-site produced plants and accessory products.
- C. **Certification.** Plant production must be certified by the County Extension Agent if requested by the Zoning Administrator.
- D. **Accessory Products.**
  1. Accessory products include those related to the culture and care of plant sold such as pottery, baskets, garden accessories, baked goods, and floral supplies. The sale of bulk products is permitted subject to the buffer yard requirements of Section 5-1404. Propane, firewood, lawn and garden tractors, or machine or other equipment sales are not accessory products.
  2. The sales area for accessory products is limited to 25% of the gross sales area.

### 3.06.04.09 Convenience Stores

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- A. **Applicability.** This section applies to convenience stores (with or without gasoline sales) that are located in freestanding structures.
- B. **Accessory Uses.** In the RC, VC, JLMA-LI, SN, SCN, SM, SC, SE, SI, and TCC districts a convenience store (with or without gasoline sales) may include a car wash as an accessory use subject to approval of a special exception.
- C. **Minimum Lot Area and Frontage.**
  1. Minimum lot area is 50,000 square feet.
  2. If a convenience food store is located at the intersection of two streets, the lot must have at least 200 feet of frontage on each street.
- D. **Maximum Building Size.** Convenience stores must contain no more than 5,000 square feet of retail area.
- E. **Noise Mitigation.** Any convenience food store located within 200 feet of a residentially zoned, used, and/or planned district or land bay must provide an acoustical barrier, such as landscaping, berms, fences and/or walls, to attenuate noise to levels required by Section 5.12.B.

### 3.06.04.10 Craft Beverage Manufacturing

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- A. **Applicability.** This section applies to craft beverage manufacturing.
- B. **Intensity/Character.**
  - 1. **Tasting Rooms and Accessory Food Sales.**
    - a. Facilities for tasting rooms and accessory food service must not exceed the lesser of (i) 49% of the total gross floor area or (ii) 5,000 square feet.
    - b. Outdoor tasting rooms or similar outdoor activities must be set back at least 50 feet from all lot lines of adjacent agriculturally or residentially zoned properties.
    - c. Facilities for accessory food sales related to craft beverage consumption for the convenience of tasting room patrons only are permitted.
  - 2. **Restaurant.** A restaurant may be provided in accordance with the applicable zoning district.
  - 3. **Storage Areas.** Outdoor equipment and storage of materials used for craft beverage manufacturing are not permitted.
- C. **Exterior Lighting Standards.** All exterior lighting for outdoor tasting rooms or similar outdoor activities shall comply with the standards of Section 5.12.A.1 and 2 (Exterior Lighting Standards).
- D. **Water and Sewer.** The use must be served by central water and central sewer.

### 3.06.04.11 Drive-through Facilities Associated With Banks, Financial Institutions and Pharmacies

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- A. **Applicability.** This section applies to drive-through facilities.
- B. **Where Permitted.**
  - 1. Drive-through facilities are permitted accessory to with banks, financial institutions and pharmacies that also provide a standard range of customer services in a building.
  - 2. Drive-through facilities are permitted accessory to uses in the Retail use category in the SM districts.
- C. **Maximum Lanes.** Drive-through facilities may include up to 3 service lanes and an escape lane shall
- D. **Buffer.**
  - 1. Where the bank or financial institution or pharmacy property abuts any property zoned, used, or planned for residential uses, a Buffer Yard Type C s adjacent to that property. This rdoes not apply to vertically mixed-use buildings containing residential uses in the SM zoning district.
  - 2. In lieu of the maximum percentages applicable to large deciduous trees under Section 5.07.06.B.2.a, small deciduous trees under Section 5.07.06.B.2.c, and evergreen trees under Section 5.07.06.B.2.b, a maximum of 30% of the required plant units may be large deciduous trees and/or small deciduous trees. All other plant units shall consist of evergreen trees and/or evergreen shrubs.
- E. **Stacking.** Stacking space shall be sufficient to avoid vehicle stacking into drive lanes, parking spaces and public streets.

### 3.06.04.12 Farm Machinery

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- A. **Applicability.** This section applies to any farm machinery use.
- B. **Location.** The establishment shall be located on a Class I or Class II road no more than 1,000 feet from roadway.
- C. **Buffer.** The structures, storage, and parking areas and/or the perimeter of the property shall have a Buffer Yard Type B to screen such areas from adjacent residential buildings.
- D. **Setback.**
  - 1. Buildings shall be set back a minimum of 75 feet from all property lines.

2. Parking, driveways (other than entrance) and storage yards shall be set back at least 75 feet from the property line along any road frontage, and at least 50 feet from all other property lines.
  3. No structure shall be located within 500 feet of an existing residential structure.
- E. **Site Size.** Sites for such establishments shall not be less than 3 nor more than 10 acres.
- F. **Building Size.** The total Floor Area Ratio for all structures shall not exceed 0.1.
- G. **Accessory Sales.** Accessory retail sales are limited to farm and garden equipment parts and related tools and accessories. The floor area devoted to the display and sale of related tools and accessories is limited to 15% of the floor area of the building site. No other non-farm equipment sales are permitted (such as lumber, hardware, building materials, or like items).

### 3.06.04.13 Farm Markets

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- A. **Applicability.** This section applies to farm markets.
- B. **Product Origin.** Except as provided in subsection G below, at least 25% of the products offered for sale must be derived directly from agricultural, horticultural, aquacultural, or animal husbandry products produced on site or on other property in Loudoun County owned or leased by the operator of the Farm Market. Upon request, an annual report verifying this percentage shall be submitted to the Zoning Administrator .
- C. **Location.** A Farm Market shall be located on the site of ongoing agricultural, horticultural or aquacultural activity unless otherwise provided elsewhere in the Zoning Ordinance.
- D. **Access.** Farm Markets shall be located on a hard surfaced Class I, Class II or Class III road having a minimum paved width of 18 feet. The entrance shall have safe sight distance and the Virginia Department of Transportation may require turn lanes.
- E. **Accessory Products.**
1. Sales area for accessory products is limited to 10 percent of the total area devoted to sales. The calculation of total sales area includes areas devoted to the display of items for sale.
  2. Permitted accessory products include pottery, baskets, garden accessories, baked goods, floral supplies and other items directly related to the culture, care, use of, or processing of a principal use in the applicable zoning district. Products not related to the principal permitted use such as lawn mowers and tractors are not allowed.
- F. **Maximum Structure Size.** Retail sales areas within structures are limited, in the aggregate, to 10,000 square feet of floor area or a Floor Area Ratio of .02 (whichever is greater).
- G. **Farm Markets with Off-Site Production.** Farm Markets with off-site production are permitted in addition to subsections B through F above, if:
1. At least 25% of the products offered for sale at the Farm Market (off-site production) must be produced in Loudoun County. An annual report verifying this percentage shall be submitted to the Zoning Administrator on request.
  2. Parking spaces are calculated on the basis of the floor area of indoor and outdoor sales area.
  3. Landscaping/Buffering/Screening.
    - a. The use shall comply with Section 5.07.03.A.6.
    - b. Parking areas shall comply with Section 5.07.05.
    - c. Storage areas shall comply with Section 5.07.04.

### 3.06.04.14 Kennels/Indoor Kennels

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- A. **Applicability.** This section applies to kennels or indoor kennels. It does not apply to animal hospitals or animal care businesses.

## B. Indoor Kennel.

1. **No Opening to Outside.** Indoor Kennels shall not be housed in a structure with any opening to the outside except required ingress/egress and ventilation equipment.
2. **Waste Handling.** Indoor kennels must have an animal waste handling plan.
3. **Accessory Uses**
  - a. Indoor Kennels may include the following accessory uses:
    1. up to 10% of gross floor area for retail sales,
    2. up to 10% of gross floor area for veterinary service,
    3. up to 10% of gross floor area for animal hospital, and
    4. up to 10% of gross floor area for grooming.
  - b. Accessory uses may not exceed 25% of the total gross floor area.

## C. Kennels in AR, TR, and JLMA Districts. Kennels in the AR, TR, and JLMA districts shall comply with the following standards.

1. **Location on Site/Dimensional Standards.** An outdoor kennel or associated use shall be set back 100 feet from a lot line.
2. **Roads/Access.**
  - a. All kennels shall comply with the road access standards of Section 5.13.
  - b. Only one point of access is permitted from a kennel to a public road. This requirement does not preclude an additional access for emergency vehicles only.
3. **Landscaping/Buffering/Screening.**
  - a. The use shall comply with Section 5.07.03.A.6.
  - b. Parking areas shall comply with Section 5.07.05.
4. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).
5. **Noise.** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, is 55 dB(A).
6. **Parking.**
  - a. **General.** Parking and loading shall be provided as required by Section 5.05.03.

### 3.06.04.15 Mobile Vendor

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TBD

### 3.06.04.16 Personal Services

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- A. **Applicability.** This section applies to personal services uses.
- B. **Cleaning and Garment Services.** Cleaning and garment services containing no more than 3,000 square feet of gross floor area. For purposes of this subsection, "cleaning and garment services" means establishments for the mechanical cleaning of garments, articles or goods of fabric for retail customers.

### 3.06.04.17 Restaurant

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- A. **Applicability.** This section applies to any restaurant use in the AR<sub>N</sub>, AR<sub>S</sub>, JLMA-2, and JLMA-3 zoning districts.
- B. **Approval.** Minor special exception review and approval required. On-site restaurants directly related to ongoing agriculture, horticulture and animal husbandry activity are permitted without minor special exception.

- C. **Intensity/Character Standards.** Hours of operation are limited to 6:00 a.m. to 12:00 midnight.
- D. **Size of Use.**
  - 1. **Site Size.** The minimum lot area is 20 acres except that no minimum lot size applies to adaptive reuse of farm structures existing as of January 7, 2003.
  - 2. **Floor Area Ratio.** The maximum floor area ratio is 0.01 except that no maximum floor area ratio applies to adaptive reuse of farm structures existing as of January 7, 2003.
  - 3. **Location on Site/Dimensional Standards.** The use shall be set back from lot lines as follows:
    - a. *Structures of up to 1,500 square feet of gross floor area:* 100 feet minimum from all lot lines.
    - b. *Structures greater than 1,500 and up to 4,000 square feet of gross floor area:* 150 feet minimum from all lot lines.
    - c. *Structures over 4,000 square feet of gross floor area:* 175 feet minimum from all lot lines.
- E. **Parking.** Parking and loading shall be provided as required by Section 5.05.03.
- F. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** The use shall comply with Section 5.07.03.A.6.
  - 2. **Parking Areas.** Parking areas shall comply with Section 5.07.05.
  - 3. **Storage Yards.** All storage yards shall comply with Section 5.07.04.
- G. **Roads/Access Standards.**
  - 1. **General.** A restaurant shall comply with the road access standards of Section 5.13.
  - 2. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.
  - 3. **Number of Access Points.** Only one point of access is permitted to a Class II or Class III road. This requirement does not preclude an additional access for emergency vehicles only.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).

### 3.06.04.18 Small Business, Agricultural and Rural

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- A. **Purpose.**
  - 1. **General.** This section allows residents to operate small-scale service and contracting businesses in the agricultural, rural, transition, village, and joint land management area zoning districts. Intended to preserve the rural and historic character of those districts and agriculture as an industry. It is the general intent of this Section that commercial uses locate in and around existing urban areas that have adequate roads, public facilities and utilities. However, some small businesses may locate within these districts to provide economical and convenient services to the rural area, to supplement farming as a source of income and to operate a home-based business where feasible. Some small businesses can operate in the rural areas with special designs and conditions that mitigate impacts on neighboring rural residential properties.
  - 2. **Allow Local, Small-Scale Businesses to Locate and Operate.** This Section is allows local, small-scale businesses to locate and operate. It is not intended to permit franchises, branch facilities or other partial elements of larger enterprises that have other business facilities in other locations. Those larger scale enterprises, including expanding businesses which initially located in rural areas under this Section, must locate in the County's industrial and commercial zoning districts where they will not adversely impact residential neighborhoods or agricultural activities.
  - 3. **Uses Temporary for Starting New Business.** The uses approved under this section are considered temporary for the purpose of starting new businesses. Once a small business needs to expand its area, number of employees, or commercial and customer traffic beyond the capacity and character of the rural area, the

business shall relocate to a location appropriately zoned for commercial, business or employment uses. The Board of Supervisors may impose appropriate conditions limiting the duration or transfer of special exceptions granted under this Section.

4. **Adaptive Re-use of Farm Structures.** This Section provides for the adaptive re-use of farm structures for home occupations and small businesses.
- B. **Applicability.** This section applies to small businesses in the ARN, ARS, A-3, TR, TLN, VR, JLMA and PD-CV districts. District regulations shall also apply to small business uses located in those districts. Any use accessory and subordinate to a principal agricultural use shall not be affected by this section. In addition, this section does not affect any legal nonconforming use as provided for in Chapter 9.
- C. **Permitted Small Business Uses.** Small business uses, as listed in subsection D, which meet all of the conditions in Section 3.06.04.15.E are allowed on lots of 10 acres or greater, subject to approval of a zoning permit/sketch plan (see Section 3.06.04.15.H).
- D. **Small Business Uses Permitted by Special Exception.** Small businesses not meeting the criteria of subsection C are allowed by special exception. The following uses may be approved as small businesses:
  1. Business service occupations.
  2. Personal service occupations.
  3. Repair service occupations.
  4. Contractors and contracting.
  5. Professional office-based services.
  6. Studios for fine arts and crafts.
  7. Antique sales .
  8. The sale of any goods or items produced on the premises.
  9. Except as provided above, no retail or wholesale commercial businesses are permitted.
- E. **Small Business Site Development Criteria.**
  1. **Standards and Restrictions for Small Business Uses.**

	Acreage	No. of Employees	Heavy Equip.(On-Site)	Business Vehicles(On-Site)
(a)	0-3	1 maximum	none	2 maximum
(b)	3 but <10	3 maximum	none	2 maximum
(c)	10 but <50	4 maximum	2 maximum	4 maximum
(d)	50 or greater	10 maximum	5 maximum	6 maximum
(e) Business vehicle may not have more than two axles.				

## 2. Regulations for Structures.

	Acreage	Size of Structures
(a)	3-5	2,000 sq. ft. maximum
(b)	5 but <10	2,500 sq. ft. maximum
(c)	10 or greater	5,000 sq. ft. maximum for the initial 10 acres, plus an additional 1,000 sq. ft. for each additional 10 acres, not to exceed 15,000 sq. ft. maximum
(d) Building Height: 35 feet maximum.		

3. **Accessory Structures, Agriculture.** Notwithstanding the limitations placed on home occupations in Section 3.06.09.03, 100% of an agriculture accessory structure may be used. An approved zoning/building permit shall be received for the change in use.

4. **Regulations for Storage Yards.**

	Acreage	Size of Storage Yards
(a)	3-5	2,000 sq. ft. maximum
(b)	5 but <10	2,500 sq. ft. maximum
(c)	10 or greater	5,000 sq. ft. maximum for the initial 10 acres, plus an additional 1,000 sq. ft. for each additional 10 acres, not to exceed 15,000 sq. ft. maximum
(d) Storage yards shall be screened consistent with the requirements of Section 5.07.04. Outdoor storage space must be enclosed on all sides by a fence.		

5. **Setback requirements.**

- a. The minimum setback for all structures or storage yards of less than 2,000 sq. ft. for uses allowed under this Section is 100 feet from all lot lines.
- b. The minimum setback for all structures or storage yards in excess of 2,000 sq. ft. is 300 feet from all lot lines.
- c. The minimum setback for all structures or storage yards used for the storage of heavy equipment is 300 feet from all lot lines and 500 feet from existing residential dwellings.

6. **Access.** All businesses which use, or store on site, heavy equipment shall access a Class II or Class III road.

F. **Sketch and Site Plans.**

- 1. **Sketch Plan.** A sketch plan is required as part of a zoning permit application for permitted small businesses. Sketch plans shall include a drawing of all aspects of the business operations including the size and dimensions of the residence; the size and dimensions of areas within the residence to be used for the business; size, dimensions, and location of any structures, outdoor storage yards, and screening and buffering; size and dimensions of parking areas and signs if any; and the approximate location of any on-site major floodplain as determined from the County flood plain map. In addition, the sketch plan shall include the required off-site information needed to illustrate conformance with the small business regulations, (Section 3.06.04.15), such as distances between storage yards, structures and adjacent residential structures and other buildings, the location and width of adjacent right-of-way, adjoining properties, and easements. The sketch plan need not be drawn to scale, nor does it have to be prepared by a licensed professional. However, distances from structure to adjacent lot lines must be accurately depicted.
- 2. **Special Exceptions.** Special exceptions may contain a condition for a site plan, in lieu of a sketch plan, that the Board of Supervisors finds necessary to mitigate potential off-site impacts of the proposed use.

G. **Signs.** Signs for permitted and special exception small businesses approved under Section 3.06.04.15 are subject to the regulations contained in Chapter 6 of this Ordinance for non-residential uses in the applicable zoning district.

H. **Parking.**

- 1. **General.** Parking shall be provided in accordance with Section 5.05.03 when employees and customers are to be on the premises.
- 2. **Landscaping/Buffering/Screening.** Parking areas shall comply with Section 5.07.05.
- 3. **Location.** No parking shall be permitted in a required yard or setback.

I. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).

J. **Noise Standards.** The use shall comply with the noise standards of Section 5.12.B (Noise Standards).

### 3.06.04.19 Snack or Beverage Bars

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- A. **Applicability.** This section applies to snack or beverage bars in the ARN or ARS districts.
- B. **Intensity/Character Standards.** Hours of operation are limited to 6:00 a.m. to 9:00 p.m.
- C. **Size of Use.**
  - 1. **Site Size.** The minimum lot area is 5 acres.
  - 2. **Structure.** The maximum size of structures used is 2,500 square feet in gross floor area (total all structures).
- D. **Location on Site/Dimensional Standards.** The minimum setback for a snack or beverage bar is 50 feet from all lot lines.
- E. **Landscaping/Buffering/Screening.** Parking areas shall comply with Section 5.07.05.
- F. **Parking.** Parking and loading shall be provided as required by Section 5.05.03.
- G. **Roads Access Standards.**
  - 1. **General Access Standards.** The use shall comply with the road access standards in Section 5.13.
  - 2. **Number of Access Points.** Only one point of access is permitted to a Class II or Class III road. This requirement does not preclude an additional access for emergency vehicles only.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A.1, 2, and 4.
- I. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a snack or beverage bar and is exempt from the minimum lot area and floor area requirements specified above. Any expansion or enlargement of that structure is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.04.20 Vehicle Repair, Heavy with Accessory Motor Vehicle Sales

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- A. **Applicability.** Limited motor vehicle sales are permitted as an accessory use to heavy vehicle repair subject to this section. This section does not prevent a mechanic from selling a car to recover costs associated with a mechanic's lien.
- B. **Location.**
  - 1. The accessory vehicle sales must be on the same lot and within the same building as the principal use of Vehicle Repair, Heavy.
  - 2. Accessory vehicle sales are only permitted when the use is located on a paved local road capable of accommodating the traffic generated by the use, and accessed by the same roads that serve the principal use.
  - 3. Any car-carrier loading/unloading area and vehicle storage areas must be located on the same lot and separated from the customer parking areas.
- C. **Outside Display.** Outside display of vehicles is not permitted within front yards, setbacks or parking areas.
- D. **Inventory.**
  - 1. All vehicles sold must have received repair, modification, or customization (not to include light repair) by the Heavy Vehicle Repair use.

2. All vehicles sold for street use must meet applicable state and federal regulations regarding emissions and safety.
  3. The sale and/or outdoor storage of vehicles that are not in operating condition is not permitted.
- E. **Franchise Prohibited.** No dealership franchises are permitted.

### 3.06.04.21 Vehicle Wholesale Auction

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- A. **Applicability.** This section applies to any vehicle wholesale auction.
- B. **Locational Criteria.**
1. Vehicle wholesale auctions shall be located on a Class I or Class II road capable of accommodating the traffic generated by the use.
  2. Vehicle wholesale auctions shall be located on parcels that are at least partially located within the noise contour areas of the Airport Impact Overlay District, as existing at the time of initial site plan approval.
  3. The minimum lot area is 50 acres.
- C. **Site Development Criteria.**
1. Any car-carrier loading/unloading area and vehicle storage areas shall be located separately from the customer parking areas.
  2. The use shall be served by public sewer.
  3. Car washing associated with the use shall utilize recycled water.
  4. The sale and/or storage of vehicles that are not in operating condition is not permitted.
  5. Outdoor vehicle storage, parking spaces, and loading spaces shall be specifically identified on an approved site plan and is limited to those areas.
  6. The minimum setback for outdoor vehicle storage is 100 feet from any road right-of-way.
  7. The test driving of all vehicles must be conducted on-site.
  8. Vehicle wholesale auctions shall not be conducted before 8:00 a.m., after 6:00 p.m., or on Saturdays or Sundays.

### 3.06.05 Public/Civic/Institutional

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#### 3.06.05.01 Amphitheater

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- A. **Applicability.** This section applies to any amphitheater in the SM, ARN or ARS districts.
- B. **Intensity/Character.**
1. The minimum lot area for an amphitheater in the ARN or ARS districts is 50 acres.
  2. **Accessory Uses.** Accessory uses may include concession facilities for the sales of drinks and food during events, and offices used solely to operate and manage the amphitheater.
- C. **Size of Use.**
1. The capacity for permitted amphitheaters is limited to 2,000 seats. Amphitheaters in the SM district may exceed 2,000 seats with special exception approval.
  2. Accessory concession facilities are limited to 5,000 square feet in the ARN or ARS districts.
- D. **Location.** The minimum setback from lot lines is 1000 feet in the ARN or ARS districts.
- E. **Landscaping/Buffering/Screening.**
1. **Buffer.** Refer to Section 5.07.03.A.6.

2. **Parking Areas.** Refer to Section 5.07.05.
- F. **Roads/Access.**
1. **General.** Refer to Section 5.13.
  2. **Number of Access Points.** Only 2 points of access are permitted to an outdoor amphitheater. This requirement does not preclude an additional access for emergency vehicles only.
  3. **Driveways.** Driveways are prohibited within a required buffer yard except as necessary to access the site.
- G. **Parking.**
1. **General.** Refer to Section 5.05.03.
- H. **Exterior Lighting Standards.** Refer to Section 5.12.A (Exterior Lighting Standards), except that fully shielded lighting fixtures are not required around the outdoor amphitheater itself.
- I. **Noise Standards.** Refer to Section 5.12.B (Noise Standards).

### 3.06.05.02 Agricultural Cultural Center

- A. **Applicability.** This section applies to agricultural cultural centers in the ARN, ARS and Route 28 CO, PD-CM and CB districts.
- B. **Intensity/Character of Use.** The minimum lot area for an agricultural cultural center is 10 acres.
- C. **Size of Use.**
1. **Floor Area Ratio.** The maximum floor area ratio is 0.04.
  2. **Storage Yards.** The total area of all storage yards is limited to 10% of the total gross floor area of the principal structure on the site. Outdoor exhibit space open to members of the public is not counted as part of the area of storage yards.
- D. **Location on Site.** The minimum set back from lot lines is:
1. **Structures over 18,000 square feet of gross floor area:** 225 feet minimum from all lot lines.
  2. **Structures greater than 9,000 square feet, and up to 18,000 square feet of gross floor area:** 175 feet minimum from all lot lines.
  3. **Structures of less than 9,000 square feet of gross floor area:** 125 feet minimum from all lot lines.
- E. **Landscaping/Buffering/Screening.**
1. **Buffer.** The use shall comply with Section 5.07.03.A.6.
  2. **Parking Areas.** Parking areas shall comply with Section 5.07.05.
  3. **Storage Yards.** All storage yards shall comply with Section 5.07.04.
- F. **Roads/Access.**
1. **General Access Standards.** An agricultural cultural center shall comply with the road access standards of Section 5.13.
  2. **Number of Access Points.** Only 1 point of access is permitted to a Class I, Class II or Class III road. This requirement does not preclude an additional access for emergency vehicles only.
  3. **Driveways.** Driveways are not permitted within a required buffer yard area except as minimally necessary to access the site.
- G. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).
- H. **Parking.**
1. **General.** Parking and loading shall be provided as required by Section 5.05.03.

- I. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an Agricultural Cultural Center and is exempt from the minimum lot area, floor area ratio, and set back from lot line requirements specified above. Any expansion or enlargement of that structure is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.05.03 Agricultural Education or Research

- A. **Applicability.** This section applies to any agricultural education or research use in the ARN, ARS, TLN and TR-2 districts.
- B. **Size of Use Standards.**
  1. **Site Size.** The minimum lot area is 25 acres.
  2. **Visitors/Customers/Parking Spaces.** No more than 200 visitors are allowed on any one day, and no more than 100 vehicles are allowed on site at any one time. Additional visitors are allowed by right, subject to an increase in minimum site size at a rate of 1 acre per 5 visitors in excess of 25 acres.
  3. **Structure.** The maximum floor area ratio is 0.04.
  4. **Storage Yards.** The maximum total area of storage yards shall not exceed 10% of the total area of the principal structure.
- B. **Location on Site/Dimensional Standards.** The minimum setback all from lot lines is:
  1. Structures up to 7,000 square feet of gross floor area: 100 feet.
  2. Structures greater than 7,000 square feet of gross floor area and up to 12,000: 150 feet.
  3. Structures greater than 12,000 square feet of gross floor area: 200 feet.
- C. **Parking.** Parking and loading is required by Section 5.05.03.
- D. **Landscaping/Buffering/Screening.**
  1. **Buffer.** Refer to Section 5.07.03.A.6.
  2. **Parking Areas.** Refer to Section 5.07.05.
  3. **Storage Yards.** Refer to Section 5.07.04.
- E. **Roads/Access.**
  1. **General.** Refer to Section 5.13.
  2. **Number of Access Points.** Only 2 points of access are permitted to a public road. This requirement does not preclude an additional access for emergency vehicles only.
  3. **Driveways.** Driveways are not permitted within a required buffer yard area except as necessary to access the site.
- F. **Exterior Lighting Standards.** Refer to Section 5.12.A (Exterior Lighting Standards).
- G. **Noise Standards.** Refer to Section 5-652(B) (Noise Standards).
- H. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an agricultural education or research, and is exempt from the minimum lot area, floor area ratio, and setback from lot line requirements specified above. Any expansion or enlargement of that structure is limited to 15% of

the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.05.04 Arboretum, Botanical Garden, Nature Study Area

- A. **Applicability.** This section applies to arboretums, botanical gardens, and nature study areas in the ARN, ARS, JLMA-20 and PD-CV districts. These are defined as part of a cultural facility use.
- B. **Intensity/Character of Use.**
  - 1. **Site Size.** The minimum lot area for any arboretum, botanical garden or nature study area is 5 acres.
  - 2. **Hours of Operation.** The hours of operation are limited to 6:00 a.m. to 9:00 p.m., except that permitted temporary special events at an arboretum, botanical garden, or nature study area may operate beyond the 9:00 p.m. time according to the terms of the temporary special events permit.
  - 3. **Accessory Uses.** Accessory uses are only permitted on lots 20 acres in size or larger. Accessory uses to an arboretum, botanical garden, or nature study area may include retail sales (e.g., gift shops), small restaurants or cafes, or visitor centers are subject to the following standards:
    - a. Retail sales are limited to the sale of items directly related to the nature and character of the principal permitted use.
    - b. Accessory uses other than visitor centers 1,000 square feet of gross floor area. A visitors center is limited 2,500 square feet of gross floor area.
- C. **Size of Use.**
  - 1. **Floor Area Ratio.** The maximum floor area ratio is 0.02.
  - 2. **Storage Areas.** The total area of storage areas is limited to 10% of the total area of the principal structure.
- D. **Roads/Access.** Uses shall comply with the road access standards of Section 5.13.
- E. **Parking.**
  - 1. **General.** Parking and loading shall be provided as required by Section 5.05.03.
- F. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).
- G. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an Arboretum, Botanical or Garden Nature Study Area and is exempt from the minimum lot area and floor area ratio requirements specified above. Any expansion or enlargement of that structure is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.05.05 Assembly

- A. **Applicability.** The following standards shall apply to assembly uses in the ARN, ARS, JLMA and TLN-10 districts, which includes religious land uses.
- B. **Approval.** Religious land uses with seating capacity of more than 300 in the sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, or recreation facilities, must have special exception review and approval in the JLMA-1, JLMA-2, JLMA-3, JLMA-20 districts.
- C. **Size of Use.**

1. **Site Size.** The minimum lot area is:
    - a. Seating capacity of 300 seats or less: 10 acres.
    - b. Seating capacity of 300 seats or more seats, and accessory uses (schools, day care centers, recreation facilities): 20 acres.
  2. **Maximum Floor Area Ratio.** The maximum floor area ratio, as measured utilizing all structures and the total gross acreage of the site is 0.20.
  3. **Storage Yards.** The maximum total area of storage yards is 10 percent of the total area of the principal structure.
- D. **Location on Site.**
1. **Setbacks from Lot Lines.** The minimum setback from lot lines is 75 feet for buildings and other structures and 50 feet for parking.
- E. **Child Care Facilities.** Accessory child care facilities shall comply with Section 5-609.
- F. **Landscaping/Buffering/Screening.**
1. **Buffer.** Refer to Section 5.07.03.A.6.
  2. **Parking Areas.** Refer to Section 5.07.05.
  3. **Storage Yards.** Refer to Section 5.07.04.
- G. **Roads/Access.**
1. **General Access Standards.** Section 5.13.
  2. **Number of Access Points.** Only 2 points of access are permitted to a Class I, Class II or Class III road from an assembly use. This requirement does not preclude an additional access for emergency vehicles only.
- H. **Parking.**
1. **General.** Refer to Section 5.05.03.
- I. **Exterior Lighting Standards.** Refer to Section 5.12.A (Exterior Lighting Standards).
- J. **Modification of Performance Standards.** For religious land uses, the Zoning Administrator may modify any of the standards listed in this Section 3.06.05.22 to eliminate a substantial burden on religious exercise as guaranteed by the federal Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. Sec. 2000cc)("RLUIPA"), as amended. In granting a modification, the Zoning Administrator may require conditions consistent with RLUIPA that will secure substantially the objectives of the modified standard and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties.

### **3.06.05.06 Cemetery, Mausoleum, Crematorium, Memorial Park**

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- A. **Applicability.** This section applies to cemeteries, mausoleums, crematoriums, and memorial parks. This section does not apply to crematoriums permitted in the SM district.
- B. **Intensity/Character of Use.**
1. **Site Size.** The minimum lot area for any cemetery, mausoleum, crematorium, or memorial park is 10 acres.
  2. **Hours of Operation.** The hours of operation are limited to 6:00 a.m. to 9:00 p.m. or dusk, whichever occurs first.
- C. **Size of Use.**
1. **Maximum Floor Area Ratio.** The maximum floor area ratio is 0.04.
  2. **Storage Areas.** The maximum total area of storage areas is 10% of the total area of the principal structure.
- D. **Location on Site/Dimensional Standards.**
1. **General.** The minimum set back is 150 feet from lot lines.

- 2. **Setback from Residences.** The minimum setback from a residence is 250 yards, unless property owner of the neighboring residence consents in writing to a reduced setback.
- 3. **Setback from Water Company Well.** The minimum setback from a city, town or water company well is 300 yards (Section 57-26 Code of Virginia).
- E. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** The use shall comply with Section 5.07.03.A.6.
  - 2. **Parking Areas.** Parking areas shall comply with Section 5.07.05.
  - 3. **Storage Areas.** All storage areas shall comply with Section 5.07.04.
- F. **Roads/Access.**
  - 1. **General Access Standards.** Uses shall comply with the road access standards of Section 5.13.
  - 2. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.
- G. **Parking.**
  - 1. **General.** Parking and loading shall be provided as required by Section 5.05.03.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).

### 3.06.05.07 Conference and Training Centers

- A. **Applicability.** This section applies to convention or exhibition facilities and training centers in the ARN, ARS, JLMA-20 and TLN-10 districts.
- B. **Intensity/Character.** The minimum lot area is:

Use	Lot Area(Minimum)	Average Daily Users
Level I-small scale	50 acres	Up to 50 users
Level II-medium scale	100 acres	>50 and up to 100 users
Level III-large scale	150 acres	>100 and up to 150 users
Level IV	Requires special exception approval pursuant to Section <u>7.09</u>	>150 users

Average daily users include the employees, trainees and conferees the conference and training center is designed to accommodate. Service trips, which are trips made to the facility for the purpose of delivering food, supplies, and related materials are in addition to the average daily users.

- B. **Size of Use.**
  - 1. **Floor Area Ratio.** The maximum floor area ratio is 0.04.
  - 2. **Accessory Uses.**
    - a. Dining and banquet facilities may be provided for employees, trainees and conferees. The maximum total area of banquet and dining facilities is 20% of the total area of the principle permitted structure.
    - b. The maximum total area of lodging facilities is 40% of the total area of the principal permitted structure.
  - 3. **Special Events Only by Section 3.05 or Special Exception.** Special events shall receive approval pursuant to Section 3.05, or be specifically provided for in the approval of a special exception (Section 7.09), as applicable.
  - 4. **No Products Sold On-Site.** No products shall be sold on-site, except those that are clearly incidental and integral to the training programs and seminars. Shirts, glasses, golf equipment, pens and pencils, mugs and similar items with the logo of the company or firm conducting or sponsoring the conference or seminars are considered incidental and integral to the training program.

5. **Storage Yards.** The maximum total area of storage yards is 10% of the total area of the principle structures.
6. **On-Site Recreation Facilities.** On-site recreation facilities may be used solely by employees, trainees or conferees.
7. **Open Space.** At least 75% of the site must remain as open space.
8. **Location on Site/Dimensional Standards.** The minimum setback from lot lines is:

Use	Setback from Lot Lines
Level I—small scale	150 ft.
Level II—medium scale	200 ft.
Level III—large scale	250 ft.

**C. Landscaping/Buffering/Screening.**

1. **Buffer.** The use shall comply with Section 5.07.03.A.6.
2. **Parking Areas.** Parking areas shall comply with Section 5.07.05.
3. **Storage Yards.** All storage yards shall comply with Section 5.07.04.

**D. Roads/Access.**

1. **General.** The conference and training center use shall comply with the road access standards of Section 5.13.
2. **Number of Access Points.** Only 1 point of access is permitted to a Class I, Class II or Class III road. This requirement does not preclude an additional access for emergency vehicles only.
3. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.

**E. Parking.**

1. **General.** Parking and loading shall be provided as required by Section 5.05.03.

**F. Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).

**G. Noise Standards.**

1. The maximum allowable dB(A) level of impulsive sound from the site, as measured at the property line, shall not exceed 55 dB(A).
2. Outdoor music is not allowed after 11:00 PM.

### 3.06.05.08 Country Club

**A. Applicability.**

1. This section applies to country clubs in the ARN and ARS. Country clubs are defined as part of the outdoor or major recreation use.
2. For purposes of this section:
  - a. "Lot Area" includes the total acreage of abutting parcels under common ownership and control, or under a common development plan, and
  - b. "Property Line" means the outer line of properties under common ownership and control, or under a common development plan.

**B. Intensity/Character.** The minimum lot area is:

Use	Lot Area(Minimum)
Level I-small scale	50 acres
Level II-medium scale	75 acres
Level III-large scale	150 acres

**B. Size of Use.**

- 1. Floor Area Ratio.** The maximum floor area ratio is 0.04.
- 2. Maximum Structure Size.** The maximum size of structures is:

Use	Maximum Total Size of Permitted Principal Structures (GFA)
Level I—small scale	25,000 sq. ft.
Level II—medium scale	50,000 sq. ft.
Level III—large scale	75,000 sq. ft.

- 3. Accessory Structures.** The maximum total area of all accessory structures is 15 percent of the total gross floor area of the principal structures used for the country club.
- 4. Distribution of Uses.**

Use	Total Maximum Gross Floor Area of the Principal Permitted Structures
Dining and Restaurant Facilities	30%
Banquet and Conference Facilities	25%
Spa and Health Facilities	15%

**C. Use Limitations.**

- Enclosed principal structures for dining and banquet facilities, conference facilities, spa, fitness facilities, and recreational activities (such as pool and tennis) must be sited and designed to take advantage of the topography and existing vegetation to blend into the rural landscape to the maximum extent feasible.
- Principal structures must be clustered to maximize usage of site infrastructure (i.e. parking, travelway, utilities). This does not apply to principal structures that have reason to be separated from the main country club complex (e.g. maintenance facilities, structures housing livestock).
- Structures shall be sited to minimize visual impacts on adjacent properties and promote the rural character of the landscape. Siting on primary ridgelines or hilltops, if visible from the adjacent public roadways is prohibited. However, if, because of engineering constraints (e.g. utility easements, drainage, access easements, soil conditions, etc.) it becomes necessary to site a facility on a primary ridgeline or hilltop, the applicant shall provide additional landscaping and buffering to mitigate the visual impact from adjacent public roadways.

**D. Minimum Required Yards.**

- The minimum required yard for principal and accessory structures is 50 feet from all property lines (the “property line” is the outer line of the properties under common ownership and control).
- To encourage preservation of environmental resources, the Zoning Administrator may reduce yard requirements up to 25%.
- Accessory structures, not requiring a building permit, may be located a minimum of 25 feet from all property lines.

## E. Landscaping/Buffering/Screening.

1. **Buffer.** A Buffer Yard Type B (see Section 5.07.03.D) is required for principal or accessory structures associated with the country club that are adjacent to parcels of 3 acres or less that are not part of a common development plan.
2. **Parking Areas.** Parking areas shall comply Section 5.07.05.
3. **Storage Yards.** All storage yards shall comply with Section 5.07.04.

## F. Roads/Access.

1. **General.** The country club use shall comply with the road access standards of Section 5.13.
2. **Number of Access Points.** Only 2 direct points of access are permitted from a Country Club use to a public road. This requirement does not preclude an additional access for emergency vehicles.
3. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.

## G. Water and Sewer.

A Country Club shall be served by a communal water system and a communal wastewater collection and pre-treatment or treatment system.

## H. Parking.

1. **General.** Parking and loading shall be provided as required by Section 5.05.03.
2. **Surface.** Where practicable, a pervious surface is required.

## I. Exterior Lighting Standards.

All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).

## J. Noise Standards.

The maximum allowable dB(A) level of impulsive sound from the site, as measured at the property line, is 55 dB(A).

### 3.06.05.09 Cross-Country Ski Business or Eco-Tourism

## A. Applicability.

This section applies to any cross-country ski business or eco-tourism use in the ARN, ARS, JLMA-20 and TLN-10 districts. A cross-country ski business is defined as a outdoor or major recreation use, and eco-tourism is defined as part of a cultural facility use.

## B. Intensity/Character of Use.

The hours of operation are limited to 6:00 a.m. to 9:00 p.m.

## C. Size of Use.

1. **Size of Use.** The minimum lot area of an eco-tourism use is 5 acres.
2. **Structure Size.** The maximum size of structures used is 5,000 square feet in gross floor area.
3. **Storage Areas.** The maximum total area of storage areas is 1,000 square feet.

## D. Roads/Access.

1. **General Access Standards.** Refer to the road access standards in Section 5.13.
2. **Number of Access Points.** Only 1 point of access is permitted to a public road. This requirement does not preclude an additional access for emergency vehicles only.

## E. Exterior Lighting.

The only exterior lighting allowed for an eco-tourism use is for security purposes.

## F. Parking.

1. **General.** Parking and loading is required by Section 5.05.03.
2. **Surface.** A dust-free surfacing material is required for all parking areas a(refer to the Facilities Standards Manual).

## G. Historic Structures.

A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed

or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a Cross-Country Ski Business or for Eco Tourism and is exempt from the minimum lot area and floor area requirements specified above. Any expansion or enlargement of that structure is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.05.10 Fairground

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- A. **Applicability.** The following standards shall apply to fairgrounds in the ARN, ARS and JLMA-20 districts. A fairground is classified as part of an outdoor or major recreation use.
- B. **Intensity/Character of Use.** The minimum lot area is 25 acres.
- C. **Size of Use.**
  - 1. **Floor Area Ratio.** The maximum floor area ratio is 0.04.
  - 2. **Storage Areas.** The maximum total area of storage areas is 10% of the total area of the principal structures.
  - 3. **Building Height.** Maximum building height is 35 feet.
  - 4. **Location on Site.** The minimum setback from lot lines is:
    - a. Structures of less than 20,000 square feet of gross floor area: 150 feet.
    - b. Structures greater than 20,000 square feet, up to 40,000 square feet of gross floor area: 200 feet.
    - c. Structures greater than 40,000 square feet of gross floor area: 225 feet.
- D. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** Refer to Section 5.07.03.A.6.
  - 2. **Parking Areas.** Refer to Section 5.07.05.
  - 3. **Storage Areas.** Refer to Section 5.07.04.
- E. **Roads/Access.**
  - 1. **General Access Standards.** Refer to Section 5.13.
  - 2. **Number of Access Points.** Only 2 points of access to a fairground are permitted. This requirement does not preclude an additional access for emergency vehicles only.
  - 3. **Driveways.** Driveways are not permitted within a required buffer yard area except as necessary to access the site.
- F. **Exterior Lighting Standards.** Refer to Section 5.12.A.1-3.
- G. **Noise.**
  - 1. **Location in Relation to Residential Use.** No loading/unloading activities, or other noise-producing activities are allowed within 250 feet of an existing adjacent single family detached use during the hours of 11:00 p.m. and 6:00 a.m.
  - 2. **Maximum dB(A).** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, is exceed 55 dB(A). In addition, outdoor music is not allowed after 11:00 PM.
- H. **Parking.**
  - 1. **General.** Refer to Section 5.05.03.
  - 2. **Surface.** All parking areas serving a fairground must use a dust-free surfacing material as provided in the Facilities Standards Manual.

## 3.06.05.11 Farm Based Tourism

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A. **Applicability.** This section applies to farm based tourism in the ARN, ARS, TLN, JLMA, and Route 28 CO, PD-CM and CB districts. These are defined as part of cultural tourism (see Section 3.03.04).

B. **Intensity/Character Standards.**

1. **Site Size.** The minimum lot area for a farm based tourism use is 5 acres.
2. **Visitors/Customers/Parking Spaces.** The minimum lot area increases based on the number of visitors/customers, as follows:

Use	Scope of Use/Event	Lot Area Requirement
Level I—small scale	No more than 300 visitors on any one day; no more than 150 vehicles allowed on site at any one time.	>5 acres, up to 40
Level II—medium scale	> 300 visitors daily, no more than 600 visitors on any one day; no more than 300 vehicles allowed on site at any one time.	>40 acres, up to 80
Level III—large scale	> 600 visitors daily, no more than 800 visitors on any one day; no more than 400 vehicles allowed on site at any one time.	>80 acres

3. **Hours of Operation.** Hours of operation are limited to 8:00 a.m. to 6:00 p.m.

4. **Owner.** The farm based tourism use shall be operated or maintained by the owner, operator, or occupant of the land on which the primary associated agriculture, horticulture or animal husbandry use is conducted.

B. **Size of Use Standards.**

1. **Structure.**

- a. The maximum size (total for all structures, based on gross floor area) used for the farm based tourism use is:

Use	Lot Area (Minimum)	Size of Structures (Maximum)
Level I—small scale	5 acres, up to 40 acres	Up to 5,000 square feet
Level II—medium scale	>40 acres, up to 80 acres	> 5,000 square feet, up to 7,500 square feet
Level III—large scale	>80 acres	> 7,500 square feet, up to 10,500 square feet

2. **Storage Areas.** The maximum total area of all storage areas is 25% of the total floor area of the structures used for the farm based tourism use.

C. **Location on Site/Dimensional Standards.**

1. **Lot Lines.** The minimum setback from all lot lines for structures used for farm based tourism is:

Use	Size of Structures (Maximum)	Setback from Lot Lines
Level I—small scale	Up to 5,000 square feet	100 feet
Level II—medium scale	>5,000 square feet up to 7,500 square feet	150 feet
Level III—large scale	>7,500 square feet, up to 10,000 square feet	200 feet

D. **Landscaping/Buffering/Screening.**

1. **Buffer.** Refer to Section 5.07.03.A.6.
2. **Parking Areas.** Refer to Section 5.07.05.
3. **Storage Areas.** Refer to Section 5.07.04.

## E. Road/Access Standards.

1. **General Access Standards.** Refer to Section 5.13.
2. **Driveways.** Driveways are prohibited in a required buffer yard area except as necessary to access the site.

## F. Exterior Lighting Standards. Refer to Section 5.12.A (Exterior Lighting Standards).

## G. Parking.

1. **General.** Refer to Section 5.05.03.

## H. Historic Structures. A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used for Farm Based Tourism and is exempt from the minimum lot area and Level I lot area and setback from lot lines requirements. Any expansion or enlargement of that structure is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.05.12 Funeral Homes

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#### A. **Applicability.** This section applies to funeral service uses located in the SE, TLI and JLMA-LE zoning districts.

#### B. **Location.**

1. The funeral service use must be located in a freestanding building and as sole principal use on the lot.
2. The funeral service use must be established on a parcel of land fronting on, and with direct access to, an existing collector or arterial road.

#### C. **Lot Size.** The minimum lot size is 1.5 acres.

#### D. **Stacking.** Sufficient car stacking space must be provided on the lot such that a collector or arterial road need not be used to form funeral processions. The area of the lot used to form funeral processions shall have direct, but limited, access to the collector or arterial road.

### 3.06.05.13 Golf Course

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#### A. **Applicability.** This section applies to any golf course in the ARN, ARS, TLN, and JLMA districts. A golf course is classified as part of an outdoor or major recreation use.

#### B. **Intensity/Character.**

##### 1. **Site Size.** The minimum lot area for a golf course is:

- a. 75 acres for 9 holes.
- b. 150 acres for 18 holes.

##### 2. **Hours of Operation.** The hours of operation for a golf course are limited to 6:00 a.m. to 9:00 p.m.

##### 3. **Accessory Uses.** Accessory uses to a golf course may include a club house which includes a pro shop and small restaurant or café, subject to the following standards:

- a. The golf pro shop is limited to sales of golf-related items.
- b. Accessory uses 25% of the total size of the golf clubhouse.

#### C. **Size of Use.**

1. **Structure Size.** The maximum size of all structures (total) used at a golf course is 25,000 square feet in gross floor area.
2. **Storage Yards.** The maximum total area of storage yards is 5,000 square feet.

#### D. **Location on Site/Dimensional Standards.** The minimum setback is 200 feet from all lot lines.

## E. Parking.

1. **General.** Refer to Section 5.05.03.

## F. Landscaping/Buffering/Screening.

1. **Buffer.** Refer to Section 5.07.03.A.6.
2. **Parking Areas.** Refer to Section 5.07.05.

## G. Roads/Access.

1. **General Access Standards.** Refer to Section 5.13.
2. **Number of Access Points.** Only 2 points of access are permitted to a public road from a golf course. This requirement does not preclude an additional access for emergency vehicles only.

## H. Exterior Lighting Standards.

 Refer to Section 5.12.A (Exterior Lighting Standards).

### 3.06.05.14 Health and Fitness Centers

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#### A. **Applicability.** This section applies to health and fitness centers.

#### B. **Massage Services.** A health and fitness center may provide massages if:

1. The health club occupies an area greater than 5,000 square feet, and
2. No more than 5% of the gross floor area is used for massages.

#### C. **Development Criteria in Certain Districts.** Permitted subject to the following criteria in the SI, TIE, and JLMA-LI districts. Special exception review and approval is required if criteria is not met.

1. **Pickup and Drop-off.** Include a designated pickup and delivery zone providing at a minimum one (1) parking space per twenty (20) patrons/children located in close proximity to the facility that provides safe and clearly designated access to enter or exit the facility.
2. **Location.** Cannot be located within the Quarry Notification Overlay District.
3. **Access.** No inter-parcel access to an adjoining industrial use or SI, TIE, JLMA-LI zoned parcel.
4. **Site Design.** Building entrances and exits must be separated from vehicular circulation for industrial uses.

#### D. **Bicycle Parking.** Parking and storage for bicycles must be provided consistent with Section 5.05.04.

### 3.06.05.15 Hospitals

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#### A. **Applicability.** This section applies to hospitals. Hospitals are classified as a medical care facility (Section 3.03.04).

#### B. **Location.** All hospital sites shall have frontage on a Class I or Class II road capable of accommodating the traffic generated by the site.

#### C. **Site Development Criteria.**

1. Hospitals serving over 100 inpatients must be served by public water and sewer systems.
2. The minimum setback for hospital structures is 250 feet from County-designated Agricultural-Forestal districts.
3. The minimum setback for principal structures is the greater of:
  - a. 100 feet from property lines, or
  - b. the minimum yard setback requirements of the applicable district, or
  - c. the adjacent district setback requirements.
4. The minimum setback for accessory structures and parking is the greater of:
  - a. 25 feet from any rights-of-way, private access easements, and property lines which adjoin agricultural or residential districts, or
  - b. the minimum yard setback requirements of adjoining districts.

## 3.06.05.16 Private Schools

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- A. **Applicability.** This section applies to private schools (elementary, middle, or high). They are defined as part of a school use. This section does not apply to public schools.
- B. **Approval.**
1. Minor special exception for more than 15 pupils in the SR, A-3, SN, SCN, TLN, TR-2, JLMA-1, JLMA-2, JLMA-3, JLMA-20, RAR, VR, and VAR districts.
  2. Minor special exception regardless of size in the Urban, SM, SC, SE, TLI, JLMA-LE, RC, RV, and VC districts.
  3. Special exception regardless of size in the SI, TIE, JLMA-LI, ARN, and ARS districts.
- C. **Notice Required.** Operators of a private school within the SE, SI, TLI or JLMA-LE districts must notify all applicants for admission to the school, at the time of application, of the potential permitted and special exception uses within the district.
1. **Notification Document.** The notification document shall include a list of the uses permitted within the industrial zone. The document shall include a section that requires prospective student's parent to sign a statement stating that they have reviewed or have been offered the opportunity to review this document. The document shall remain on file at the school for the period of the student's enrollment.

## 3.06.05.17 Public Safety Uses

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- A. **Applicability.** This section applies to public safety uses (fire and/or rescue stations and police stations or substations) in the ARN, ARS, TLN and JLMA districts. These standards do not apply to the development of a temporary fire and/or rescue station in the ARN, ARS, TLN and JLMA districts.
- B. **Fire and/or Rescue Station.** The following apply to fire and/or rescue stations:
1. **Size of Use.**
    - a. **Site Size.** The minimum lot area is 2 acres.
    - b. **Floor Area Ratio.** The maximum floor area ratio is 0.3.
    - c. **Storage Yards.** The maximum total area of storage yards is 20% of the total area of the principal structure.
    - d. **Setback from Lot Lines.** The minimum setback for structures associated with Fire and/or Rescue Stations is 100 feet from all lot lines. The setback may be reduced to 60 feet from lot lines if a Buffer Yard Type C is provided along the lot line.
  2. **Landscaping/Buffering/Screening.**
    - a. **Buffer.** Refer to Section 5.07.03.A.6.
    - b. **Parking Areas.** Refer to Section 5.07.05.
    - c. **Storage Yards.** Refer to Section 5.07.04.
  3. **Roads/Access.**
    - a. **General Access Standards.** Refer to Section 5.13.
    - b. **Number of Access Points.** Only 2 points of access are permitted to a Class I or Class II road. This requirement does not preclude an additional access for emergency vehicles only.
  4. **Parking.** Refer to Section 5.05.03.B.4. These spaces are in addition to vehicle storage spaces for vehicles not in use.
  5. **Exterior Lighting Standards.** Refer to Section 5.12.A.1 and 2 (Exterior Lighting Standards).
- C. **Police Station or Substation.** The following apply to police stations or substations:
1. **Size of Use.**
    - a. **Site Size.** The minimum lot area is 2 acres.

- b. **Floor Area Ratio.** The maximum floor area ratio is 0.3.
  - c. **Storage Yards.** The maximum total area of storage yards is 20% of the total area of the principal structure.
  - d. **Setback from Lot Lines.** The minimum setback from lot lines is:
    - i. Structures of less than 4,000 square feet of gross floor area: 60 feet.
    - ii. Structures greater than 4,000 square feet, and up to 8,000 square feet of gross floor area: 100 feet.
    - iii. Structures greater than 10,000 square feet of gross floor area: 120 feet.
2. **Landscaping/Buffering/Screening.**
- a. **Buffer.** Refer to 5.07.03.A.6.
  - b. **Parking Areas.** Refer to Section 5.07.05.
  - c. **Storage Yards.** Refer to Section 5.07.04.
3. **Roads/Access.**
- a. **General Access Standards.** Refer to Section 5.13.
  - b. **Number of Access Points.** Only 2 points of access are permitted to a Class I or Class II road. This requirement does not preclude an additional access for emergency vehicles only.
4. **Parking.** Refer to Section 5.05.03.B.4. These spaces are in addition to vehicle storage spaces for vehicles not in use.
5. **Exterior Lighting Standards.** Refer to Section 5.12.A.1 and 2 (Exterior Lighting Standards).

### 3.06.05.18 Recreation

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- A. **Applicability.** This section applies to indoor recreation uses and outdoor or major recreation uses.
- B. **Intensity/Character.**
  - 1. Indoor recreation uses cannot exceed 10,000 square feet in the UT, UM, or UE districts.
  - 2. The building for an indoor recreation use must be minimum of three stories in height and house two or more distinct principal uses that do not share the same physical space when located within the UT, UM, or UE districts.
- C. **Pickup and Drop-off.** Indoor and outdoor/major recreation uses in the SE, SI, TLI, TIE, JLMA-LE, and JLMA-LI districts must include a designated pickup and delivery zone providing at a minimum one (1) parking space per twenty (20) patrons/children located in close proximity to the facility that provides safe and clearly designated access to enter or exit the facility.
- D. **Approval.** Indoor and outdoor/major recreation uses and that do not meet applicable criteria listed in subsection B and C must have special exception review and approval.

### 3.06.05.19 Rural Retreat

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- A. **Applicability.** This section applies to rural retreats in the ARN, ARS, A-3, TLN-10, SC, RAR, RC, RV, VSR, JLMA-3 and JLMA-20 districts.
- B. **Approval.** Permitted rural retreats must meet specific development criteria outlined in subsection C below. Any rural retreat that does not meet the criteria of subsection C requires special exception approval.
- C. **Development Criteria.** Rural retreats must be compatible with and supportive of the primary land use of agriculture, forestry, open space and/or historic preservation.
  - 1. **Minimum Acreage.** The minimum acreage is 50 acres.

2. **Open Space.** A minimum of 75% of the total property acreage must be kept in an agricultural, forestry, open space, and/or historic preservation use.
  3. **Frontage and Access.** The property on which the Rural Corporate Retreat is located must have frontage and access on a state-maintained road.
  4. **Floor Area Ratio.** The maximum floor area ratio is 0.04. The total acreage is used to determine the permitted floor area.
  5. **On-Site Food Services.** The retreat facilities may provide on-site food service for employees and retreat visitors, but may not contain restaurant facilities open to the general public.
  6. **Setbacks.** The minimum setback for all retreat facilities buildings is 200 feet from adjacent properties.
  7. **Storage Areas.** Storage areas related to the retreat facilities are permitted.
  8. **Programs.** The retreat facilities use may include training programs, seminars, and similar activities.
  9. **Special Events.** Special events require approval pursuant to Section 3.05, unless the facility meets the requirements of Section 3.06.04.04.
  10. **Products Sold On-Site.** Products sold on-site must be clearly incidental and integral to the purpose and program of the retreat.
  11. **One Principal Dwelling.** Only 1 principal dwelling unit is permitted. Tenant dwellings are permitted in accord with Section 3.06.02.03.
  12. **Adaptive Reuse.** Incorporating restored structures to preserve rural character is encouraged.
  13. **On-Site Recreation.** The retreat facilities may provide on-site recreation facilities to be used solely by employees and visitors, but not by the general public.
  14. **Average Daily User and Acreage Ratio.** 100 users per 50 acres. No more than 450 users are allowed on greater than 200 acres special exception approval. "Average Daily Users" includes employees and visitors to the site. Service trips, such as food or supply deliveries, package delivery, and similar trips are in addition to the average daily users.
  15. **Exclusions.** Buildings or structures used exclusively for agricultural use, the principal dwelling unit, and tenant dwellings are excluded from these requirements and from the floor area ratio calculations.
- D. **Performance Standards.** The handling or processing of hazardous or toxic materials is prohibited at a Rural Retreat. The Rural Retreat use shall comply with the applicable performance standards of Section 5.08.
- E. **Sketches, Site Plans, Special Exceptions and Statements of Use.**
1. **Sketch Plan.** A sketch plan is required as a part of a zoning permit application for permitted Rural Retreats. Sketches shall include an accurate drawing of all aspects of the Rural Retreat including the size and dimensions of buildings; the size and dimensions of land area devoted to the Rural Retreat use; the size and dimensions of the land to be maintained in agricultural, forestry, open space, and/or historic preservation use; the size and dimensions of parking areas; building setbacks; the size, dimension, and location of any signs; and the approximate location of any on-site major floodplain as determined from the County flood plain map. In addition, the sketch plan shall include the required information needed to illustrate conformance with the Rural Retreat regulations of this Section 3.06.05.23.
  2. **Statement of Use.** For all Rural Retreats, a statement of use shall be filed in conjunction with the sketch or site plan. The statement of use shall define the operations of the Rural Retreat and shall outline how the use meets the development criteria.

### **3.06.05.20 Schools, Public (Elementary, Middle or High)**

- A. **Applicability.** This section applies to public elementary, middle or high schools ("public schools"). These are defined as part of a school.

## B. Approval.

1. Permitted in the SR, A-3, SN, SCN, TLN, TR-2, JLMA-1, JLMA-2, JLMA-3, JLMA-20, RAR, VR, and VAR districts.
2. Minor special exception in the Urban, SM, SC, SE, TSN, TCC, TLI, JLMA-LE, RC, RV and VC districts.
3. Special exception in the SI, TIE, JLMA-LI, ARN and ARS districts.

## C. Utilities. All public schools must be served by either central or municipal sewer and water utilities.

## D. Lighting:

1. **Light Fixtures.** Exterior building lighting, including security lighting, and parking lot lighting must be full cutoff and fully shielded and shall direct light downwards and into the interior of the property and away from surrounding roads and properties.
  2. **Exterior Building Lighting.** The maximum average illumination for exterior building lighting (including security lighting) is 5 foot-candles at grade level ,unless otherwise required by law, ordinance, or regulation.
  3. **Parking Lot Lighting.** The maximum average illumination for parking lot lighting is 2 foot-candles at grade level. Parking lot lighting must be turned off within one hour following the end of evening activities, or by 11 p.m., whichever occurs first.
  4. **Recreational and Athletic Fields and Facilities Lighting.** Lighting for recreational and athletic fields and facilities is subject to the following:
    - a. Lighting must be turned off by 11 p.m.
    - b. Lighting must be directed inward and downward toward the field being illuminated.
    - c. Lighting must incorporate a reflector technology system that directs light onto the field being illuminated.
    - d. Lighting must be cut-off and shielded in directions away from the recreational or athletic field to minimize glare and spillage onto adjacent properties.
    - e. Maximum illumination is 10 foot-candles above background light levels measured at the boundary of any residential district, or, in residential or agricultural districts, at the lot line of any adjacent lot.
    - f. The maximum height of light poles is 80 feet.
  5. **Height of Light Fixtures.** The maximum mounting height of any exterior light fixture is 20 feet, except for light poles for athletic fields. Height is measured from the ground to the light fixture.
- E. **Landscaping/Buffering/Screening.** In addition to Section 5-1404(B), Public Schools must provide an additional 5 evergreen trees per 100 linear feet along all side yard and rear yard buffers adjoining existing residential uses, except where existing vegetation is preserved and provides an equivalent buffer (refer to Section 5.07).
- F. **Trails.** Any on-site pedestrian circulation network must connect to any existing or proposed public use trails on adjacent properties which are designed to abut or connect to the public school site.
- G. **Bicycle Parking.** Bicycle parking must be installed at the Public School building consistent with requirements of Section 5.05.04..
- H. **Noise.** Installation of outdoor public address systems are limited to the recreational and athletic fields. Noise emanating from the public address system is limited to 60 dBA at the property boundaries and use of the system is prohibited after 11 p.m. and before 8:00 a.m.
- I. **Setbacks:**
1. **From Agriculture or Residential.** The minimum setback for principal Public School buildings is 50 feet from adjacent agriculturally or residentially zoned properties or, if located within a mixed use zoning district, from any land bay designated for agricultural or residential use. This setback does not apply to accessory public school buildings, to the applicable zoning district yard requirements.
  2. **From Industrial/Commercial/Office.** The minimum setback for principal Public School buildings is 100 feet from adjacent industrial, commercial or office zoned properties or, if located within a mixed use zoning

district, from any land bay designated for industrial, commercial or office uses. This setback does not apply to accessory public school buildings, to the applicable zoning district yard requirements.

## J. Building and Site Design.

1. **Stormwater Management.** Unless stormwater management is provided by an existing approved off-site storm water management facility, stormwater management and Best Management Practices are required on-site in accordance with the Virginia Stormwater Management Handbook and the Loudoun County Facilities Standards Manual.
2. **Bus Parking Area.** Stormwater runoff from bus parking areas must be routed to an oil and water separator or a system providing equivalent treatment for water quality purposes.
3. **Design.** Public school building design must avoid the use of continuous plane building surfaces and wherever practicable shall break up large building segments into smaller segments through the use of fenestration and setbacks. Public School buildings must include accent materials around the building exterior to provide further architectural interest.
4. **Erosion and Sediment Control.** The following erosion and sediment control practices are required during construction where an outfall drains to a sensitive environmental feature (streams, wetlands, and very steep slopes). These requirements are applied adjacent to the sensitive environmental feature if on-site, or if off-site, along the property line(s) proximate to the sensitive environmental feature:
  - a. Super silt fence must be substituted for silt fence;
  - b. Sediment traps and basins must provide double the minimum required volume (268 cubic yards per acre) except that this volume may be reduced to avoid impacts to sensitive environmental features;
  - c. Stabilization matting is required in all vegetated, constructed channels and on slopes greater than 3:1.
5. **Floodplain:**
  - a. A maximum of 20% of on-site areas in major and minor floodplain may be used for utilities, trails or other uses permitted within the floodplain, exclusive of road crossings. These areas are excluded from the calculation for meeting the forest cover requirement of (c) below;
  - b. Road Crossings are not subject to the use limitation of (a) above, and areas used for road crossings are excluded from the calculation for meeting the forest cover requirement of (c) below;

## K. Transportation.

1. Public Schools direct access to at least one Class I, Class II or Class III road. Public Schools must have a secondary means of access, which may be provided by either a paved or unpaved roadway. Access to a public school site must be capable of accommodating traffic generated by the site.
2. Entrances/Exits must meet minimum Virginia Department of Transportation sight distance standards.
3. Right and left turn lanes, into and out of a site, are required when needed to accommodate traffic generated by the site.
4. At signalized intersections (stop signs or traffic signals) adjacent to a school site, crosswalks are required to access the site, as needed, to accommodate pedestrian traffic generated by the site.
5. A traffic impact analysis, in conformance with the County's Facilities Standards Manual, is required in conjunction with each site plan application for a Public School building. The traffic impact analysis must include, at a minimum, an analysis of the need for right and left turn lanes into and out of the public school site and the crosswalks to provide pedestrian access to the public school site.

- L. **Airport Impact Overlay Noise Contours.** No Public School shall be located within the portions of the County subject to the Airport Impact Overlay District Ldn 65 or higher aircraft noise contour.

### 3.06.05.21 Schools, Public (15 or Fewer Pupils)

- A. **Applicability.** This section applies to any public elementary, middle, or high school for 15 or fewer pupils. These are defined as part of a school (see Section 3.03.04).
- B. **Size of Use.** The minimum lot area is 5 acres, except to the extent permitted on smaller lots in the PD-MUB or PD-TC zoning districts.
- C. **Road/Access Standards.** Refer to Section 5.13.
- D. **Exterior Lighting Standards.** Refer to Section 5.12.A Exterior Lighting Standards).
- E. **Outdoor play space.** Outdoor play space in accordance with Section 3.06.03.

## 3.06.06 Industrial / Production

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### 3.06.06.01 Contractor

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- A. **Applicability.** This section applies to any contractor.
- B. **Retail Sales.** Up to 10% of the gross floor area devoted to the contractor may include retail sales to the general public.
- C. **Outdoor Storage.** Outdoor storage of equipment, supplies, and construction trailers is permitted. Storage yards shall be screened consistent with requirements of Section 5.04.04.

### 3.06.06.02 Data Center

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- A. **Data Centers.** This section applies to data centers in the SE, JLMA-LE, and TLI zoning districts.
- B. **Principal Building Facades.** This subsection applies to principal building facades, which include all building facades that face adjacent Class I or Class II roads. Principal building facades associated with new construction must meet the following standards:
  - 1. Principal building facades must avoid the use of undifferentiated surfaces by including the following design elements: change in building height; building step-backs or recesses; fenestration; and change in building material, pattern, texture, color, or use of accent materials.
  - 2. When a building has more than 1 principal façade, the principal building facades must be consistent in terms of design, materials, details, and treatment.
  - 3. Loading bays are not permitted in principal building facades.
- C. **Screening of Mechanical Equipment.** To minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment must be screened. This screening may be provided by a principal building. Mechanical equipment not screened by a principal building shall be screened by a visually solid fence that surrounds the equipment, screen wall or panel, parapet wall, or other visually solid screen that is constructed of materials compatible with those used in the exterior construction of the principal building. Screening is not required for mechanical equipment if that the Zoning Administrator determines is located in a manner no adverse impact on adjacent roads and adjacent properties.
- D. **Exterior Lighting.** All exterior lighting must be designed and constructed with cutoff and fully shielded fixtures that direct light downward and into the interior of the property and away from adjacent roads and adjacent properties.
- E. **Pedestrian and Bicycle Facilities.**
  - 1. **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails for pedestrian and/or bicycle access must be provided, at a minimum, along any side of a public road that abuts the property upon which the data center is located.
    - a. Exception. Sidewalks and/or trails are not required along public roads where such facilities are not included in the Countywide Transportation Plan (CTP).

2. **Sidewalk and/or Trail Connections.** To provide for future sidewalk and/or trail connections, the sidewalks and/or trails for pedestrian and/or bicycle access provided must be equivalent to any other sidewalk and/or trail for pedestrian and/or bicycle access that is located on the same side of the public road, and within 500 feet, of the subject property.

**F. Landscaping/Buffering/Screening.**

1. **Buffer Yards.** In lieu of the buffer yard required under Table 5.07.03.B., any side/rear yard abutting property located within a VR, JLMA, TLN, SR-1, SR-2, SR-3, SR-4, SR-8, SCN, SN, RC, VC, or RV, zoning districts that is not developed with commercial or industrial uses must include a Buffer Yard Type C with required plantings located on an earthen berm that has a minimum height of 6 feet and a grade lower than 2:1.
2. **Road Corridor Buffer.**
  - a. In lieu of the road corridor buffer required under Section 5.07.02.B., any front yard abutting a collector or arterial road must include a Road Corridor Buffer Type 3 with required plantings located on an earthen berm that has a minimum height of 6 feet and a grade lower than 2:1.
  - b. If a Gateway Corridor Buffer is required, the Gateway Corridor Buffer applies.
3. In lieu of the requirements of Section 5.07.06.B.2., the following requirements apply to the plant types used to meet subsection F.1 and F.2 above. Maximum percentages apply solely in determining the quantity of a given plant type are be counted towards meeting a Plant Unit requirement, and do not preclude the installation of additional plant material from that plant type, if desired.
  - a. A maximum of 30% of the required plant units may be large deciduous trees.
  - b. A minimum of 40% and a maximum of 70% of the required plant units must be evergreen trees that are a minimum of 8 feet in height at the time of planting.
  - c. A maximum of 30% of the required plant units may be small deciduous trees.
  - d. A maximum of 20% of the required plant units may be a combination of shrubs, ornamental grasses, and perennials.
  - e. Use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, may be substituted for the above requirements if determined by the County Urban Forester to provide screening at the density, depth, and height equivalent to the Buffer Yard Type C with earthen berm required under subsection F.1. or Road Corridor Type 3 with earthen berm required under subsection F.2.
  - f. The maximum percentages of plant types provided under (a) through (d) above apply to each property line where the buffer yard or road corridor buffer is required.

### 3.06.06.03 Extractive Industries

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- A. **Applicability.** This section applies to Extractive Industries uses.
- B. **Lot Size.** The minimum lot size is 3 acres.
- C. **Pit Walls.** The pit wall of a quarry must be at least 1000 feet from the JLMA-LI, TIE, or SI district boundary, except:
  1. Where quarries are adjacent to land not under County zoning authority, such as Dulles Airport or an incorporated town, the minimum distance from the quarry pit wall to the district boundary may be reduced to 200 feet as a result of special exception approval, which assures that the reduction is compatible with adjacent land uses.
  2. Where quarries are adjacent to a public road of 4 or more lanes, or to a road designated as a part of an approved VDOT or County corridor study or identified in the Comprehensive Plan to be 4 or more lanes, the distance may be reduced to not less than 200 feet, provided an effective buffer is constructed and maintained.

3. Where quarries are adjacent to the GB district, the setback may be reduced to a minimum of 200 feet.
- D. **Processing Equipment.** Structures and buildings enclosing processing equipment associated with an extraction operation, including crushers, conveyors, washers, and screeners, must be located a minimum of 500 feet from the district boundary, except where the operation is adjacent to land not under County zoning authority, such as Dulles Airport or an incorporated town. In those cases, the distance may be reduced to a minimum of 200 feet as a result of special exception approval, which assures abutting lands are adequately buffered from the processing operations.
- E. **Other Extraction Structures.** Other structures and buildings related to extraction operations, including scale houses and storage yards, must be located a minimum of 200 feet from the district boundary and 100 feet from all public roads within the district. If those structures are adjacent to the SE, JLMA-LI or SI districts, the minim setback may be reduced to 50 feet.
- F. **Office and Administration.** The minimum setback for buildings devoted solely to office and administrative uses is 50 feet from the district boundary.
- G. **Nonresidential Uses.** For adjacent neighboring properties, no commercial, industrial or other nonresidential building is allowed within 50 feet from the property line of an existing and/or approved quarry operation.

## 3.06.06.04 Flex Buildings

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- A. **Applicability.** This section applies to flex buildings.
- B. **Height.** Maximum building height is 2 stories. This requirement does not apply to the SM zoning district.
- C. **Loading Bays.**
  1. At least 2 loading bays are required for all buildings.
  2. All loading bays must be located so that vehicles using them are not visible from public streets.
  3. All loading bays must be screened from view by the building, landscaping, walls or decorative fencing.
  4. Except during the process of loading or unloading, trucks and trailers must not be parked outside the building, unless parked in screened areas not visible from adjacent roads or properties.
- D. **Uses.**
  1. At least 51% of the gross floor space of each building shall be used for Industrial/Production uses.
  2. Office uses recognized as appropriate in flex buildings shall be associated with permitted and special exception uses in the applicable district and must not include professional office uses with high-turnover or high intensity traffic, such as corporate headquarters (unless associated with a permitted use), law offices, architectural offices, insurance offices, medical offices and health maintenance organizations.
- E. **Outdoor Storage.** Outdoor storage is not permitted.
- F. All sources of emission of noise and/or vibration shall meet the performance standards of Sections 5.08.

## 3.06.06.06 Mini-Warehouse

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- A. **Applicability.** This section applies to a mini-warehouse in the SE, SI, JLMA-LE, JLMA-SI, and TLI zoning districts.
- B. **Landscaping/Buffering/Screening.** Refer to Section 5.07. When the use abuts a major collector road, in lieu of the road corridor buffer for other major collector roads required under Section 5.07.02, a Road Corridor Buffer Type 3 .
- C. **Security.** If a security device is provided for the building or a security fence is installed around the use, the owner (in consultation with Fire, Rescue and Emergency Services) shall demonstrate on the site plan the selection of a device to allow adequate and timely access of emergency vehicles to the mini-warehouse. The device shall be installed prior to occupancy permit.
- D. **Exterior Lighting Standards.** Refer to Section 5.12.A. (Exterior Lighting Standards).

E. **Road Access.** Refer to Section 5.13.

### 3.06.06.07 Outdoor Storage

- A. **Applicability.** This section applies to outdoor storage uses.
- B. **Screening.** All outdoor storage must be enclosed by a fence, wall, landscaped berm, or other suitable and appropriate method.

### 3.06.06.08 Sawmills

- A. **Applicability.** This section applies to sawmills.
- B. **Intensity/Character Standards.**
  1. **Site Size.** The minimum lot area is 12 acres.
  2. **Customers/Parking Spaces.** The minimum lot area increases based on the number of customers attracted to the use, as follows.

Use	Scope of Use/Event	Lot Area(Minimum)
Level I—small scale	No more than 25 customers on any one day; no more than 13 vehicles allowed on site at any one time.	12 acres
Level II—medium scale	> 25 customers on any one day, no more than 100; no more than 50 vehicles allowed on site at any one time.	20 acres
Level III—large scale	> 100 customers on any one day, no more than 150; no more than 75 vehicles allowed on site at any one time.	25 acres

3. **Hours of Operation.** Hours of operation are limited from 6:00 a.m. to 6:00 p.m.

- B. **Size of Use.**
  1. **Structure.** Excluding the actual timber cutting equipment, the size of all structures used at the sawmill is limited to the following gross floor areas (total all structures):

Use	Lot Area(Minimum)	Size of Structures(Maximum)
Level I—small scale	12 acres	3,500 square feet
Level II—medium scale	20 acres	5,500 square feet
Level III—large scale	25 acres	7,000 square feet

2. **Storage Yards.** The size of storage yards used for a sawmill is limited to the following (in square feet):

Use	Lot Area (minimum)	Size of Storage Yard (maximum)
Level I—small scale	12 acres	4,500 square feet
Level II—medium scale	20 acres	9,000 square feet
Level III—large scale	25 acres	15,000 square feet

C. **Location on Site/Dimensional Standards.**

1. **Lot Lines.** The minimum setback for structures and storage yards from lot lines is:

Use	Size of Structures (maximum)	Setback from Lot Lines
Level I—small scale	Up to 3,500 square feet	225 ft.
Level II—medium scale	>3,500 square feet, up to 5,500 square feet	275 ft.
Level III—large scale	>5,500 square feet, up to 7,000 square feet	325 ft.

2. **Sawdust and or Wood Chip Pile.** The maximum height of sawdust or wood chip piles is 25 feet.

D. **Landscaping/Buffering/Screening.**

1. **Buffer.** Refer to Section 5.07.03.A.6.
2. **Parking Areas.** Refer to Section 5.07.05.
3. **Storage Yards.** Refer to Section 5.07.04.

E. **Roads/Access Standards.**

1. **General Access Standards.** Refer to Section 5.13.
2. **Driveways.** Driveways are not permitted within a required buffer yard area except as necessary to access the site.

F. **Exterior Lighting Standards.** Refer to Section 5.12 (Exterior Lighting Standards).

G. **Noise Standards.** The maximum allowable dB(A) level of impulsive sound emitted by the use, as measured at the property line, is 55 dB(A).

H. **Parking.**

1. **General.** Refer to Section 5.05.03.

### 3.06.06.09 Wholesale Distribution, Warehousing and Storage

- A. **Applicability.** This section applies to any wholesale distribution, warehousing and storage use.
- B. **Retail Sales.** Retail sales to the general public are limited to 20% of the gross floor area devoted to the wholesale distribution, warehousing and storage use.

### 3.06.07 Infrastructure

#### 3.06.07.01 Airport

- A. **Applicability.** This section applies to airports in the ARN, ARS, and TLN-10 districts.
- B. **Intensity/Character.**
  1. **Scope of Aviation Operations.**
    - a. No more than one air strip is permitted.
    - b. The airport shall be for private aviation aircraft only, limited exclusively to the use of the landowner and guests.
    - c. Commercial operations (including flight training, ground school, and sales) are prohibited.
    - d. Instrument-guided flight to access the airport is prohibited.
    - e. Jet-propelled aircraft must not use the airport.
    - f. Takeoffs or landings are prohibited between the hours of 6:00 p.m. and 6:00 a.m.
  2. **Accessory Aircraft Repairs and Servicing.**
    - a. Typical accessory support services for the airport landing strip are allowed, including but not limited to fueling stations, fuel tanks, and storage.

- b. Routine minor repairs and necessary maintenance of aircraft are permitted accessory uses if all routine repairs and maintenance occur within an enclosed structure such as a hangar.

**C. Site Size.**

1. The minimum lot area for an airport is 80 acres, except as provided in subsection 2.
2. The minimum lot area for a use consisting only of a landing strip with no accessory structures or facilities other than a fueling station is 15 acres.

**D. Structure Size.**

1. **Structure Size.** The size of structures necessary to service the use, such as aircraft service buildings, is limited to 15,000 square feet (gross floor area for all structures).
2. **Storage Yards.** The maximum total area of storage yards for all lots smaller than 25 acres is 5,000 square feet. For lots greater than 25 acres, an additional 1,000 square feet is allowed for each additional 10 acres, not to exceed a maximum of 20,000 square feet.

**E. Location on Site/Dimensional Standards.**

1. **Aviation Structures, Storage Yards and Runway or Landing Strip.** The minimum setback for all aviation structures, storage yards, and the runway or landing strip from all lot lines is:
  - a. Structures less than 2,500 square feet of gross floor area: 125 feet.
  - b. Structures greater than 2,500 and up to 15,000 square feet of gross floor area: 200 feet.
  - c. Structures over 15,000 square feet of gross floor area: 250 feet.
  - d. Runway or landing strip: 650 feet.

**F. Landscaping/Buffering/Screening.**

1. **Runway Buffer Area.** A buffer area must extend from the end of all runways or landing strips. The size of the buffer shall encompass at least a one-quarter mile radius measured from the edge of the end of every runway. No uses are allowed within this runway buffer area.
2. **Parking.** Refer to Section 5.07.05.
3. **Outdoor Services/Activities.** All tanks, storage yards, and vehicles and equipment stored outdoors must comply with Section 5.07.04.

**G. Road/Access.** Refer to Section 5.13.

**H. Exterior Lighting Standards.** Refer to Section 5.12.A (Exterior Lighting Standards).

**I. Parking.**

1. **General.** Refer to Section 5.05.03.

### 3.06.07.02 Parking Facility

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**A. Applicability.** This section applies to any parking facility use.

**B. Approval.**

1. All parking facility uses must have special exception review and approval with the exception of commuter parking lots that do not meet the criterion in subsection B2.
2. Commuter parking lots exceeding 50 spaces located within rural, transition, JLMA, and suburban residential zoning districts require special exception review and approval.

### 3.06.07.03 Public Utilities

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**A. Applicability.** This section applies to uses in the Utilities use category (Section 3.03.07) that are provided or operated by Municipal Corporations, VDOT, LCSA, Public Utilities and Public Service Corporations. This section does not apply to solar facilities (site-specific or commercial), which are regulated separately.

- B. **Site Size.** The minimum lot area is one half (1/2) acre.
- C. **Landscaping/Buffering/Screening**
  - 1. All utility facilities, (except for a municipal water well (defined as a major utility)) require a minimum Buffer Yard Type C.
  - 2. A municipal water well (defined as a major utility) requires a minimum Buffer Yard Type A if the well area includes other accessory structures or buildings. Side and rear buffer yards must be supplemented with an additional two (2) evergreen trees per 100 linear feet.
- D. **Access Easements.** Utilities may be accessed by private access easement.
- E. **Utility Substations.** Utility Substations are governed by Section 3.06.05.24 and not this Section.
- F. **Municipal Water Well.** Prior to approval of the first site plan for a new municipal water well, an Applicant shall complete the testing and reporting requirements of either Subsections F.1 or F.2. The Applicant may choose either option at it's discretion. The Applicant shall provide the results to the Director of the Department of Building and Development in conjunction with the site plan application. The applicant must conduct the tests during the initial testing period prior to the approval of a site plan for a new municipal water well, and is not required to conduct continuous monitoring of off-site wells after site plan approval.
  - 1. Yield and Drawdown Tests required by the Virginia Department of Health–Office of Drinking Water, and monitoring of existing private wells within 500 feet of the proposed well, as recommended by the Virginia Department of Health–Office of Drinking Water and with the consent of the property owner; or
  - 2. A Hydrogeologic Report prepared in accordance with Section 6.240.A (Background Information), Section 6.240.B (Analysis of Background Information), Section 6.240.E (Pumping Test), and Section 6.240.G (Groundwater monitoring program proposal) of the Facilities Standards Manual. Monitoring of private wells is allowed only with the property owner's consent.

### 3.06.07.04 Recycling Collection Centers and Material Recovery Facilities

- A. **Applicability.** This section applies to recycling collection centers and material recovery facilities (defined as part of a solid waste facility use).
- B. **Recycling Collection Centers (Generally).** Recycling collection centers (public or private) ("centers") shall meet the following minimum standards:
  - 1. Centers may be established on a site that has either a public or private school, shopping center, community center, church, park, fire station, or library, or on land owned by a local government or a home owners' association.
  - 2. A center may use movable containers and trailers to collect and store recyclable materials.
  - 3. Centers must accept only glass, metals, plastics, papers, corrugated cardboard, and other identified reusable recyclable items. Hazardous or toxic materials must not be accepted.
  - 4. Centers must not exceed 3,000 square feet. This area is limited to recycling containers only (which may be portable), and permanent or semi-permanent buildings or structures.
  - 5. All recyclable materials stored at centers must be stored in containers constructed and maintained of a durable waterproof and rustproof material, secured from unauthorized entry or removal of material, and with a capacity sufficient to accommodate material collected.
  - 6. Recycling containers must be clearly marked to identify the type of material which may be deposited. Centers must clearly to identify the name and telephone number of the facility sponsor and the hours of operation, and display a notice stating that no material must be left outside the recycling enclosure or containers.
  - 7. All centers must be maintained free of litter by a responsible sponsoring organization or by Loudoun County.

8. All centers must be screened from other uses on the same parcel and adjacent residential uses in accordance with Section 5.07.04.
  9. Recycling containers must be at least 150 feet from any residential dwelling.
  10. The center must be situated so that vehicular ingress and egress does not pose traffic hazards. A minimum of 1 stacking or parking space per 500 square feet of the recycling drop-off center, or the anticipated peak customer load as determined by the Zoning Administrator, whichever is higher, is required on-site. Stacking and parking spaces are not allowed within the road right-of-way or setbacks.
  11. Occupation of any parking spaces by the center may not reduce required parking spaces for the principal use below the required minimum, unless:
    - a. A parking study shows that existing parking capacity is not fully utilized during the hours of operation of the principal use and the center, or
    - b. Hours of normal operation of the principal use do not overlap those of the recycling drop-off center.
  12. No portion of any center is allowed in any major floodplain or required setback.
  13. Noxious odors must not be emitted beyond any boundary lines of the recycling drop-off center.
  14. Operation of centers shall occur during daylight hours, unless located within commercial or industrial areas equipped with lighting capable of illuminating the center during periods of darkness.
- C. **Public Recycling Collection Centers.** The minimum setback for public recycling collection centers is 50 feet from the right-of-way of any street or as otherwise specified under Section 5.07.02, and 50 feet from any lot or land bay zoned, used, or planned for residential uses. The use shall not obstruct pedestrian or vehicular circulation.
- D. **Private Recycling Collection Centers.** Private recycling collection centers:
1. Must meet the setback requirements for SI and JLMA-LI uses adjacent to a lot or land bay zoned, used, or planned for residential use, and
  2. In commercially and industrially zoned districts, a center may utilize electric power-driven processing equipment to sort, clean, or compact recyclable materials between the hours of 7AM and 7PM. That equipment is not permitted in residentially zoned districts.
- E. **Material Recovery Facilities (MRF).** All MRF's shall meet the following minimum standards:
1. Neither an MRF nor the lot on which the MRF is located shall abut a property in residential land use. All processors shall operate in an entirely enclosed building except for incidental storage, except when:
    - a. The operation is within an area enclosed on all sides by an opaque fence or wall at least 8 feet in height and landscaped on all property lines; and
    - b. The operation is located at least 300 feet from any property zoned, used, or planned for residential uses.
  2. Processing in MRF's is limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials, construction debris, and repairing of reusable materials.
  3. Power-driven processing equipment is permitted if the noise level requirements of Section 5.12.B. and any special exception conditions are met.
  4. All exterior storage of material must be in sturdy containers or enclosures covered, secured, and maintained in good condition at all times, or must be baled or palletized. Exterior storage must not be visible from any adjacent road or other property.
  5. MRF sites must be maintained free of litter, cleaned of loose debris on a daily basis, and secured from unauthorized entry and removal of materials when unattended.
  6. The maximum hours of operation for MRF sites located within 500 feet of an occupied residential dwelling are 7:00 p.m. and 8:00 a.m. The MRF must be administered by on-site personnel during all hours of operation.

7. Any containers provided for after-hours donation of recyclable materials must be at least 500 feet from any occupied dwelling unit.
8. If the MRF is open to the public, at least 10 vehicle stacking spaces or the number of spaces necessary to accommodate the peak anticipated load (as determined by the Zoning Administrator), whichever is higher, is required on-site.
9. At least 1 parking space is required for each commercial vehicle owned and operated by the MRF, unless a greater number of spaces is required by the zoning district in which the facility is located.
10. No dust, fumes or smoke, above ambient levels may be detectable on adjacent properties.
11. Noise or vibration emitted or derived from the MRF shall not exceed the levels permitted by Sections 5.08 and 5.12.B. respectively.
12. All material recovery facilities may accept only glass, metals, plastics, papers, corrugated cardboard, construction debris, and other identified reusable recyclable items. Hazardous or toxic materials must not be accepted.
13. Noxious odors must not be emitted beyond any boundary lines of the facility.

### 3.06.07.05 Solar Facility, Commercial

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TBD

### 3.06.07.06 Stockpiling

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- A. **Applicability.** This section applies to any stockpiling .
- B. **Intensity/Character Standards.**
  1. **Size of Use.**
    - a. **Minimum Lot Size.** Five Acres
    - b. **Pile Area.** The maximum area of a single stockpile of dirt is 2 acres.
    - c. **Height.** The maximum height of a single stockpile of dirt is 25 feet above original natural grade. For each additional 5 acres in lot area, the height may increase 1 foot 50 feet above original natural grade. No stockpile must be visible above the existing tree line as viewed from any property line.
    - d. **Slope.** Maximum slope is 3:1.
  2. **Siting.**
    - a. No stockpile is permitted in the Mountainside Overlay District and/or FOD.
    - b. Stockpiles are not permitted in wetlands, hydric soils, or areas identified as containing endangered species or plants.
    - c. Stockpiles are only permitted on forested sites when there is an approved forest management plan.
  3. **Location on Site/Dimensional Standards.**
    - a. **Setback from Single-Family Dwellings.** No stockpile, loading/unloading activities, general stockpile operations, or related activities are allowed within 500 feet of an existing residential structure.
    - b. **Other setbacks.** No stockpile within 100 feet of any lot line and/or street to include ingress-egress easements.
  4. **Hours of Operation.** The hours of operation are limited to 7:00 AM to 6:00 PM.
- C. **Access/Vehicular Circulation.**
  1. **Access.** Access to the lot is required from a paved, State maintained road at least 20 feet in width.

2. **Driveways/Internal Access Roads (driveways).** Driveways are not permitted within a required buffered setback except as necessary to access the site. Driveways must be all-weather roads negotiable by loaded transport vehicles.
  3. **Vehicular Circulation.** Adequate-stacking space on site to accommodate anticipated traffic. Stacking space must be screened as required by subsection E.
  4. **Debris.** To prevent the tracking of debris, mud, dirt or other material on public rights-of-way, the public rights-of-way must be hosed off on a daily basis when the stockpile of dirt facility is in operation. During winter months the road must be chemically treated to prevent icing conditions after hosing off the road.
- D. **Materials.** Stockpiles of dirt may be comprised only of uncontaminated dirt and naturally occurring rock. Incorporated organic material, including roots, twigs, limbs, logs, leaves, and grass may not exceed three (3) percent by volume at any location in the stockpile of dirt. Processing within the stockpile of dirt is limited to grading, sorting, and compacting of dirt and waste rock. Screening of dirt is not permitted.
- E. **Exterior Lighting.** Exterior Lighting is permitted for security purposes only and in accordance with Section 5.12.
- F. **Landscaping/Buffering/Screening.** Refer to Section 5.07.03.A.6.
- G. **Noise.** Refer to Section 5.12.
- H. **Compliance with other Ordinances.** This section does not relieve the stockpile of dirt activity from complying with other Federal, State or County Codes. If there is a conflict in the applicable ordinances, the more restrictive applies. A Zoning Permit and grading permit is required prior to the commencement of the Stockpiling of Dirt. In addition, prior to commencing any stockpile activity, a preliminary soil report must be conducted in accordance with Chapter 6 of the Facilities Standards Manual.

### 3.06.07.07 Telecommunications Facility

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- A. **Applicability.** This section applies to telecommunications facilities.
- B. **Antennas.**
1. **Building-Mounted Antennas Over 60 Feet .**
    - a. This subsection B.1 applies to antennas mounted on buildings or structures and connected unmanned equipment, any portion of which that exceeds 60 feet in height. Height is measured from natural ground elevation.
    - b. Omnidirectional or whip antennas are limited to 20 feet in height or 7 inches in diameter. The antenna must consist of a material or color which matches the exterior of the building or structure upon which they are mounted.
    - c. Directional or panel antennas are limited to 10 feet or 2 feet in width. Antennas must consist of a material or color which matches the exterior of the building or structure upon which they are mounted.
    - d. Dish antennas 6 feet in diameter and must be screened from public view.
    - e. Signals, lights, and/or illumination are not permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
    - f. Cylinder shrouds for the concealment of antennas 11 feet in height or 26 inches in diameter and must consist of a material or color which matches the exterior of the building or structure upon which they are mounted. No portion of the antenna must be exposed outside the shroud.
    - g. Related unmanned equipment structure(s) are limited to 500 square feet of total gross floor area per user on each site and 12 feet in height. If located within the building or structure where the antennas are mounted, they may be located in the areas which are excluded from the determination of net floor area without changing the exclusion of those areas from the calculation of the

structure's density. The structures shall consist of a material or color which matches the exterior of the building or structure where they are mounted.

- h. If the equipment structure is located on a roof, the equipment and structures are limited to 25% of the roof area.
- i. All antennas and related unmanned equipment must be removed within 90 days after they are no longer in use.
- j. The original approved height of a monopole or tower may increase 20 feet for the collocation of telecommunications antennas if their height (including collocated antennas) does not exceed 199 feet.

## 2. Antennas Up To 60 Feet in Height.

- a. This subsection B.2 applies to antennas mounted on buildings and structures and connected unmanned equipment connected to such antennas, no portion of which exceeds a height of sixty (60) feet. Height is measured from the natural ground elevation.
- b. Omnidirectional or whip antennas 8 ½ feet in height or 3 inches in diameter and must consist of a material or color which matches the exterior of the building or structure where they are mounted. The antennas shall be flush mounted so that neither the antenna nor any portion of the supporting mount extends more than 2 feet from the building or structure.
- c. Directional or panel antennas 5 feet in height or 1 foot in width and must consist of a material or color which matches the exterior of the building or structure where they are mounted. The antennas shall be flush mounted so that neither the antenna nor any portion of the supporting mount extends more than 2 feet from the building or structure.
- d. Dish antennas 3 feet in diameter and shall consist of a material or color which matches the exterior of the building or structure on which they are mounted.
- e. Signals, lights, and/or illumination are not permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
- f. Cylinder shrouds for the concealment of antennas are limited to 6 feet in height or 14 inches in diameter and shall consist of a material or color which matches the exterior of the building or structure where they are mounted. No portion of the antenna must be exposed outside the shroud.
- g. Only 1 related unmanned equipment structure on an antenna support structure. The related unmanned equipment structure is limited to 5 feet in height or 20 cubic feet in volume and shall consist of a material or color which matches the exterior of the antenna support structure on which it is mounted.
- h. Antennas and related unmanned equipment structures located on the roof of a building 15 feet above the building height and may not occupy more than 25% of the roof area.
- i. All antennas and related unmanned equipment must be removed within 90 days after they are no longer in use.

## 3. Antenna Hub Sites. The following apply to antenna hub sites:

- a. Related unmanned equipment at antenna hub sites 500 square feet of total gross floor area and 12 feet in height.
- b. Antenna hub sites are subject to any maximum permitted floor area ratio and minimum yard requirements of the applicable zoning district applies.
- c. Antenna hub sites must be compatible with development located in the surrounding visual range regarding the setting, color, lighting, topography and materials. To the maximum extent feasible,

related unmanned equipment at an antenna hub site must be located in the interior of the subject property.

- d. Related unmanned equipment at antenna hub sites must be screened by a solid fence, wall or berm 8 feet in height with an evergreen hedge reaching an ultimate height of at least 8 feet and a planted height of at least 4 feet. If equipment is added to an existing screened enclosure that contains telecommunication uses and/or structures, the screening requirements may be satisfied with the existing screening.
- e. Antenna hub sites that are fully enclosed within a building are not subject to the above criteria.
- f. Antenna hub sites must be removed within 90 days after they are no longer in use.

C. **Monopoles.** The following apply to monopoles and related unmanned equipment structure(s) :

1. **Monopoles, Permitted By Right.** Monopoles are permitted by right subject to the performance criteria listed in subsection B.3 if:
  - a. Located within an overhead utility transmission line right of way with existing structures greater than eighty (80) feet in height.
  - b. In the SE, SI, JLMA-LE, JLMA-LI, TLI, or TIE zoning districts they are located at least 750 feet from an adjoining residential district.
  - c. In the SI, TIE and JLMA-LI zoning districts subject to subsection B.4 if located less than 750 feet from an adjoining residential district.
  - d. In the ARN, ARS, RN, TLN, JLMA-1, JLMA-2, JLMA-3, RAR, VAR, SAR, VR, UE, VC and RC zoning districts, when accessory to a fire or rescue station.
2. **Monopoles, Special Exception Required.** Except as provided above, telecommunications monopoles require a special exception and are subject to subsection C.3 and additional submission requirements listed in subsection (C.4, if located):
  - a. In the ARN, ARS, RN, TLN, JLMA-1, JLMA-2, JLMA-3, RAR, VAR, SAR, VR, UE, VC and RC zoning districts, except as provided in subsection C.1.d, and in the SE, SC, SCN, SC, SM, UT, UM, SM, and RV zoning districts.
  - b. In the SE, SI, JLMA-LE, and TLI zoning districts and less than 750 feet from an adjoining residential district.
  - c. In all zoning districts, except SCN, as an accessory use to a fire and rescue station, except as provided in subsection C.1.d.
  - d. In all zoning districts, within the right of way of a private toll road.
  - e. In the SR-1, SR-2, SR-3, SR-4, SR-8, SN, SCN zoning districts when located on property owned by:
    - i. Any department or branch of the Federal Government, Commonwealth of Virginia, Loudoun County Government, or Loudoun County School Board; or
    - ii. Public Utilities.
3. **Monopoles, General Performance Criteria.** All telecommunications monopoles, whether permitted by right or as a special exception, are subject to the following criteria:
  - a. The proposed telecommunications monopole must be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. The facility must be located in the interior of the property and areas of existing vegetation, if applicable, must be used to screen the facility.
  - b. New telecommunications monopoles must be designed to accommodate at least 3 providers, unless:
    - i. Doing so would create an unnecessary visual impact on the surrounding area; or
    - ii. No additional need is anticipated for any other potential user in the vicinity; or

- iii. There is some valid economic, technological, or physical justification as to why co-location is not possible.

The applicant shall identify the conditions under which future co-location by other service providers is permitted.

- c. The height of the monopole, including antennas, is limited to 199 feet, as measured from the natural ground elevation.
- d. Satellite and microwave dishes attached to monopoles are limited to 2 feet in diameter.
- e. Except as provided in subsections C.3.o and C.4.d, the minimum setback is 1 foot for every 5 feet in height to any property line. Structures and buildings may be constructed within the setback areas of the monopole if other zoning standards are met.
- f. The related unmanned equipment structure(s) are limited to 500 square feet of total gross floor area per telecommunications provider on each site. Structures 12 feet in height.
- g. Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, monopoles must blend with the background.
- h. No signals or lights or illumination are permitted on a monopole, unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the County.
- i. A commission permit is required, except when located in accordance with subsection C.1.a if the monopole does not exceed the height of existing overhead utility transmission line structures by more than 20 feet as measured from natural ground elevation.
- j. Monopoles are prohibited within County designated historic districts.
- k. All unused equipment and facilities from a commercial public telecommunications site must be removed within 90 days of cessation of commercial public telecommunication use. The site shall be restored as closely as possible to its original condition.
- l. Applicants for any commercial public telecommunications facility must demonstrate that they have complied with applicable regulations of the FCC and the FAA. A finding from the FAA that the proposed facility is not a hazard or obstruction to aviation is required prior to the issuance of a zoning permit. If a proposed telecommunications facility is higher than 199 feet or within 5 miles of the property boundary of either Dulles or Leesburg Airports, the applicant shall provide verification that: 1) the appropriate airport authority (Metropolitan Washington Airports Authority or the Town of Leesburg) has been notified in writing; and 2) the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation.
- m. When locating on a Loudoun County or Loudoun County Sanitation Authority site or fire and/or rescue company site: 1) the telecommunications equipment shall not interfere with the existing telecommunications equipment of the primary use; and 2) the setback provisions of subsection C.3.e do not apply.
- n. Applicants proposing a new telecommunications monopole within 1 mile of a County designated historic district or a Virginia Byway must submit at least 3 visual simulations and written justification as to why the monopole could not be sited elsewhere. This requirement also applies if a telecommunications monopole is proposed on a property listed on the National Register of Historic Places.
- o. Telecommunications monopoles along ridge lines, but are allowed downslope from the top of ridge lines, to protect views of the Catoctin, Bull Run, Hogback, Short Hill, and Blue Ridge Mountains.
- p. Applicants must submit documentation, in written and graphic form, regarding the service area to be provided by the proposed telecommunications monopole.

4. **Monopoles, Additional Submission Requirements.** Applicants must submit the following additional information for monopoles that require special exceptions:

- a. Photo imagery or other visual simulation of the proposed telecommunications monopole shown with the existing site conditions. This simulation must be provided from at least 3 perspectives. The applicant must address how the facility will be designed to mitigate the visual impact on area residents, facilities, and roads.
- b. Except for areas where permitted by right, an applicant for a new commercial public telecommunication monopole must demonstrate that location on an existing telecommunications facility or structure greater than 40 feet in height is not feasible. The applicant must evaluate telecommunications facilities and structures greater than 40 feet in height within a 1 mile radius of the proposed facility within the Eastern Loudoun Urban Growth Area. Elsewhere in the County, the applicant shall evaluate these locations within a 2 mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining infeasibility. Co-location may be determined infeasible if:
  - i. Planned equipment would exceed the structural capacity of existing and approved telecommunications facilities, considering existing planned use of those facilities, and the facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;
  - ii. Planned equipment will cause interference with other existing or planned equipment for that telecommunications facility, and that interference cannot be prevented at a reasonable cost;
  - iii. Existing or approved telecommunications facilities do not have space on which planned equipment can be placed so as to provide adequate service; and
  - iv. Existing and approved telecommunications facilities will not provide adequate signal coverage.
- c. In addition to those entitled to notice under the provisions of Section 7.02 of this Ordinance, all owner(s), or their agent(s), of all properties abutting or immediately and diagonally across the street or road from those properties whose owners are entitled to notice under Section 7.02, must be provided with the same written notice. The applicant is also encouraged to meet with community and homeowners association groups in the area.
- d. Telecommunications monopoles permitted by special exception pursuant to subsection C.2.d are not subject to the lot requirements, building requirements, and open space requirements, if applicable, of the applicable zoning district.

D. **Telecommunications Towers.** This subsection applies to telecommunications towers with related unmanned equipment structure(s).

1. **Telecommunications Towers Permitted By Right.** Telecommunications towers are permitted by right subject to subsection D.3:
  - a. In the SI, TIE, and JLMA-SI zoning districts if the tower is 40 feet or less in height and mounted on an existing structure.
  - b. In the SI, TIE and JLMA-SI zoning districts if the tower is greater than 40 feet in height and subject to subsection D.4.
2. **Telecommunications Towers, Special Exception Required.** Telecommunications towers are permitted by special exception subject subsections D.3 and D.4 if located:
  - a. In the ARN, ARS, TLN, JLMA-1, JLMA-2, JLMA-3, RAR, VAR, SAR, VR, RC, VC, SE, SCN, SC, SM, UE, SM, UM and UT zoning districts.
  - b. In the SE, JLMA-LE, and TLI zoning districts.

- c. In all zoning districts, except SCN and RV zoning districts, as an accessory use to a fire and rescue station.
- d. In the SR-1, SR-2, SR-3, SR-4, SR-8, SN, and SCN zoning districts when located on property owned by:
  - i. Any department or branch of the Federal Government, Commonwealth of Virginia, Loudoun County Government, or Loudoun County School Board; or
  - ii. Public Utilities.

**3. Telecommunications Towers, General Performance Criteria.** All telecommunications towers are subject to the following:

- a. The telecommunications tower must be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. The facility must be located in the interior of the property and areas of existing vegetation, if applicable, must be used to screen the facility.
- b. New telecommunications towers must be designed to accommodate at least three (3) providers, unless:
  - i. Doing so would create an unnecessary visual impact on the surrounding area; or
  - ii. No additional need is anticipated for any other potential user in the vicinity; or
  - iii. There is some valid economic, technological, or physical justification as to why co-location is not possible.

The applicant must identify the conditions under which future co-location by other service providers is permitted.

- c. The maximum height of telecommunications towers is 199 feet, as measured at the natural ground elevation, unless the applicant can clearly demonstrate that the facilities of 199 feet or less cannot render needed services. At the applicant's expense, the County may have an independent analysis performed on the applicant's proposal.
- d. Satellite and microwave dishes attached to the towers shall not exceed 6 feet in diameter.
- e. Except as provided in subsection D.3., the minimum setback is 1 foot for every 5 feet in height from the property line. Structures and buildings may be constructed within the setback area of the tower if other zoning standards are met.
- f. Related unmanned equipment structure(s) is limited to 500 square feet of total gross floor area per telecommunications provider on each site. Structures are limited to 12 feet in height.
- g. Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, telecommunications towers must blend with the background.
- h. No signals or lights or illumination are permitted on a monopole unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the County.
  - i. A commission permit is required.
  - j. Transmission towers are prohibited within County designated historic districts.
  - k. Towers are prohibited within the RV zoning district.
  - l. All unused equipment and facilities must be removed from a commercial public telecommunications site within 90 days of cessation of commercial public telecommunication use. The site must be restored as closely as possible to its original condition.
- m. Applicants for any commercial public telecommunications facility must demonstrate that they have complied with applicable regulations of the FCC and the FAA. A finding from the FAA that the proposed facility is not a hazard or obstruction to aviation is required prior to the issuance of a zoning

permit. If a proposed telecommunications facility is higher than 199 feet or within 5 miles of the property boundary of either Dulles or Leesburg Airports, the applicant must provide verification that: 1) the appropriate airport authority (Metropolitan Washington Airports Authority or the Town of Leesburg) has been notified in writing; and 2) the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation.

- n. When locating on a Loudoun County or a Loudoun County Sanitation Authority site or fire and/or rescue company site: 1) the telecommunications equipment must not interfere with the existing telecommunications use of the primary use; and 2) the setback provision of subsection D.3.e does not apply.
  - o. Applicants proposing a new telecommunications tower within 1 mile of a County designated historic district or Virginia Byway must at least 3 visual simulations and written justification as to why the tower could not be sited elsewhere. This requirement also applies if a telecommunications tower is proposed on a property listed on the National Register of Historic Places.
  - p. Telecommunications towers are prohibited along ridge lines, but are allowed downslope from the top of ridge lines, to protect views of the Catoctin, Bull Run, Hogback, Short Hill, and Blue Ridge Mountains.
  - q. Applicants must submit documentation, in written and graphic form, regarding the service area to be provided by the proposed telecommunications tower.
4. **Telecommunications Towers, Additional Submission Requirements.** The following applies to transmission towers approved by special exception:
- a. The applicant must provide photo imagery or other visual simulation of the proposed facility shown with the existing site conditions. This simulation must be provided from a minimum of 3 perspectives. The applicant must address how the facility can be designed to mitigate the visual impact on area residents, facilities, and roads.
  - b. Except for areas where permitted by right, an applicant for a new commercial public telecommunication monopoles must demonstrate that location on an existing telecommunications facility or structure greater than 40 feet in height is not feasible. The applicant shall evaluate telecommunications facilities and structures greater than 40 feet in height within a 1 mile radius of the proposed facility within the Eastern Loudoun Urban Growth Area. Elsewhere in the County, the applicant must evaluate these locations within a 2 mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining infeasibility.

Co-location may be determined infeasible if:

- i. Planned equipment would exceed the structural capacity of existing and approved telecommunications facilities, considering existing planned use of those facilities, and the facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;
  - ii. Planned equipment will cause interference with other existing or planned equipment for that telecommunications facility, and that interference cannot be prevented at a reasonable cost;
  - iii. Existing or approved telecommunications facilities do not have space on which planned equipment can be placed so as to provide adequate service; and
  - iv. Existing and approved telecommunications facilities will not provide adequate signal coverage.
- c. In addition to those entitled to notice under the provisions of Section 7.02 of this Ordinance, all owner(s), or their agent(s), of all properties abutting or immediately and diagonally across the street or road from those properties whose owners are entitled to notice under Section 7.02, must be

provided with the same written notice. The applicant is also encouraged to meet with community and homeowners association groups in the area.

- d. Applicants for new telecommunications towers must demonstrate that a telecommunications monopole, of comparable transmission capabilities, cannot be utilized or cannot provide an equivalent level of service.

### 3.06.07.08 Utility Substations

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- A. **Applicability.** The following standards apply to utility substations. Utility substations are defined as a minor utility (Section 3.03.07).
- B. **Utility substation, transmission.** The following apply to transmission utility substations:
  1. Minimum lot size in all rural and residential districts: 1 acre.
  2. Minimum lot size in all commercial and industrial districts is the minimum lot size of the district.
- C. **Utility substation, distribution.** The minimum lot size of distribution utility substations is 1 acre.
- D. **Comprehensive Plan Compliance.** All utility substations must be located in areas consistent with the adopted Comprehensive Plan. A Commission Permit is required unless the utility substation is specially delineated in the Comprehensive Plan.
- E. **Buffers.** All utility transmission and distribution substations and accessory storage yards require a minimum Buffer Yard Type C. provided, If required utility connections preclude installation of large and small deciduous trees, the maximum percentage applicable to shrubs under Section 5.07.06.B.2.d. does not apply. In lieu of the minimum and maximum percentages applicable to evergreen trees under Section , 5.07.06.B.2.b. at least 40% and up to 70% of the required plant units must be evergreen trees..
- F. **Access Easement.** Utility substations may be accessed by a private access easement.

### 3.06.08 Agriculture

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#### 3.06.08.01 Agriculture, Horticulture and Animal Husbandry

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- A. **Applicability.** This section applies to any agriculture, horticulture or animal husbandry use.
- B. **Parcel Size.**
  1. Agriculture, Horticulture and Animal Husbandry have no minimum lot size.
  2. Animal Husbandry is not permitted on a parcel of less than 5 acres in size unless a Conservation Farm Plan with a section identifying required Best Management Practices is approved for that parcel as described in subsection C below.
- C. **Conservation Farm Plan.**
  1. Prior to the establishment of an Animal Husbandry use on a property of less than 5 acres the owner of the parcel must:
    - a. execute a Conservation Farm Plan (also known as a farm management plan) including a waste management plan, through and with the Loudoun Soil and Water Conservation District (SWCD) and the Virginia Cooperative Extension Service (VCES), and
    - b. provide a copy of the executed Plan to the Zoning Administrator.
  2. The Plan shall indicate the types and quantity of proposed animals, location and size of existing and proposed structures, grazing areas, and location and type of wells and septic fields and reserve septic fields.
  3. The Plan must include a Best Management Practices section identifying the best management practices necessary to support the proposed types and quantity of animals.

4. The Plan must address the type and construction of any wells, septic fields and reserve septic fields and environmental features such as steep slopes, rock outcroppings and streams.
  5. The Virginia Cooperative Extension Service must review the Best Management Practices section to confirm that it is consistent with generally accepted Animal Husbandry standards. The applicant must provide documentation indicating that confirmation to the Zoning Administrator.
  6. After approval, no additional animals may be added to the site without an approved amendment to the Plan.
- D. **Setbacks for Certain Structures.** No structure for housing livestock including barns, run-in sheds, stables, and the like closer than 60 feet from the property line of an adjoining lot where a residential dwelling existing or under construction at the time of construction of the structure is the principal use. This setback does not apply if the residential dwelling is located more than 60 feet from the property line adjoining the structure.

### 3.06.08.02 Agriculture Support Uses (Direct Association with On-Site Agricultural Activity)

- A. **Applicability.** This section applies to agriculture support and service uses that are directly associated with ongoing agriculture, horticulture or animal husbandry, on-site.
- B. **Intensity/Character.**
  1. **In Association with On-Going Agriculture, Horticulture, or Animal Husbandry Use.** The agriculture support use (direct association) is allowed only in direct association with an on-going agriculture, horticulture, or animal husbandry use or activity.
  2. **Site Size.** The minimum lot area for any agriculture support use (direct association) is 5 acres, except the following uses have the following minimum lot area:

Use	Lot Area(Minimum)
Equestrian Event Facility	25 acres
Stable, Livery	25 acres

3. **Visitors/Customers/Parking Spaces.** The number of visitors/customers allowed depends on the size of the lot area, as follows:

Use	Scope of Use/Event	Lot Area (Minimum)
Level I—small scale	No more than 200 visitors on any one day; no more than 100 vehicles on site at any one time.	5 to 25 acres See subsection B.2 above
Level II—medium scale	> 200 visitors on any one day, no more than 400; no more than 200 vehicles on site at any one time.	>25 acres, up to 50 acres
Level III—large scale	> 400 visitors on any one day, no more than 600; no more than 300 vehicles on site at any one time, except 4 additional visitors and 2 additional vehicles allowed per acre in excess of 100 acres.	>50 acres, up to 100 acres

4. **Hours of Operation.** Hours of operation for any agriculture support use (direct association) are limited to the hours from 6:00 a.m. to 9:00 p.m.
  5. **Owner.** The agriculture support use (direct association) must be operated or maintained by the owner or occupant of the land upon which the primary associated agriculture, horticulture, or animal husbandry use is conducted.
- C. **Size of Use.**
1. **Structure.** The size of structures used in the agricultural support use (direct association) is limited to the following gross floor area (total all structures):

Use	Lot Area	Size of Structures(Maximum)
Level I—small scale	5 to 25 acres	12,000 square feet
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet
Level III—large scale	> 50 acres, up to 100 acres. Additional structure size allowed by right at rate of 2,400 square feet per 10 acres in excess of 100 acres, up to 48,000 square feet in total structure size.	36,000 square feet

- 2. Storage Areas.** The total area of all storage areas used in the agricultural support use (direct association) is limited to the following size in square feet:

Use	Lot Area	Size of Structures(Maximum)
Level I—small scale	5 to 25 acres	5,000 square feet
An additional 1,000 square feet of storage area is allowed by right for each additional 10 acres in excess of 25 acres, up to 20,000 square feet.		

- D. Location on Site/Dimensional Standards.** The minimum setback for structures or storage areas of an agricultural support use (direct association) from lot lines is:

Use	Lot Area(Min.)	Size of Structures(Max.)	Setback from Lot Lines
Level I—small scale	5 to 25 acres	12,000 square feet	60 ft.
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet	120 ft.
Level III—large scale	> 50 acres, up to 100 acres	36,000 square feet	175 ft.

- E. Landscaping/Buffering/Screening.**

- 1. Buffer.** Refer to Section 5.07.03.A.6.
- 2. Storage Areas.** Refer to Section 5.07.04.

- F. Road/Access Standards.**

- 1. General Access Standards.** Refer to Section 5.13.
- 2. Driveways.** Driveways are not permitted within a required buffer yard area except as necessary to access the site.
- 3. Vehicles/Equipment.** Any agricultural support use (direct association) that involves the use of or services heavy equipment must have direct access to a Class I or Class II road . Direct access by a private easement is not allowed.

- G. Exterior Lighting Standards.** Refer to Section 5.12.A (Exterior Lighting Standards).

- H. Noise Standards.** Refer to Section 5.12.B (Noise Standards).

- I. Hazardous Chemicals, Pesticide Use.** The use and application of herbicides, pesticides, and potentially hazardous chemicals and substances such as paints and solvents is prohibited within the required buffer.

- J. Parking.**

- 1. General.** Refer to Section 5.05.03.

### 3.06.08.03 Agriculture Support Use (Standalone)

- A. Applicability.** This section applies to agricultural support and service uses that do not have a direct association with agriculture, horticulture or animal husbandry, on-site.

- B. Intensity/Character.**

1. **Site Size.** The minimum lot area for an agriculture support use (standalone) is 5 acres or as provided below:

Use	Lot Area (Minimum)
Agricultural education or research	25 acres
Farm distribution hub	25 acres
Equestrian event facility	25 acres
Stable or livery	25 acres

2. **Visitors/Customers/Parking Spaces.** The number of visitors/customers allowed depends on the size of the lot area, as follows:

Use	Scope of Use/Event	Lot Area (Minimum)
Level I - small scale	No more than 200 visitors on any one day; no more than 100 vehicles on site at any one time.	5 to 25 acres See subsection B.1 above
Level II - medium scale	More than 200 visitors on any one day and less than 400; no more than 200 vehicles on site at any one time.	>25 acres, up to 50 acres
Level III - large scale	More than 400 visitors on any one day and less than 600; no more than 300 vehicles on site at any one time, except that 5 additional visitors and 2 additional vehicles are allowed per acre in excess of 100 acres.	>50 acres, up to 100 acres

3. **Hours of Operation.** Hours of operation for an agricultural support use (standalone) are limited to 6:00 a.m. to 10:00 p.m.

C. **Size of Use.**

1. **Structure Size.** The size of structures used for the agricultural support use (standalone) are limited to the floor area ratio or gross floor area, as applicable:

Use	Lot Area (Minimum)	Size of Structures (Maximum)
Agricultural education or research facility	25 acres	Maximum FAR: 0.02
Farm Distribution Hub	25 acres	Maximum FAR: 0.02
<b>All Other Uses</b>		
Level I—small scale	5 to 25 acres	12,000 square feet
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet
Level III—large scale	> 50 acres, up to 100 acres. Additional structure size allowed by right at rate of 2,400 square feet per 10 acres in excess of 100 acres, up to 48,000 square feet in total structure size.	36,000 square feet

2. **Storage Areas.** The total area of storage areas shall not exceed 10% of the total area of the principal structure.

D. **Location on Site/Dimensional Standards.** An agricultural support use (standalone) shall be set back from lot lines as follows:

Use	Size of Structures (Max.)	Setback from Lot Lines
Agricultural education or research facility	Maximum FAR (all structures): 0.02	150 ft.
Farm Distribution Hub	Maximum FAR (all structures): 0.02	150 ft.
<b>All Other Uses</b>		
Level I—small scale	12,000 square feet	60 ft.
Level II—medium scale	24,000 square feet	120 ft.
Level III—large scale	36,000 square feet	175 ft.

**E. Landscaping/Buffering/Screening.**

4. **Buffer.** The use shall comply with Section 5.07.03.A.6.
5. **Parking Areas.** Parking areas shall comply with Section 5.07.05.
6. **Storage Areas.** All storage areas shall comply with Section 5.07.04.

**F. Roads/Access Standards.**

1. **General Access Standards.** An agricultural support use (standalone) shall comply with the road access standards in Section 5.13.
2. **Driveways.** Driveways shall not be located within a required buffer yard area except as necessary to access the site.
3. **Vehicles/Equipment.** Any use that involves the use of or services heavy equipment shall have direct access to a Class I or Class II road.
4. **Number of Access Points.** Only two points of access are permitted from the use to a Class I, Class II or Class III road. This requirement does not preclude an additional access for emergency vehicles only.

**G. Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5.12.A (Exterior Lighting Standards).

**H. Noise Standards.** The use shall comply with the noise standards of Section 5.12.B (Noise Standards).

**I. Parking.**

1. **General.** Parking shall be provided as required by Section 5.05.03.

### 3.06.08.04 Brewery, Limited

**A. Applicability**

1. This section applies to limited breweries.
2. Limited breweries shall be licensed as a Limited Brewery in accordance with Title 4.1 of the Code of Virginia, as amended.
3. No Limited Brewery shall be established either as the initial use of the subject property or by change of use of the property until a sketch plan is approved per Section 7.XX.XX.
4. The owner of a limited brewery must contact the Loudoun County Department of Fire, Rescue and Emergency Management and Department of Building and Development for an informational inspection of the building(s) or structure(s) to be used for the limited brewery prior to establishing the use.

**B. Location.** A limited brewery shall be located on a farm on land zoned agricultural. For purposes of this definition, "farm" means one or more contiguous parcels of land, totaling at least 10 acres, owned or leased by the licensed limited brewery and used as an "agricultural operation" or "production agriculture and silviculture" as defined in Section 3.2-300 of the Code of Virginia.

## C. Intensity/Character.

1. Outdoor tasting rooms or similar outdoor activities must be set back at least 50 feet from all lot lines of adjacent agriculturally or residentially zoned properties under separate ownership.
2. The use or any associated activities must comply with the noise standards of Section 5.12.
3. Parking must meet the standards and requirements of Section 5.05.03.

## D. Limited Brewery Event.

For the purposes of this section, a "Limited Brewery Event" is any event conducted at a limited brewery on one or more days, where the purpose is agritourism or to promote beer sales, and which includes any of the following: receptions where beer is sold or served; beer club meetings and activities; beer tasting educational seminars; beer tasting luncheons, business meetings, and corporate luncheons with a focus on selling beer; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; brewmasters' dinners where beer is paired with food; agritourism promotions; fundraisers and charity events; or similar activities.

1. **Permitted By Right.** Limited brewery events are permitted by-right at a limited brewery if no more than 250 persons are in attendance at the brewery at any time and the events are related to agritourism or beer sales.
2. **Parking.** All parking for those events must be provided on site. Parking must meet the standards and requirements of Section 5.05.03.

## E. Limited Brewery Special Event.

For purposes of this section, a "Limited Brewery Special Event" is any event conducted at a limited brewery on one or more days, where the purpose is agritourism or to promote beer sales, and which includes beer festivals or any event identified as a Limited Brewery Event in which more than 250 persons are in attendance at the brewery at any time. A private party is not deemed a special event.

1. **Frequency.** Within a single calendar year, the same property may host no more than 10 limited brewery special events pursuant to this subsection. The temporary use permits for these special events may be reviewed and approved concurrently. At least 14 days shall lapse between special events on any one property, or the subsequent special event shall be at least 2,000 feet from the location of the previous event.
2. **Parking.** All parking for limited brewery special events should be provided on site out of the public right-of-way. If any special event parking is provided off-site, a shuttle service must be provided.
3. **Approval.** Special events shall receive approval pursuant to Section 3.05.

## F. Prohibited Uses.

The following uses/activities are prohibited accessory uses at any Limited Brewery:

1. Helicopter rides
2. Grocery, convenience or general stores
3. Go-kart, motorized bike or four-wheeler trails, tracks or rides
4. Amusement park rides
5. Flea markets
6. Other uses that the Zoning Administrator determines are similar in nature or in impact to those listed above.

## G. Private Access Easements.

Limited Breweries that share a private access easement with another property owner/s, must show the easement allows a use of this type or written permission must be obtained by the sharing parties.

### 3.06.08.05 Wayside Stands

- A. **Applicability.** This section applies to wayside stands.
- B. **Retail Sales.**

1. Wayside stands are for retail sales provided the principal sales items sold are farm and garden products produced principally on-site. "On-site" means all locations (separate parcels) used by the owner or tenant for farming (agriculture, horticulture or animal husbandry).
  2. Permanent retail sales areas within structures , in the aggregate, 10,000 square feet in floor area or a Floor Area Ratio of 0.02, whichever is greater.
- C. Wayside stands may be located in farm structures existing prior to January 7, 2003. The sales area in an existing farm structure have no limitation and may be used as a sales area subsequent to compliance with the Uniform Statewide Building Code.
- D. **Accessory Products.** Sales areas for accessory products are limited to 25% of the gross sales area. Accessory products include those products related to the care and culture of products produced on the farm, such as pottery, baskets, and garden accessories.
- E. **Access.** Entrances and exits to the wayside stand from public roadways must provide safe ingress and egress from roads, and be channeled to prevent unrestricted vehicular access to and from the premises.
- F. **Seasonal Produce.** Seasonal produce harvested on the farm may the area of actual production.

### 3.06.08.06 Winery, Commercial

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- A. **Applicability.** This section applies to commercial wineries.
- B. **Uses.** In addition to facilities for making and bottling wine, uses at a commercial winery may include:
1. The growing of fresh fruits or agricultural products for the production of wine; and
  2. Accessory uses such as wine tasting rooms, at which wine tasting occurs, accessory food sales related to wine tasting, and wines produced on-site are sold; and
  3. The manufacture and sale of cider in accordance with this definition and Section 4.1-213 of the Code of Virginia.
- C. **Approval.** Commercial wineries that exceed 20,000 square feet must have special exception review and approval.
- D. **Intensity/Character.**
1. **Site Size.** The minimum lot area for a commercial winery is 10 acres.
  2. **Wine Tasting Rooms and Accessory Food Sales.** Facilities for wine tasting rooms and accessory food sales (including a kitchen) 49% of the total gross floor area of all structures at the commercial winery.
  3. **Hours of Operation.** Hours of operation are limited to 10:00 a.m. to 10:00 p.m.
- E. **Size of Use.**
1. **Floor Area Ratio.** The maximum floor area ratio for a commercial winery is 0.04.
  2. **Storage Yards.** The maximum total area of storage yards is exceed 20% of the total area of the principal structure.
- F. **Location on Site/Dimensional Standards.** The minimum setback is 125 feet from all lot lines.
- G. **Landscaping/Buffering/Screening.**
1. **Buffer.** Refer to Section 5.07.03.A.6.
  2. **Parking and Storage Areas.** Refer to Section 5.07.05 and Section 5.07.04.
- H. **Roads/Access Standards.**
1. **General Access Standards.** Refer to Section 5.13.
  2. **Driveways.** Driveways to a commercial winery are not allowed within a required buffer yard area.
  3. **Vehicles/Equipment.** Commercial wineries that use heavy equipment must have direct access to a Class I or Class II road.

Draft 8/18/21

## 3.06 Use-Specific Standards

### 3.06.01 Purpose and Applicability

#### 3.06.01

- A. **Purpose.** The purpose of these standards is to establish requirements for specific uses to minimize negative impacts on neighboring properties, implement State and federal law, and ensure the orderly development of a diversity of land uses within the county. These standards will provide uniformity in the criteria for development approval, protect the public health, safety and welfare, and protect property values and economic development. These standards are consistent with and support the principles and directives of The Loudoun County 2019 General Plan.
- B. **Conditions.** In addition to any standards in this Section 3.06, a use shall conform to any proffers applied pursuant to a zoning amendment (Section 7.08), conditions imposed pursuant to a special exception or minor special exception (Section 7.09) or variance (Section 7.13) review, or conditions or proffers applied pursuant to a planned unit development review (Section 7.10).

### 3.06.02 Residential

#### 3.06.02.01 Accessory Dwellings

Accessory dwellings are subject to the following additional regulations standards:

- A. Accessory dwellings shall not exceed the following maximum size:
1. In **Non-Suburban Rural** Districts under **Article 2 Section 2.04**, the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 2,500 square feet in gross floor area.
  2. In the Suburban Districts under **Article 3 Section 2.02** and the Planned Development Districts under Article 4 the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 1,200 square feet in gross floor area.
- B. On lots served by individual sewage disposal systems, ~~an~~ accessory dwellings shall be permitted only upon approval from the Health Department. On lots served by communal sewer systems or communal wastewater systems, accessory dwellings shall be permitted only upon approval from Loudoun County Sanitation Authority (LCSA) ~~or the operator of the utility as defined by Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia.~~
- C. Only ~~one (1)~~ accessory dwelling shall be permitted on a lot of less than 20 acres. One additional accessory dwelling is permitted on a parcel with an area of 20 acres or more. In the ~~AR-1~~ ARN and ~~AR-2~~ ARS Districts, one additional accessory dwelling shall be permitted for each 25 acres in excess of 20 acres. Additional dwellings may be permitted by special exception ~~for seasonal labor.~~
- D. Accessory dwellings may be located within an accessory building, ~~agricultural structure,~~ or in the principal structure.

- E. A detached accessory dwelling is subject to all yard requirements applicable to accessory the building where it is located. For example, when located above a detached garage, an accessory dwelling must comply with the yard requirements for detached garages.
- F. All of the use limitations of Section ~~5-102~~ 3.04 shall be met.
- G. G.
- H. A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 7.11-6-1800 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an accessory dwelling and shall be exempt from the floor area and minimum lot area requirements specified above, provided that aAny expansion or enlargement of suchthat structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.02.02 Guest Houses

- A. **Applicability.** Guest houses are subject to the following additional standardsregulations:
- B. **Users.** Only non-paying guests or occupants of the principal residence dwelling shall must use the guest house.
- C. **Commercial or Residential Use Prohibited.** Guest houses may must not be rented, used as short-term rental, operated for gain, or otherwise used as a separate dwelling.
- D. **Maximum Size.** The floor area of any guest house shall not exceed the lesser of:
  - 1. ~~(i)~~ 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure, or
  - 2. ~~(ii)~~ 2,500 square feet of gross floor area.
- E. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a Guest House and shall be exempt from the floor area requirements specified above, provided that aAny expansion or enlargement of suchthat structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.02.03 Live / Work Dwelling

TBD

## 3.06.02.04 Manufactured Homes

### 3.06.02.04 Manufactured Homes

- A. **Applicability.** This section applies to manufactured homes and manufactured housing land lease communities. Manufactured homes in the ARN, ARS, A-3, and TLN districts are not subject to this section.
- B. **Manufactured Homes.** The following standards shall apply to the development of manufactured housing land lease communities or manufactured homes:
  - 1. **Manufactured Homeshousing** shall be a minimum of at least 900 square feet in floor area, and a minimum of 19 feet in width.

2. Roofs shall:
  - a. be pitched with a minimum vertical rise of ~~four~~ 4 inches for each ~~twelve~~ 12 inches of horizontal run; and
  - b. include a minimum of either a 6" overhang and a 4" gutter or 12" overhang on the front and back and a minimum of 6" on the sides.
3. Exterior materials shall be of a color, material and scale compatible with site-built, single family construction.
4. ~~Homes~~ Manufactured homes housing shall have a non-reflective roof material ~~which is or simulates~~ such as asphalt or wood shingles, tile or slate or other products as used in surrounding areas.
5. ~~All homes shall have a pitched roof with a minimum of either a 6" overhang and a 4" gutter or 12" overhang on the front and back and a minimum of 6" on the sides.~~ Perimeter non-load bearing foundation enclosures shall be compatible with foundation materials on site-built residential structures, and ~~shall be~~ limited to masonry, stone or concrete.
6. ~~Perimeter non-load bearing foundation enclosures shall be compatible with foundation materials on site-built residential structures, and shall be limited to masonry, stone or concrete.~~
7. ~~Homes~~ Manufactured housing shall have wheels, axles, transporting lights, and removable towing apparatus removed from the site, and shall be placed on a permanent foundation.
- C. ~~Manufactured Housing Land Lease Communities.~~ Storage areas for RV units in a manufactured housing land lease community or a manufactured housing subdivision shall be provided on a separate lot. ~~If such that lot is exterior to the development it shall be effectively buffered so that it is not visible from the street and adjacent dwellings. If the storage area is located on an interior lot, the buffering shall is not be required.~~
- D. ~~Manufactured homes in the AR-1, AR-2, A-3, A-10, and TR-10 districts shall not be subject to this section.~~
- E. **Restrictive Covenants.** ~~Nothing in t~~This subsection shall be deemed to ~~does not~~ supersede valid restrictive covenants of record, except that a manufactured home ~~built in accordance with the HUD code shall is~~ not be ~~deemed~~ considered a mobile home.

### 3.06.02.05 Portable Dwelling/Construction Trailer

- A. **Applicability.** This section applies to any portable dwelling/construction trailer.
- B. **Removal.** The portable dwelling/construction trailer shall be removed within one month of the completion of construction on the primary residence.

### 3.06.02.06 Religious Housing

#### 3.06.02.06 Convent or Monastery

- A. **Applicability.** This section applies to religious housing in the ~~ARN, ARS, TLN,~~ TR-2, and JLMA-3 districts, ~~a convent or monastery shall comply with the following additional requirements:~~
- B. **Intensity/Character.**
  1. The minimum lot area shall be as follows, unless the convent or monastery is developed as an adaptive re-use pursuant to Section ~~5-656(A)(2)~~ 3.06.05.07.A.2:

Use	Size of Lot (Minimum)	No. of Residents
Level I – small scale	5 acres	4-10 residents
Level II – medium scale	10 acres	11-20 residents
Level III – large scale	20 acres	21-30 residents

Use	Size of Lot (Minimum)	No. of Residents
Level IV- requires special exception approval pursuant to Section 7.096-1300	30 acres	31-40 residents

**B. Building/Lot requirements.**

1. **Size of use.** The maximum floor area ratio shall not exceed 0.04.
2. **Minimum Required Yard Standards.** The minimum required yards shall be as follows:
  - a. Level I – small scale: 50 feet minimum from all lot lines;
  - b. Level II – medium scale: 100 feet minimum from all lot lines
  - c. Level III- large scale: 150 feet minimum from all lot lines
3. **Landscaping/Buffering/Screening.**
  - a. The use shall comply with Section 5-1404(A)(6) 5.07.03.A.6.
  - b. Parking areas shall comply with Section 5-1407 5.07.05.
  - c. Driveways shall not be located are prohibited within a required buffer yard area except as minimally necessary to access the site.
4. **Roads/Access.** The convent or monastery shall comply with Refer to the road access standards in Section 5-654 5.13.
5. **Parking.**
  - a. **General.** Parking and loading shall be provided as required by Section 5-1102 5.05.03.
  - b. **Surface.** All parking areas serving the use shall use a dust free surfacing material is required for all parking areas, as provided in the Facilities Standards Manual.
6. **Exterior Lighting.** All exterior lighting shall comply with the standards of Refer to Section 5-652(A) 5.12.A Exterior Lighting Standards.

- C. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a Convent or Monastery religious housing and shall be exempt from the Level I minimum lot area, yard and floor area ratio requirements. , provided that a Any expansion or enlargement of such the structure shall not exceed is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.02.07 Seasonal Labor Dormitory

- A. **Applicability.** This section applies to seasonal labor dormitory uses in the ARN, ARS and JLMA-20 districts shall comply with the following standards. Seasonal labor dormitories are defined as part of the tenant dwellings use.
- B. **Intensity/Character.**
  1. **Location of Use.** The use shall must be located on the site of active agriculture, horticulture or animal husbandry operations.
  2. **Dwelling Unit Size.** The minimum size of a dormitory shall be based on a rate of is 100 square feet per seasonal laborer housed, up to a maximum of and shall not exceed 2,500 square feet.
  3. **Residents.** Residents shall must be employed on-site at an on-going the onsite active agriculture, horticulture or animal husbandry operation during their occupancy of the unit.

## C. Location on Site.

1. **Located on Internal Site Roads/Driveways.** Dormitories shall be accessed by internal site roads/driveways and shall not have direct access to public roads.
2. **Setback from Single-Family Dwellings.** Dormitories shall be set back at least 300 feet from off-site single family detached units dwellings.

## D. Landscaping/Buffering/Screening.

Yards, berms, vegetative screening, fences or walls shall be provided to buffer adjacent properties and public streets from dormitory structures.

## E. Sanitary and Bathing Facilities.

All dwellings shall have indoor sanitary and bathing facilities consistent with the requirements of the Loudoun County Health Department.

## F. Exterior Lighting Standards.

All exterior lighting shall comply with the standards of Section 5-652(A) 5.12.A (Exterior Lighting Standards).

## G. Parking.

1. **General.** Parking shall be provided as required by Section 5-1102 5.05.03.
2. **Surface.** All parking areas serving the use shall use a dust free surfacing material as provided in the Facilities Standards Manual.
3. **Landscaping/Buffering/Screening.** Parking areas shall comply with Section 5-1407 5.07.05.

### 3.06.02.08 Tenant Dwellings

## A. Applicability.

Tenant dwellings may be located in the A-3ARN, A-10ARS, RN, RAR, SAR, VAR, VR, TLN, TR-2, CR and JLMA districts, in accordance with the list of permitted and special exception uses for the individual zoning districts. Tenant dwellings are subject to base district regulations and the following additional regulations criteria:

## B. Tenant Dwellings.

### 1. All Parcels Except Open Space Parcels.

#### a. Number Permitted.

1. One (1) tenant dwelling shall be permitted on a parcel with an area of at least ten (10) acres or more.
2. One additional tenant dwelling shall be permitted for each twenty-five (25) acres of a parcel in excess of the minimum area of ten (10) acres.

#### b. Tenant Dwellings for Seasonal Labor/Special Exception.

In addition to those structures permitted under Section 5-602 3.06.02.03(AB)(1)(a) and (b) above, additional tenant dwellings for seasonal labor may be permitted by special exception.

### 2. Open Space Parcels.

Tenant dwellings on open space parcels shall be permitted only allowed in the A-3, A-10ARN, ARS, and TLNR districts, subject to the following criteria:

- a. One (1) tenant dwelling shall be permitted on a parcels with at least an area of twenty-five (25) acres or more.

## C. General Standards.

Tenant dwellings shall meet the following additional criteria:

1. **Screening.** Portable dwellings shall be screened from view from public roads and neighboring properties.
2. **On Internal Roads/No Direct Access to Public Roads.** Structures for multi-family dwelling units shall be accessed by internal roads, shall not have direct access to public roads, and shall be screened from public roads and neighboring properties in accord with the landscaping and buffering requirements for multi-family dwellings.
3. **Separate Dwelling.** For the purposes of 5-602 3.06.03(AB)(1)(a) and (b) above, each unit of a multiple dwelling structure shall constitute is considered a separate tenant dwelling.

4. **Home Occupations.** Occupants of tenant dwellings may conduct home occupations subject to Section ~~5-400~~ 3.06.09.03.
  5. **Size of Tenant Dwelling.** No tenant dwelling unit shall exceed 2,500 square feet in gross floor area.
  6. **Number of Tenant Dwellings.** The number of tenant dwellings shall not exceed four per parcel.
  7. **Sanitary and Bathing Facilities.** All tenant dwellings units shall have indoor sanitary, cooking, and bathing facilities, consistent with the requirements of the Uniform Statewide Building Code.
- D. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12 (Exterior Lighting Standards).
- E. **Parking.**
1. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
  2. **Surface.** All parking areas serving the use shall use a dust free surfacing material as provided in the Facilities Standards Manual.
- F. **Landscaping/Buffering/Screening.**
1. The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.
  2. Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
- G. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a Tenant Dwelling and ~~shall be~~ exempt from the parcel area for the first tenant dwelling and floor area requirements specified above. ~~, provided that a~~ Any expansion or enlargement of ~~such that~~ structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.03 Lodging

### 3.06.03.01 Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn, and Rural Resorts

- A. **Applicability.** This section applies to any Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn, or Rural Resort that is established either as the initial use of the subject property, by change of use of the property, or by conversion of one use to another.
- B. **Approval.** No Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn or Rural Resort shall be established until a ~~sketch plan or site plan, as applicable,~~ for the proposed use is approved and the appropriate building permit and applicable Fire Prevention Code permits obtained. Additional approval requirements are listed in Section 3.02 and on a per use basis in the following subsections. These establishments may be located in accord with the lists of permitted and special exception uses for the individual zoning districts subject to the following criteria:
- C. **Private Parties**
  1. Private parties are subject to the maximum attendees, times and durations described below:

**Table 3.06.03.01-1 Private Parties**

Use	Maximum attendees (including overnight guests) for parties allowed on daily basis	Times per calendar year that parties may exceed maximum daily guests
Bed and Breakfast Homestay	20	10
Bed and Breakfast Inn	50	20
Country Inn	100	20
Rural Resort as Event Facility (see subsection G.7)	See Section 3.06.04.03	See Section 3.06.04.03

2. **Hours of Operation.** Hours of operation for private parties are limited to 7:00 AM to 12:00 midnight.
3. **Landscaping/Buffering/Screening.** Outdoor private party areas shall meet the requirements of Section 5.07.03.A.6, regardless of the size of the adjacent property. For Bed and Breakfast Homestays or Bed and Breakfast Inns, the Zoning Administrator may waive this requirement in whole or in part in accordance with Section 5.07.07 or if the adjacent property owner(s) provides written consent to waive all part of the required landscaping/buffering/screening requirements.
4. **Permits.** For Bed and Breakfast Homestays, Bed and Breakfast Inns, or Country Inns, private parties for more than the maximum daily attendees require approval of a Building Permit to allow the structure to be used for the private parties and a Zoning Permit for each private party. A Zoning Permit shall be applied for at least thirty (30) days in advance of each private party, or at least 30 days in advance of the first private party of the calendar year if the dates of all those private parties are listed. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and Fire Official.

**D. Bed and Breakfast Homestay.** The following regulations apply to a Bed and Breakfast Homestay:

1. **Intensity/Character.**

- a. **Management.** The owner of the premises shall reside on the premise and manage the Bed and Breakfast Homestay.
- b. **Guest Rooms.** 4 guest rooms are permitted.
- c. **Lot Size.** No minimum lot area.
- d. **Food Service.** The Bed and Breakfast Homestay shall not contain restaurant facilities, but may provide food service only for overnight guests or private party attendees.
- e. **Private Parties.**
  - i. ~~Private parties for up to 20 attendees, including overnight guests, may be held are allowed daily at the Bed and Breakfast Homestay.~~
  - ii. ~~Private parties for more than 20 attendees may be held up to 10 times per calendar year and shall require approval of a Building Permit to allow the structure to be used for such private parties and a Zoning Permit for each private party. A Zoning Permit shall be applied for at least thirty (30) days in advance of each private party. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and Fire Official.~~
- f. **Hours of Operation.** Hours of operation for private parties shall be limited to 7:00 AM to 12:00 midnight.

2. **Landscaping/Buffering/Screening.** ~~Outdoor private party areas shall meet the requirements of Section 5-1404(A)(6) regardless of the size of the adjacent property. The Zoning Administrator may waive this requirement may be waived or modified in whole or in part by the Zoning Administrator in accordance with~~

~~Section 5-1409 or under the additional circumstance wherein the adjacent property owner(s) provides written consent to waive all or a portion of part the required landscaping/buffering/screening requirements.~~

3. **Parking.** Parking and loading for a Bed and Breakfast Homestay shall be provided as required by Section ~~5-1102~~ **5.05.03**.
  4. **Exterior Lighting.** Exterior lighting for a Bed and Breakfast Homestay is subject to Section ~~5-652(A)(2)-(3)~~ **5.12.A.2-3** (Exterior Lighting Standards). In addition to the requirements of Section ~~5-652~~ **5.12**, the maximum height of pole-mounted exterior lighting is 12 feet.
  5. **Noise.** No outdoor music permitted between 11 PM and 10 AM on Friday, Saturday, and any evening preceding a holiday recognized by Loudoun County, and between 10 PM and 10 AM on any other day.
  6. **Roads/Access.** For any Bed and Breakfast Homestay that is located on a lot which does not have **access to a publicly maintained Class II or Class III road**, the property owner shall provide documentation to the Zoning Administrator demonstrating that **the establishment has permission to use the private road or private access easement serving such lot**. ~~serving such the lot may be used to provide access to the establishment.~~
- E. **Bed and Breakfast Inn.** The following standards apply to a Bed and Breakfast Inn:
1. **Intensity/Character.**
    - a. **Number Permitted.** Only a single Bed and Breakfast Inn use type, and its related uses and accessory uses, is permitted on a lot in the ARN, ARS, and A-3 zoning districts.
    - b. **Management.** The owner or manager of the premises shall provide full-time management at all times when the Bed and Breakfast Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises **and must be onsite at all times when the Bed and Breakfast Inn is occupied by overnight guests or private party attendees**.
    - c. **Guest Rooms.** The number of guest rooms shall not exceed 10.
    - d. **Lot Area.** The minimum lot area is 5 acres.
    - e. **Size of Use.** Maximum floor area ratio: 0.04.
    - f. **Food Service.** The Bed and Breakfast Inn shall not contain restaurant facilities, but may provide food service **only** for overnight guests or private party attendees.
    - g. **Private Parties.**
      1. ~~Private parties for up to 50 attendees, including overnight guests, may be held daily at the Bed and Breakfast Inn.~~
      2. ~~Private parties for more than 50 attendees, including overnight guests, may be held up to 20 times per calendar year and shall require approval of a Building Permit to allow the structure to be used for such private parties and a Zoning Permit for the private parties. A Zoning Permit shall be applied for at least thirty (30) days in advance of each private party, or at least 30 days in advance of the first private party of the calendar year if the dates of all such those private parties are listed. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and Fire Official.~~
    - h. **Hours of Operation.** Hours of operation for private parties shall be limited to 7:00 AM to 12:00 midnight.
    - i. **Yard Standards.** Parking shall be setback 40 feet from all lot lines.
  2. **Landscaping/Buffering/Screening.**
    - a. ~~Outdoor private party areas shall meet the requirements of Section 5-1404(A)(6) 5.07.03.A.6 to screen outdoor private party areas, regardless the size of adjacent property. The landscaping and screening requirements may be waived or modified in whole or in part by the Zoning Administrator in accordance with Section 5-1409 or under the additional circumstance where the adjacent property~~

~~owner(s) provides written consent to waive all or a portion of the required landscaping/buffering/screening requirements.~~

- b. Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
- c. New driveways providing access to a Bed and Breakfast Inn use shall not be located within a required buffer yard area except as necessary to access the site.

3. **Parking.** Parking and loading for a Bed and Breakfast Inn shall be provided as required by Section ~~5-1102~~ 5.05.03.

4. **Exterior Lighting.** Exterior lighting for a Bed and Breakfast Inn is subject to Section ~~5-652(A)(1)-(3)~~ 5.12.A.1-3 (Exterior Lighting Standards). In addition to the requirements of Section ~~5-652~~ 5.12, the maximum height of pole-mounted exterior lighting, outside of parking areas is 12 feet.

5. **Noise.** Outdoor music is not permitted between 11 PM and 10 AM on Friday, Saturday, and any evening preceding a holiday recognized by Loudoun County, or between 10 PM and 10 AM on any other day.

6. **Roads/Access.**

- a. The Bed and Breakfast Inn shall comply with the Road Access Standards in Section ~~5-654~~ 5.13.
- b. For any Bed and Breakfast Inn that is located on a lot which does not have access to a publicly maintained Class II or Class III road, the property owner shall provide documentation to the Zoning Administrator demonstrating that the establishment has permission to use the private road or private access easement serving the lot such that lot may be used to provide access to the establishment.
- c. Only two points of access are permitted for the Bed and Breakfast Inn.

7. **Historic Property.** A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as a Bed and Breakfast Inn and is exempt from the minimum lot area, yard and floor area ratio requirements specified above. Any expansion or enlargement of structure shall not exceed 15% of the total floor area existing prior to January 7, 2003, unless a greater expansion is approved by Minor Special Exception, pursuant to Section ~~6-1300~~ 7.09.

F. **Country Inn.** The following applies to a Country Inn:

- 1. **Approval.** Minor special exception review and approval is required in ARN, ARS, and A-3 zoning districts if a Country Inn contains:
  - a. more than 20 guest rooms, or
  - b. multiple structures, or
  - c. a restaurant that serves more than 100 persons.

2. **Intensity/Character.**

- a. **Number Permitted.** Only a single Country Inn use type, and its related uses and accessory uses, is permitted on a lot in the ARN, ARS, and A-3 zoning districts.
- b. **Management.** The owner or manager of the premises shall provide full-time management at all times when the Country Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises and must be onsite at all times when the Country Inn is occupied by overnight guests or private party attendees.
- c. **Guest Rooms.** The number of guest rooms shall not exceed 40.
- d. **Minimum Lot Area.** The minimum lot area is 20 acres.
- e. **Size of Use.**
  - i. The floor area ratio must not exceed 0.04.
  - ii. Any restaurant and indoor Banquet/Event Facilities located on the property shall not exceed 49 percent of the total floor area of the Country Inn.

- f. **Food Service.**
    - i. Food service may be provided for overnight guests and private party attendees.
    - ii. Full-service restaurant facilities may be provided to the general public in accordance with the individual Zoning District regulations.
  - g. **Private Parties.**
    - i. ~~Private parties for up to 100 attendees, including overnight guests, may be held daily at the Country Inn.~~
    - ii. ~~Private parties for more than 100 attendees, including overnight guests, may be held up to 20 times per calendar year and shall require approval of a Building Permit to allow the structure to be used for such private parties and a Zoning Permit for the private parties. A Zoning Permit shall be applied for at least thirty (30) days in advance of each private party, or at least 30 days in advance of the first private party of the calendar year if the dates of all such private parties are listed. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and Fire Official.~~
  - h. ~~Hours of Operation. Hours of operation for private parties shall be limited to 7:00 AM to 12:00 midnight.~~
  - i. **Yard Standards.**
    - i. The Country Inn use shall be setback 100 feet from all lot lines.
    - ii. Parking shall be setback 100 feet from all lot lines.
    - iii. Outdoor private party areas shall be setback 200 feet from all lot lines or 100 feet from a lot line of a property having a commercial use.
  - j. **Accessory Use.** A maximum of 10% of the gross floor area of the Country Inn may be composed of accessory day treatment, spa facilities.
3. **Landscaping/Buffering/Screening.**
- a. ~~Outdoor private party areas shall meet the requirements of Section 5-1404(A)(6) 5.07.03.A.6 to screen outdoor private party areas from adjacent properties, regardless the size of adjacent property.~~
  - b. Parking areas shall comply with Section 5-1407 5.07.05.
  - c. New driveways providing access to the Country Inn shall not be located within a required buffer yard area except as necessary to access the site.
4. **Parking.** Parking and loading for a Country Inn shall be provided as required by Section 5-1102 5.05.03.
5. **Exterior Lighting.** All exterior lighting shall comply with the standards of Section 5-652(A)(1)-(3) 5.12.A.1-3 (Exterior Lighting Standards). In addition to the requirements of Section 5-652 5.12, the maximum height of pole-mounted exterior lighting, outside of parking areas, shall be 12 feet.
6. **Noise.** No outdoor music shall be permitted between 12 AM (midnight) and 7 AM.
7. **Roads/Access.**
- a. The Country Inn shall comply with the Road Access Standards in Section 5-654 5.13.
  - b. For any Country Inn that is located on a lot which does not have access to a publicly maintained Class II or Class III road, the property owner shall provide documentation to the Zoning Administrator demonstrating that the establishment has permission to use the private access easement serving such lot. ~~serving such lot may be used to provide access to the establishment.~~
  - c. Only two points of access for guests are permitted of the for a Country Inn.
8. **Historic Property.** A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as a Country Inn and is exempt from the minimum

lot area, yard and floor area ratio requirements specified above. Any expansion or enlargement of ~~such~~ ~~that~~ structure shall not exceed 15% of the total floor area existing prior to January 7, 2003, unless a greater expansion is approved by Minor Special Exception, pursuant to Section ~~6-1300~~ 7.09.

**G. Rural Resorts.** The following standards apply to rural resorts:

1. **Parcel Size.** The minimum lot area of rural resorts shall comply with Section ~~5-601(D)(8)(a)~~ 3.06.03.01.G.8.a, except when located within the buffer area of a Planned Development-Rural Village (PD-RV) district.
2. **Separation Requirement.** When not located within a Planned Development-Rural Village (PD-RV) district, rural resorts shall be appropriately sited so as not to infringe on the character of any existing village. At a minimum, rural resorts shall be located at least ~~one (1)~~ mile from the boundaries of an existing Village Conservation Overlay District or an existing PD-CV or PD-RV zoned parcel.
3. **Setbacks.** All new buildings, active recreational areas, parking, and lighted areas shall be set back a minimum of 200 feet from adjacent properties.
4. **Access.** All rural resorts shall comply with the road access standards in Section ~~5-654~~ 5.13.
5. **Water and Sewer.** The establishment shall be served by public water and sewer if located in a PD-RV district. Otherwise, the establishment shall be served by a communal water system and a communal wastewater collection and treatment system. Communal water and sewer systems may be located within the open space.
6. **Open Space.** A minimum of 75% of the site shall remain as open space. Recreational uses customarily incidental and subordinate to the rural resort permitted in the open space area may include: swimming pools and related facilities, boating facilities, tennis and other sports courts, equestrian facilities, picnic areas, golf courses and related facilities, ballfields, children’s play equipment and passive recreation facilities. Driveways and parking areas supporting these recreational facilities may also be located in the open space area.
7. **May be Open to Public.** These establishments may be open to the general public for patronage. A Rural Resort may be permitted as an Event Facility pursuant to Section ~~5-642~~ 3.06.04.03 by Minor Special Exception.
8. **Additional Standards for Certain Districts.** In the ARN, ARS, TLN and TR-2 districts, rural resorts shall comply with the following additional regulations in addition to the general regulations identified above. Where there is a conflict between these regulations and the general regulations controlling the development of rural resorts, these standards shall control.
  - a. **Intensity/Character.** The lot area, guest room, and yard requirements for rural resorts are as follows:

Minimum Lot Size	Nos. of Guest Rooms	Minimum Required Yard (From All Lot Lines)
40 acres	Up to 20 rooms	125 feet
60 acres	21-40 rooms	200 feet
80 acres	41-60 rooms	250 feet
100 acres	61-80 rooms	300 feet
120 acres	81-100 rooms	350 feet
150 acres	101-120 rooms	375 feet

More than 120 rooms requires special exception approval pursuant to Section ~~6-1300~~ 7.09

**b. Size of Use.**

- i. Any restaurant and Banquet/Event Facilities, and conference and training facilities shall be less than ~~fifty (50)~~ percent of the total floor area of the rural resort.
- ii. Outdoor storage related to the rural resort facilities is permitted.

- iii. **Maximum Floor Area Ratio:** 0.04.
- c. **Landscaping/Buffering/Screening.**
  - i. The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
  - ii. Parking areas shall comply Section ~~5-1407~~ 5.07.05.
  - iii. Driveways shall not be located within a required buffer yard area except as necessary to access the site.
- d. **Roads/Access.**
  - i. The rural resort shall comply with the road access standards in Section ~~5-654~~ 5.13.
  - ii. **Only** two points of access **are permitted** to a rural resort. This requirement **does** not preclude an additional access for emergency vehicles only.
- e. **Parking.**
  - i. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
  - ii. **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- f. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A(Exterior Lighting Standards).
- g. **Noise.** Outdoor music **is** not allowed after 11:00 PM.

### 3.06.03.02 Camp, Day and Boarding

- A. **Applicability.** This section applies to day and boarding camps in the ~~ARN, ARS, TLN, TR-2, JLMA and PD-CV districts shall comply with the following standards.~~ Day and Boarding Camps are defined as part of the Campground use.
- B. **Approval.** Day and boarding camps that exceed 30 campers in the JLMA-20 district must have special exception review and approval.
- C. **Intensity/Character.**
  - 1. **Site Size.**
    - a. The minimum lot area for a day and boarding camp for less than 15 campers ~~shall be~~ 20 acres.
    - b. The minimum lot area for a day and boarding camp for ~~more than 15 or more~~ campers shall comply with the following standards is:

Use	Scope of Use/Campers	Lot Area (Minimum)
Level I—small scale	Up to 30 campers daily.	15 acres
Level II—medium scale	Up to 100 campers or borders daily.	40 acres
Level III—large scale	Up to 250 campers or borders daily.	100 acres
Level IV	> 250 campers or borders daily.	Special exception pursuant to <del>Section 6-1300</del> <u>7.09</u>

- 2. **Not Permanent Residence Temporary Dwellings.** Day and boarding camps shall not be used as permanent residences, principle or accessory dwelling units except for the owner or manager and permanent maintenance personnel.

3. **Service Buildings/Accessory Structures.** Service buildings/Accessory Structures incidental to the day and boarding camp, including those structures with restrooms and other facilities, shall be provided in accordance with the Loudoun County Health Department requirements.

D. **Location on Site/Dimensional Standards.** Structures shall be set back from lot lines as follows:

Use	Setback from Lot Lines
Level I—small scale	150 ft.
Level II—medium scale	200 ft.
Level III—large scale	250 ft.
Level IV	300 ft.

C. **Landscaping/Buffering/Screening.**

1. **Buffer.** The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
2. **Parking Areas.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.

D. **Roads/Access.**

1. **General Access Standards.** The use shall comply with the road access standards of Section ~~5-654~~ 5.13.
2. **Driveways.** Driveways shall not be located within a required buffer yard area except as ~~minimally~~ necessary to access the site.
3. **Number of Access Points.**
  - a. **Camp with Less Than 15 Campers/Level I Camp.** ~~There shall be no more than~~ Only one point of access is permitted to a ~~public~~ Class I or Class II road from a camp with less than 15 campers or a Level I day and boarding camp. This requirement shall does not preclude an additional access for emergency vehicles only.
  - b. **Level II or III Day and Boarding Camp.** ~~There shall be no more than~~ Only two points of access are permitted to a Class I or Class II road from a Level II or III day and boarding camp. This requirement shall does not preclude an additional access for emergency vehicles only.

E. **Parking.**

1. **General.** Parking shall be provided as required by Section ~~5-1102~~ 5.05.03.
2. **Surface.** ~~All parking and loading areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.~~

F. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A(Exterior Lighting Standards).

G. **Noise Standards.** The use shall comply with the noise standards of Section ~~5-652(B)~~ 5.12.B(Noise Standards).

### 3.06.03.03 Campgrounds

- A. **Applicability.** This section applies to campgrounds in the ARN, ARS, TLN, TR-2, and JLMA districts ~~shall comply with the following standards.~~
- B. **Approval.** Campgrounds in the JLMA-20 district must have special exception review and approval.
- C. **Intensity/Character.**
  1. **Site Size.**
    - a. The minimum lot area for a campground shall be 40 acres.
    - b. The minimum lot area for a campground shall increase based on the following standards.

Use	Scope of Use/Campsites	Lot Area (Minimum)
Level I—small scale	Up to 50 campsites	40 acres
Level II—medium scale	>50 up to 100 campsites	80 acres
Level III—large scale	>100 up to 150 campsites	160 acres
Level IV	> 150 campsites	Special exception pursuant to <a href="#">Section 6-1300 7.09</a>

2. **Not Permanent Residence.** Campgrounds shall not be used as permanent residences, except for the owner or manager and permanent maintenance personnel.
  3. **Campsites.** Campsites shall be a minimum of 1,250 square feet and at least 25 feet in width.
  4. **Recreational Area.** Each campground shall provide a recreational area consisting of 100 square feet per campsite.
  5. **Public Telephone Communication.** Cellular service or accessible wifi should be provided somewhere on site. If not available, an emergency At least one (1) public telephone shall be provided for each 50 campsites.
  6. **Streets and Walks Lighted.** Streets and walks shall be lighted every 400 feet.
  7. **Service Buildings.** Service buildings with restroom and other facilities shall be provided in accordance with the Loudoun County Health Department requirements.
- D. **Groundcover.** All areas within a campground shall have sufficient groundcover to prevent erosion and blowing dust.
1. **Size of Use.**
    - a. **Structure Size.** The size of structures (excluding tent platforms) used at a campground shall not exceed the following standards:

Use	Scope of Use/Campers	Total Size of Structures (Maximum)
Level I—small scale	Up to 50 campsites	8,000 square feet
Level II—medium scale	>50 up to 100 campsites	16,000 square feet
Level III—large scale	>100 up to 150 campsites	32,000 square feet
Level IV	>150 campsites	Special exception pursuant to <a href="#">Section 6-1300 7.09</a>

- E. **Location on Site/Dimensional Standards.** A campground shall be set back from lot lines as follows:

Use	Lot Area (Min)	Size of Structures (Max)	Setback from Lot Lines
Level I—small scale	40 acres	8,000 square feet	150 ft.
Level II—medium scale	80 acres	16,000 square feet	200 ft.
Level III—large scale	160 acres	32,000 square feet	250 ft.

- F. **Landscaping/Buffering/Screening.**

1. **Buffer.** The use shall comply with Section [5-1404\(A\)\(6\) 5.07.03.A.6](#).
2. **Parking Areas.** Parking areas shall comply with Section [5-1407 5.07.05](#).

- G. **Roads/Access.**

1. **General Access Standards.** The use shall comply with the road access standards of Section [5-654 5.13](#).

2. **Driveways.** Driveways shall not be located within a required buffer yard area except as ~~minimally~~ necessary to access the site.
3. **Number of Access Points.**
  - a. ~~There shall be no more than~~Only one point of access is permitted to a ~~public~~Class II or Class III road from a Level I campground. This requirement ~~shall~~does not preclude an additional access for emergency vehicles only.
  - b. ~~There shall be no more than~~Only two points of access are permitted to a ~~public~~Class II or Class III road from a Level II, III or IV campground. This requirement ~~shall~~does not preclude an additional access for emergency vehicles only.

#### H. Parking.

1. **General.** Parking shall be provided as required by Section ~~5-1102~~ 5.05.03.
2. **Surface.** ~~All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.~~
- I. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A(Exterior Lighting Standards).
- J. **Noise Standards.** The use shall comply with the noise standards of Section ~~5-652(B)~~ 5.12.B(Noise Standards).

### 3.06.03.04 Guest Farm or Ranch

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- A. **Applicability.** This section applies to any guest farm or ranch.
- B. **Size.** No more than 20 guest rooms can be leased.
- C. **Approval.**
  1. Leasing more than three guest rooms requires special exception review and approval in the RAR, RV and VAR districts.

### 3.06.03.05 Hotel/Motel

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- A. **Applicability.** ~~The following standards shall~~This section applies to the development of hotels/motels.:
- B. **Locational Criteria.**
  1. A Hotel/Motel ~~shall be located on, or with ready access to~~must have direct access to , collector or arterial roads.
  2. Hotel/Motel buildings and uses shall not be located in environmentally critical or sensitive areas as defined by the Comprehensive Plan.
- C. **Site Development Criteria.** Hotel/Motel uses shall be served by a public water and sewer ~~age disposal system.~~
  1. ~~Hotel/Motel uses shall be separated from agricultural uses by a minimum Buffer Yard Type A with a minimum width of 100 feet. Hotel/Motel uses shall be separated from residential and institutional uses by a minimum Buffer Yard Type B with a minimum width of 100 feet.~~
- D. **Hotels/Motels in the PD-OP and PD-IP Districts.** Hotels/Motels in the PD-OP and PD-IP districts ~~shall be~~ are permitted if ~~the use complies with the following standards:~~
  1. The hotel/motel use ~~shall~~includes a minimum total of at least 30 square feet per ~~number of each~~ hotel rooms of dividable meeting/conference space.
  2. A restaurant and/or carry-out food service ~~shall be~~is provided on-site.
  3. The following amenities ~~shall be~~are provided: Swimming pool, exercise room or fitness facility, a guest store or area offering personal necessities or other items, ~~in addition to and~~ the required meeting/conference space.

### 3.06.04 Commercial / Mixed-Use

#### 3.06.04.01 Animal Hospital

- A. **Applicability.** This section applies to animal hospitals in the UM, UE, PD-GSI, ARN, ARS and JLMA districts ~~shall comply with the following standards.~~
- B. **Intensity/Character.**
1. The minimum lot area for any animal hospital in the SI, ARN, ARS, and JLMA districts is 5 acres.
- C. **Size of Use.**
1. The maximum size is 7,500 square feet in the UM and UE districts.
  2. **Floor Area Ratio.** The floor area ratio shall not exceed 0.04 in the SI, ARN, ARS and JLMA districts.
  3. **Storage Yards.** The total area of storage yards shall not exceed 10% percent of the total area of the principal structure.
  4. **Location on Site/Dimensional Standards.** ~~An animal hospital shall have the following~~The minimum required yards in the SI, ARN, ARS and JLMA districts are:
    - a. Structures of less than 5,000 square feet of gross floor area: 100 feet minimum from all lot lines.
    - b. Structures greater than 5,000 square feet and less than 15,000 square feet of gross floor area: 150 feet minimum from all lot lines.
    - c. Structures greater than 15,000 square feet of gross floor area: 200 feet minimum from all lot lines.
- D. **Landscaping/Buffering/Screening.**
1. **Buffer.** The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
  2. **Parking Areas.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
  3. **Storage Yards.** All storage yards shall comply with Section ~~5-1406~~ 5.07.04.
- E. **Roads/Access.**
1. **General Access Standards.** An animal hospital shall comply with the road access standards of Section ~~5-654~~ 5.13.
  2. **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.
  3. **Number of Access Points.** ~~There shall be no more than~~Only two points of access are permitted from an animal hospital to a public Class I, Class II or Class III road. This requirement ~~shall~~does not preclude an additional access for emergency vehicles only.
- F. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards).
- G. **Noise Standards.** The use shall comply with the noise standards of Section ~~5-652(B)~~ 5.12.B (Noise Standards).
- H. **Parking.**
1. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
  2. **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.

#### 3.06.04.02 Antique Shop, Art Gallery, Studio or Craft Shop

- A. **Applicability.** This section applies to any antique shop, art gallery or studio, or craft shop in the ARN, ARS, FRTLN-10 and PD-CV districts ~~shall comply with the following standards.~~ These uses are included in the definition of a retail use.]

- B. **Intensity/Character Standards.** Hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
- C. **Size of Use.**
  - 1. **Site Size.** The minimum lot area shall be 1 acre.
  - 2. **Structures.**
    - a. The maximum total size of all structures used for art galleries or studios and craft shops shall not exceed 3,000 square feet in gross floor area.
    - b. The maximum total size of all structures used for antique shops shall not exceed 10,000 square feet in gross floor area.
- D. **Location on Site/Dimensional Standards.** The minimum setback antique shop, art gallery or studio, or craft shop shall be set back a minimum of 100 feet from all lot lines.
- E. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** The use shall comply with Section 5-1404(A)(6) 5.07.03.A.6.
  - 2. **Parking Areas.** Parking areas shall comply with Section 5-1407 5.07.05.
- F. **Parking.**
  - 1. **General.** Parking and loading shall be provided as required by Section 5-1102 5.05.03.
  - 2. **Surface.** All parking areas serving the use shall use a dust free surfacing material as provided in the Facilities Standards Manual.
- G. **Roads/Access Standards.**
  - 1. **General Access Standards.** The use shall comply with the road access standards in Section 5-654 5.13.
  - 2. **Number of Access Points.** The use shall have no more than one 1 point of access is permitted to a public Class I, Class II or Class III road. This requirement shall not preclude an additional access for emergency vehicles only.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) 5.12.A (Exterior Lighting Standards).
- I. **Noise.** The use shall comply with the noise standards of Section 5-652(B) 5.12.B (Noise Standards).
- J. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an Antique Shop; Art Gallery or Studio; or Craft shop and shall be exempt from the minimum lot area, set back from lot line, and floor area requirements. , provided that aAny expansion or enlargement of such that structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.04.03 Auction House

- A. **Applicability.** This section applies to any auction house in the ARN or ARS districts shall comply with the following standards.
- B. **Intensity/Character Standards.**
  - 1. **Hours of Operation.** Hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
  - 2. **Sanitary Facilities.** Bathroom facilities shall be provided on site, consistent with the requirements of the Uniform Statewide Building Code.
- C. **Size of Use.**

1. **Site Size.** The minimum lot area ~~shall be~~ 10 acres.
  2. **Structure.** ~~There shall be one~~ Only one structure is allowed on the lot. ~~The structure which~~ shall not exceed 10,000 square feet in ~~size~~ gross floor area.
  3. **Outdoor Storage.** The maximum area of outdoor storage ~~shall not exceed~~ is 2,000 square feet.
- D. **Location on Site/Dimensional Standards.** The auction house shall be set back ~~a minimum of at least~~ 100 feet from all lot lines.
- E. **Landscaping/Buffering/Screening.**
1. **Buffer.** The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
  2. **Parking Areas.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
  3. **Outdoor Storage.** All outdoor storage shall comply with Section ~~5-1406~~ 5.07.04.
- F. **Roads/Access Standards.**
1. **General Access Standards.** An auction house shall comply with the road access standards in Section ~~5-654~~ 5.13.
  2. **Driveways.** Driveways shall not be located within a required buffer yard area except as ~~minimally~~ necessary to access the site.
  3. **Number of Access Points.** ~~There shall be no more than~~ Only one point of access is permitted to a ~~public~~ Class I, Class II or Class III road. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
- G. **Parking.**
1. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
  2. **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards).
- I. **Noise Standards.** The use shall comply with the noise standards of Section ~~5-652(B)~~ 5.12.B (Noise Standards).
- J. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section ~~6-1800~~ 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an Auction House and ~~shall be~~ exempt from the minimum lot area, and set back from lot line requirements, ~~provided that a~~ Any expansion or enlargement of ~~such that~~ structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.04.04 Banquet/Event Facility

- A. **Applicability.** This section applies to a Banquet/Event Facility use, except within the ~~PD-MUBSM~~ and ~~CLISE~~ district, ~~shall comply with the following standards:~~
- B. **Intensity/Character.**
1. **Hours of Operation.** Hours of operation ~~shall be~~ limited to 7:00 AM to 12:00 midnight.
  2. **Size of Use.** The minimum lot area for a Banquet/Event Facility ~~shall be~~ 20 acres.
  3. **Floor Area.** The floor area ratio shall not exceed 0.04.
  4. **Location ~~and~~ Site/Dimensional Standards.**

- a. The Board of Supervisors may increase the outdoor area setback in establishing conditions associated with a Minor Special Exception for the Banquet/Event Facility use.
  - b. The Banquet/Event Facility use shall be setback 100 feet from all lot lines.
  - c. Parking shall be setback 100 feet from all lot lines.
  - d. Outdoor private party areas shall be setback 200 feet from all lot lines or 100 feet from a lot line of a property having a commercial use.
5. **Number of Attendees.** The maximum number of attendees for incremental acreage is based at the rate of 200 plus ~~two (2)~~ persons per acre over 20 acres.

Minimum Acreage	No. of Attendees
20 acres	200 attendees
50 acres	260 attendees
75 acres	310 attendees
100 acres	360 attendees

**B. Landscaping/Buffering/Screening.**

1. **Buffer.** The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
2. **Parking Areas.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
3. **Storage Yards.** All storage yards shall comply with Section ~~5-1406~~ 5.07.04.

**C. Roads/Access Standards.**

1. **General Access Standards.** A Banquet/Event Facility shall comply with the road access standards of Section ~~5-654~~ 5.13.
2. **Number of Access Points.** ~~There shall be no more than~~ Only ~~two~~ 2 points of access ~~are permitted~~ to a publicly maintained road for the Banquet/Event Facility use. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
3. For any Banquet/Event Facility that is located on a lot which does not have frontage on a publicly maintained road, ~~the applicant shall provide~~ documentation ~~shall be provided~~ to the Zoning Administrator demonstrating that ~~they have permission to use~~ the private access easement ~~servicing such that lot may be used~~ to provide access to the establishment.

**D. Parking. General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.

**E. Exterior Lighting.** All exterior lighting shall comply with the standards of Section ~~5-652(A)(1)-(3)~~ 5.12.A.1-3. (Exterior Lighting Standards). In addition to the requirements of Section ~~5-652~~ 5.12, the maximum height of pole-mounted exterior lighting, outside of parking areas, ~~shall be~~ is 12 feet.

**F. Noise.** A Banquet/Event Facility shall comply with the noise standards of Section ~~5-652(B)~~ 5.12.B. (Noise Standards).

### 3.06.04.05 Building Maintenance Services

- A. **Applicability.** This section applies to building maintenance services.
- B. **Storage.** All storage for these building maintenance service uses shall be enclosed.

### 3.06.04.06 Business Support Services

- A. **Applicability.** This section applies to business support services.
- B. **Retail Sales.** Retail sales to the general public shall not exceed ~~twenty percent (20%)~~ of the gross floor area devoted to business support services.

## 3.06.04.07 Child Day Care

- A. **Applicability.** This section applies to child day cares and child day homes and centers are permitted provided they comply with the following standards:
- B. **Child Care Day Homes:**
1. ~~Notwithstanding Section 5-600 3.06 of this Ordinance, this Section 5-609(A)(1) 3.06.03.04.A.1 and Sections 5-609(A)(2), (4), (5) and (6) 3.06.03.04.A.2, 4, 5 and 6 below shall not be modified by~~ A Minor Special Exception shall not modify subsections B.2, 3, 4, and 5 of this Section.
  2. The total number of children cared for in a child care day home shall must not exceed a maximum of twelve (12) children under the age of thirteen (13). ~~When calculating t~~The "total number of children cared for in a child care day home includes; the provider's own children, children residing on the premises, and non-resident children ~~shall be included.~~
  3. The child care day home shall be the principal residence of the child care day home provider.
  4. The child care day home shall comply with any and all requirements of the County and State Codes requirements, including without limitation, obtaining a Zoning Permit in accordance with Section ~~6-1000~~ 7.06 of this Ordinance, obtaining a County Business License, and obtaining a State Family Day Home License in accordance with the Code of Virginia, as applicable, prior to establishing the use.
  5. ~~For the purposes of this section, p~~Prior to the issuance approval of a Zoning Permit for a child care day home, written notice of the Zoning Permit application shall be sent to the last known address of the owner of each adjacent property as shown on the County's current real estate tax assessment records. For the purposes of this subsection, ~~5-609(A)(6) 3.06.03.04.A.6~~ "adjacent" shall mean properties abutting the subject property and all property immediately and diagonally across the street or road from the subject property, but not including properties separated from the subject property by a roadway having more than two 2 through lanes of travel; or, properties located across such that a roadway that are more than 100 feet from the boundary of the subject property. ~~Such~~The applicant or the Zoning Administrator shall send the written notice shall be sent by certified or registered mail. ~~When such If the Zoning Administrator does notice is not sent by the County~~the notice, the applicant shall submit mail receipts or an affidavit shall be submitted to the Zoning Administrator showing that the required notice was sent. ~~Such~~ The written notice shall include the following information:
    - a. A statement that a Zoning Permit application for a child care day home has been submitted to the County;
    - b. The address of the property subject to the Zoning Permit application for the child care day home;
    - c. A statement informing the adjacent property owner:
      1. that if they have any objection to the proposed child care day home that they can send their objection in writing to the Zoning Administrator,
      2. which that the objection must be received within thirty (30) days from the date the notification letter was sent, and
      3. that such the written objection shall include the specific issues that are the basis for their objection, and
      4. The of the A mailing address of for the Zoning Administrator ~~shall also be included in the notice letter.~~
  6. The Zoning Permit application for the child care day home shall include a Sketch Plan, in accordance with Section ~~6-703~~ 7.03.C of this Ordinance, The Sketch Plan shall show the size and location of the required outdoor play area and fence required by subsection (8) below, and the required parking spaces.

7. If the Zoning Permit application for the child ~~care~~ home is denied, the child ~~care~~ home may be permitted by approval of a Minor Special Exception by the Board of Supervisors, in accordance with ~~the provisions of~~ Section ~~6-1300 7.09~~ of this Ordinance.
  8. Unless exempted by ~~(9)(d) 8.d.~~ below, an outdoor play area shall be provided on the lot where the child ~~care~~ home is located. The outdoor play area shall meet the following standards:
    - a. The minimum size of the outdoor play area ~~shall be~~ ~~seventy-five (75)~~ square feet for each child permitted in the outdoor play area at any given time.
    - b. A fence at least ~~three and one-half (3 ½)~~ feet ~~6 inches~~ in height shall completely enclose the outdoor play area so that children are safely contained inside, and that all persons entering the outdoor play area are within direct line of sight from the child ~~care~~ home.
    - c. The outdoor play area shall be located in the rear or side yard.
    - d. No outdoor play area ~~shall be~~ required on-site ~~when it is demonstrated that if:~~
      1. the child ~~care~~ home is located within 1,000 feet of an existing park or outdoor play area of at least ~~two (2)~~ times the size required for the child ~~care~~ home, ~~providing that and~~
      2. ~~such the~~ park or outdoor play area may be accessed without crossing an arterial or collector road, and-
      3. ~~Such the~~ park or outdoor play area ~~shall is~~ either be:
        - a. a public park (neighborhood, community or regional park), or
        - b. another public play area or park ~~which is~~ shown on the approved concept development plan, site plan, or subdivision plat for the development within which the child ~~care~~ home is located, and which is for the use of owners and residents of the portion of the ~~said~~ development where the child ~~care~~ home is located.
  9. ~~No more than Two 2~~ non-resident assistants/employees ~~shall be~~ permitted ~~at any given time during hours of operation.~~
  10. The hours of operation for the child ~~care~~ home ~~shall be~~ limited to ~~five 5~~ days a week between ~~the hours of~~ 6:00 AM and 7:00 PM.
  11. Signage for the child ~~care~~ home ~~shall be as are~~ permitted in ~~accordance with~~ Section ~~5-1200 6.01~~ of this Ordinance.
  12. Parking spaces required by Section ~~5-1102 5.05.03~~ of this Ordinance shall be designed for the drop off/pick up of children and shall be designed and constructed to enhance the safety of children as they arrive and leave the child ~~care~~ home.
  13. ~~For A~~ child ~~care~~ homes ~~permitted that to~~ cares for more than ~~nine (9)~~ children (~~including the provider's own children, children residing on the premises, and non-resident children~~): ~~The child care home shall be~~ permitted only in a single family detached dwelling ~~that is~~ located on a lot that is ~~a minimum of at least 5,000 4,000~~ square feet ~~in size.~~
- C. ~~Child Day Care Centers:~~
1. The child ~~day~~ care ~~center~~ shall comply with ~~any and all requirements of the~~ County and State Code ~~requirements,~~ including ~~without limitation,~~ obtaining a Zoning Permit in accordance with Section ~~6-1000 7.06~~ of this Ordinance, ~~obtaining~~ a County Business License, and ~~obtaining~~ a State Child Day Center License in accordance with the Code of Virginia, ~~as applicable,~~ prior to establishing the use. ~~Notwithstanding Section 5-600 of this Ordinance, this Section 5-609(B)(1) 3.06.03.04.B.1 shall not be modified by~~ A Minor Special Exception ~~shall must~~ not modify this subsection.
  2. Except as provided under ~~(2)(e) 2.e.~~ below, an outdoor play area shall be provided on the lot where the child ~~day~~ care ~~center~~ is located. The outdoor play area shall meet the following standards:

- a. The minimum size of the outdoor play area shall be ~~seventy-five (75)~~ square feet for each child permitted in the outdoor play area at any given time.
  - b. A fence at least ~~three and one half (3 ½)~~ feet in height shall completely enclose the outdoor play area so that children are safely contained inside, and that all persons entering the outdoor play area are within direct line of sight from the child day care ~~center~~ classroom areas.
  - c. The outdoor play area shall not be located within the minimum required front yard, but may extend into the minimum required side and rear yards. No play equipment shall be located within any required yard or setback of any district.
  - d. The outdoor play area shall be safely segregated from parking, loading, or service areas (such as dumpster pads or delivery sites).
  - e. No outdoor play area shall be required on-site ~~when it is demonstrated that if:~~
    1. the child day care ~~center~~ is located within 1,000 feet of an existing park or outdoor play area of at least ~~two (2)~~ times the size required for the child day care ~~center~~, and
    2. the park or outdoor play area may be accessed without crossing an arterial or collector road, ~~and~~
    3. ~~Such~~ the park or outdoor play area shall be either:
      - a. ~~be~~ a public park (neighborhood, community or regional park), or
      - b. other public play area or park ~~which is~~ shown on the approved concept development plan, site plan, or subdivision plat for the development ~~within which where~~ the child day care ~~center~~ is located, and which is for the use of owners and residents of the portion of the ~~said~~ development where the child day care ~~center~~ is located.
3. Parking areas and vehicular circulation patterns shall meet the following standards:
- a. Parking areas shall be designed to enhance the safety of children as they arrive at and leave the facility.
  - b. A designated area for the drop off/pick up of children, providing at a minimum ~~one (1)~~ parking space per ~~twenty (20)~~ children, shall be located in proximity to the child day care structure in such a way that provides safe and clearly designated access to enter or exit the ~~center~~ day care. Such parking spaces may be used to meet the minimum off-street parking requirements of Section ~~5-1102~~ 5.05.03.

### 3.06.04.08 Commercial Nursery

#### 3.06.04.08 Commercial Nurseries

- A. **Applicability.** ~~The following minimum requirements shall apply~~ This section applies to all retail sales associated with production nurseries and commercial nurseries:.
- B. **On-Site Production.** At least 25% of the area designated as a commercial nursery shall be dedicated to the cultivation of plants that are grown and sold on site. In calculating the percentage of plants grown on-site, plants must be cultivated at the subject nursery facility for at least ~~one (1)~~ full season of new growth for that plant. Plants brought to the subject nursery for immediate resale are ~~included in calculations for~~ considered non-site produced plants and accessory products.
- C. **Certification.** Plant production ~~may~~ must be certified by the County Extension Agent, if requested by the Zoning Administrator.
- D. ~~Plants brought to the subject nursery for immediate resale are included in calculations for non-site produced plants and accessory products.~~
- E. **Accessory Products.**

1. Accessory products include those related to the culture and care of plant sold such as pottery, baskets, garden accessories, baked goods, and floral supplies. The sale of bulk products shall be permitted subject to the buffer yard requirements of Section 5-1404. Propane, firewood, lawn and garden tractors, or machine or other equipment sales are not accessory products.
  2. The sales area for accessory products shall be limited to twenty-five percent (25%) of the gross sales area.
- F. ~~Twenty-five percent (25%) of the gross sales receipts of the commercial nursery must be derived from plants produced on site; or A minimum of twenty five (25%) of the area designated as a commercial nursery shall be dedicated to the cultivation of plants to be sold on site.~~

## 3.06.04.09 Convenience Stores

### 3.06.04.09 Freestanding Convenience Food Stores

- A. **Applicability.** This section applies to convenience stores (with or without gasoline sales) that are located in freestanding structures. ~~Except to the extent permitted on smaller lots in the Rural Commercial (RC) and Planned Development Mixed Use Business (PD-MUB) zoning districts.~~
- B. **Accessory Uses.** In the RC, VC, JLMA-LI, SN, SCN, SM, SC, SE, SI, and TCC districts a convenience store (with or without gasoline sales) may include a car wash as an accessory use subject to approval of a special exception.
- C. **Minimum Lot Area and Frontage.**
  1. ~~Convenience food stores shall be located on lots of~~ Minimum lot area is 50,000 square feet ~~or greater.~~
  2. If a convenience food store is located at the intersection of two streets, the lot must have at least 200 feet of frontage on each street.
- D. **Maximum Building Size.** Convenience food stores shall contain no more than 5,000 square feet of retail area.
- E. ~~If a convenience food store is located at the intersection of two streets, the lot must have at least 200 feet of frontage on each street.~~
- F. **Noise Mitigation.** Any convenience food store located within 200 feet of a residentially zoned, used, and/or planned district or land bay must provide an acoustical barrier, such as landscaping, berms, fences and/or walls, to attenuate noise to levels required by Section ~~5-1507~~ 5.12.B.

## 3.06.04.10 Craft Beverage Manufacturing

- A. **Applicability.** This section applies to craft beverages manufacturing. ~~shall comply with the following standards:~~
- B. **Intensity/Character.**
  1. **Tasting Rooms and Accessory Food Sales.**
    - a. Facilities for tasting rooms and accessory food service shall not exceed the lesser of (i) 49% percent of the total gross floor area or (ii) 5,000 square feet.
    - b. Outdoor tasting rooms or similar outdoor activities shall be set back at least 50 feet from all lot lines of adjacent agriculturally or residentially zoned properties.
    - c. Facilities for accessory food sales related to craft beverage consumption for the convenience of tasting room patrons only shall be permitted.
  2. **Restaurant.** A restaurant may be provided in accordance with the underlying applicable zoning district.
  3. **Storage Areas.** Outdoor equipment and storage of materials used for craft beverage manufacturing shall not be permitted.
- C. **Exterior Lighting Standards.** All exterior lighting for outdoor tasting rooms or similar outdoor activities shall comply with the standards of Section ~~5-652(A)(1)~~ 5.12.A.1 and ~~{2}~~ (Exterior Lighting Standards).

- D. **Water and Sewer.** The use shall be served by central water and central sewer.

### 3.06.04.11 Drive-through Facilities Associated With Banks, Financial Institutions and Pharmacies

- A. **Applicability.** This section applies to drive-through facilities. with up to 3 service lanes and an escape lane shall
- B. **Where Permitted.**
1. Drive-through facilities are permitted in association accessory to with banks, financial institutions and pharmacies that also provide a standard range of customer services in a building, subject to the following additional provisions:
  2. Drive-through facilities are permitted accessory to uses in the Retail use category in the SM districts.
- C. **Maximum Lanes.** Drive-through facilities may include with up to 3 service lanes and an escape lane shall
- D. **Buffer.**
1. Where the bank or financial institution or pharmacy property abuts any property zoned, used, or planned for residential uses, a Buffer Yard Type C shall be provided required adjacent to such that property., except that this requirement shall does not apply to vertically mixed-use buildings containing residential uses in the PD-MUB or PD-TCSM zoning districts.
  2. In lieu of the maximum percentages applicable to large deciduous trees under Section 5-1408(B)(2)(a) 5.07.06.B.2.a, small deciduous trees under Section 5-1408(B)(2)(c) 5.07.06.B.2.c, and evergreen trees under Section 5-1408(B)(2)(b) 5.07.06.B.2.b, a maximum of 30% of the required plant units may be large deciduous trees and/or small deciduous trees. All other plant units shall consist of evergreen trees and/or evergreen shrubs.
- E. **Stacking.** Stacking space shall be sufficient to avoid vehicle stacking into drive lanes, parking spaces and public streets.

### 3.06.04.12 Farm Machinery

#### 3.06.04.12 Farm Machinery Sales and Service

- A. **Applicability.** This section applies to any farm machinery use.
- B. **Location.** The establishment shall be located on a paved, state-maintained Class I or Class II road not more than 1,000 feet from a primary state road roadway.
- C. **Buffer.** The structures, storage, and parking areas and/or the perimeter of the property shall have a Buffer Yard Type B to screen such areas from adjacent residential buildings.
- D. **Setback.**
1. Buildings shall be set back a minimum of 75 feet from all property lines.
  2. Parking, driveways (other than entrance) and storage yards shall be set back a minimum at least 75 feet from the property line along any road frontage, and a minimum of at least 50 feet from all other property lines.
  3. No structure shall be located within 500 feet of an existing residential structure.
- E. **Site Size.** Sites for such establishments shall not be less than three (3) nor more than ten (10) acres.
- F. **Building Size.** The total Floor Area Ratio for all structures shall not exceed 0.1.
- G. **Accessory Sales.** Accessory retail sales shall be limited to farm and garden equipment parts and related tools and accessories. In no case shall the floor area devoted to the display and sale of such related tools and accessories be more than is limited to 15% of the floor area of the building site. No other non-farm equipment

sales shall be permitted, including, but not limited to, (such as lumber, hardware, building materials, or like items).

- H. ~~No structure shall be located within 500 feet of an existing residential structure.~~
- I. ~~Building Size.~~ The total Floor Area Ratio for all structures shall not exceed 0.1.

## 3.06.04.13 Farm Markets

- A. **Applicability.** This section applies to farm markets. ~~Farm Markets may be located in accord with the lists of permitted and special exception uses for the individual zoning districts, subject to the following additional provisions:~~
- B. **Product Origin.** Except as provided in subsection FG below, ~~a minimum of at least~~ 25% of the products offered for sale must be derived directly from agricultural, horticultural, aquacultural, or animal husbandry products produced on site or on other property in Loudoun County owned or leased by the operator of the Farm Market. ~~Upon request, an~~ **Annual** annual report verifying this percentage shall be submitted to the Zoning Administrator ~~upon request.~~
- C. **Location.** A Farm Market shall be located on the site of ongoing agricultural, horticultural or aquacultural activity unless otherwise provided elsewhere in the Zoning Ordinance.
- D. **Access.** Farm Markets shall be located on a hard surfaced Class I, **Class II** or Class III road having a minimum paved width of ~~eighteen (18)~~ feet. The entrance shall have safe sight distance and ~~the Virginia Department of Transportation may be required to have right and left~~ turn lanes ~~as determined by the Virginia Department of Transportation.~~
- E. **Accessory Products.**
  - 1. Sales area for accessory products ~~shall be~~ limited to ~~ten (10)~~ percent of the total area devoted to sales. The calculation of total sales area ~~shall include~~ areas devoted to the display of items for sale.
  - 2. Permitted accessory products include pottery, baskets, garden accessories, baked goods, floral supplies and other items directly related to the culture, care, use of, or processing of a principal use **in the applicable zoning district**. Products not related to the principal permitted use such as lawn mowers and tractors ~~shall be~~ not allowed.
- F. **Maximum Structure Size.** Retail sales areas within structures ~~shall not exceed~~ limited, in the aggregate, to 10,000 square feet of floor area or a Floor Area Ratio of .02 (~~whichever is greater~~).
- G. **Farm Markets with Off-Site Production.** Farm Markets ~~with (off-site production), shall be~~ **permitted** in addition to ~~Standard subsections (B) through (E)F~~ above, ~~must meet with the following additional standards if:~~
  - 1. ~~At minimum of least~~ **twenty five percent (25%)** of the products offered for sale at the Farm Market (off-site production) must be produced in Loudoun County. An annual report verifying this percentage shall be submitted to the Zoning Administrator on request.
  - 2. Parking spaces ~~for Farm Markets (off-site production) shall be provided at a rate of 4/1,000 square feet of~~ are calculated on the basis of the floor area of indoor and outdoor sales area, ~~with a required minimum of 10 spaces per establishment.~~
  - 3. Landscaping/Buffering/Screening.
    - a. The use shall comply with Section ~~5-1404(A)(6)~~ **5.07.03.A.6**.
    - b. Parking areas shall comply with Section ~~5-1407~~ **5.07.05**.
    - c. Storage areas shall comply with Section ~~5-1406~~ **5.07.04**.

## 3.06.04.14 Kennels/Indoor Kennels

- A. **Applicability.** For the purposes of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this Section: This section applies to kennels or indoor kennels. It does not apply to animal hospitals or animal care businesses.
- B. **Kennels. DEFINITIONS MOVED TO SECTION 3.03**
1. **General.** Kennel shall mean any place commercial establishment or use in or at which, for a fee, five (5) or more dogs, cats, or other household pets over the age of six (6) months are trained, fostered, boarded, including day care services, or handled.
  2. **Not Applicable to Animal Hospital/Grooming Use.** This Section shall does not apply to any establishment whose principal use is grooming or any animal hospital.
- C. **Indoor Kennel.**
1. **General.** Indoor kennel shall mean any place that is within a completely enclosed commercial facility with no outdoor activity in which dogs, cats or other household pets are confined or penned in close proximity to each other, except for the primary purpose of grooming, or wherein any owner engages in boarding, breeding, letting for hire, training for a fee, or selling dogs, cats, or other household pets.
  2. **No Opening to Outside.** Indoor Kennels shall not be housed in a structure with any opening to the outside except required ingress/egress and ventilation equipment.
  3. **Waste Handling.** Indoor kennels must have an animal waste handling plan., and shall conform to any other requirements that the Planning Commission and/or Board of Supervisors may impose pursuant to special exception review (Section 6-1300 7.09).
  4. **Accessory Uses**
    - a. Indoor Kennels may include the following accessory uses to an indoor kennel:
      1. up to 10% of gross floor area for retail sales,
      2. up to 10% of gross floor area for veterinary service,
      3. up to 10% of gross floor area for animal hospital, and
      4. up to 10% of gross floor area for grooming.
    - b. ; provided, however, that Accessory uses may not exceed 25% of the total gross floor area.
- D. **Kennels in AR, TR, and JLMA Districts.** Kennels in the AR, TR, and JLMA districts shall comply with the following standards.
1. **Location on Site/Dimensional Standards.** An outdoor kennel or associated use shall be set back 100 feet from a lot line.
  2. **Roads/Access.**
    - a. All kennels shall comply with the road access standards of Section 5-654 5.13.
    - b. There shall be no more than Only one point of access is permitted from a kennel to a public road. This requirement shall does not preclude an additional access for emergency vehicles only.
  3. **Landscaping/Buffering/Screening.**
    - a. The use shall comply with Section 5-1404(A)(6) 5.07.03.A.6.
    - b. Parking areas shall comply with Section 5-1407 5.07.05.
  4. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) 5.12.A (Exterior Lighting Standards).
  5. **Noise.** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed is 55 dB(A).
  6. **Parking.**
    - a. **General.** Parking and loading shall be provided as required by Section 5-1102 5.05.03.

- b. **Surface.** All parking areas serving the use shall use a dust free surfacing material as provided in the Facilities Standard Manual.

## 3.06.04.15 Mobile Vendor

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TBD

## 3.06.04.16 Personal Services

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- A. **Applicability.** This section applies to personal services uses.
- B. **Cleaning and Garment Services.** Cleaning and garment services containing no more than 3,000 square feet of gross floor area. For purposes of this subsection, "cleaning and garment services" means establishments for the mechanical cleaning of garments, articles or goods of fabric for retail customers.

## 3.06.04.17 Restaurant

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- A. **Applicability.** This section applies to any restaurant use in the AR-1N, AR-2S, JLMA-2, and JLMA-3 zoning districts shall comply with the following standards.
- B. **Approval.** Minor special exception review and approval required. On-site restaurants directly related to ongoing agriculture, horticulture and animal husbandry activity are permitted without minor special exception.
- C. **Intensity/Character Standards.** Hours of operation shall be limited from 6:00 a.m. to 12:00 midnight.
- D. **Size of Use.**
  1. **Site Size.** The minimum lot area shall be 20 acres except that there shall be no minimum lot size for adaptive reuse of farm structures existing as of January 7, 2003.
  2. **Floor Area Ratio.** The maximum floor area ratio shall not exceed 0.01 except that there shall be no maximum floor area ratio for adaptive reuse of farm structures existing as of January 7, 2003.
  3. **Location on Site/Dimensional Standards.** The use shall be set back from lot lines as follows:
    - a. Structures of up to 1,500 square feet of gross floor area: 100 feet minimum from all lot lines.
    - b. Structures greater than 1,500 and up to 4,000 square feet of gross floor area: 150 feet minimum from all lot lines.
    - c. Structures over 4,000 square feet of gross floor area: 175 feet minimum from all lot lines.
- E. **Parking.** Parking and loading shall be provided as required by Section 5-1102 5.05.03.
- F. **Landscaping/Buffering/Screening.**
  1. **Buffer.** The use shall comply with Section 5-1404(A)(6) 5.07.03.A.6.
  2. **Parking Areas.** Parking areas shall comply with Section 5-1407 5.07.05.
  3. **Storage Yards.** All storage yards shall comply with Section 5-1406 5.07.04.
- G. **Roads/Access Standards.**
  1. **General.** A restaurant shall comply with the road access standards of Section 5-654 5.13.
  2. **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.
  3. **Number of Access Points.** There shall be no more than Only one point of access is permitted to a public Class II or Class III road. This requirement shall not preclude an additional access for emergency vehicles only.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) 5.12.A (Exterior Lighting Standards).

## 3.06.04.18 Small Business, Agricultural and Rural

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## A. Purpose and Intent.

1. **General.** ~~The purpose of t~~This section ~~is to~~ allows residents to operate small-scale service and contracting businesses in the agricultural, rural, transition, village, and joint land management area zoning districts. Intended to preserve the rural and historic character of ~~the~~those districts and agriculture as an industry. It is the general intent of this OrdinanceSection that commercial uses locate in and around existing urban areas that have adequate roads, public facilities and utilities. However, some small businesses may locate within these districts ~~in order~~ to provide economical and convenient services to the rural area, to supplement farming as a source of income and to operate a home-based business where feasible. Some small businesses can operate in the rural areas with special designs and conditions that mitigate impacts on neighboring rural residential properties.
  2. **Allow Local, Small-Scale Businesses to Locate and Operate.** ~~The intent of t~~This Section is ~~to~~ allows local, small-scale businesses to locate and operate. It is not intended to permit franchises, branch facilities or other partial elements of larger enterprises that have other business facilities in other locations. ~~Such~~Those larger scale enterprises, including expanding businesses which initially located in rural areas under ~~the provisions of~~ this Section, must locate in the County's industrial and commercial zoning districts where they will not adversely impact residential neighborhoods or agricultural activities.
  3. **Uses Temporary for Starting New Business.** The uses approved under ~~the provisions of~~ this section ~~shall~~are ~~be~~ considered temporary for the purpose of starting new businesses. Once a small business needs to expand its area, number of employees, or commercial and customer traffic beyond the capacity and character of the rural area, the business shall relocate to a location appropriately zoned for commercial, business or employment uses. The Board of Supervisors may impose appropriate conditions limiting the duration or transfer of special exceptions granted under ~~the provisions of~~ this OrdinanceSection.
  4. **Adaptive Re-use of Farm Structures.** ~~In addition to home occupations and small businesses,~~This Section provides for the adaptive re-use of farm structures for ~~the intended use of~~ home occupations and small businesses ~~is allowed with respect to the use of small businesses.~~
- B. **Definitions Applicability.** ~~For the purposes of Section 5-614 3.06.04.15,~~This section applies to small businesses in the ARN, ARS, A-3, ~~A-10,~~TR, TLN, EVR, JLMA and PD-CV districts. District regulations shall also apply to small business uses located in those districts. Any use accessory and subordinate to a principal agricultural use shall not be affected by this section. In addition, this section does not affect any legal nonconforming use as provided for in Chapter 9.
- C. **Permitted Small Business Uses.** Small business uses, as listed in subsection D, which meet all of the conditions in Section ~~5-614(E) 3.06.04.15.E~~ shall ~~be~~are allowed on lots of ~~ten (10)~~ acres or greater, subject to approval of a zoning permit/sketch plan (~~see, as defined in Section 5-614(H) 3.06.04.15.H~~).
- D. **Small Business Uses Permitted~~ssible~~ by Special Exception.** Small businesses not meeting the criteria of ~~Section 5-614(C) 3.06.04.15-subsection C~~ may ~~be~~are allowed by special exception, ~~granted by the Board of Supervisors upon recommendation of the Planning Commission. Special exception applications made pursuant to this Section are subject to the procedures and standards established in Section 6-1300 7.09 as well as to the uses, standards and restrictions that follow.~~ The following uses may be approved as small businesses: ~~in the AR-1, AR-2, A-3, A-10, TR, CR, JLMA and PD-CV zoning districts:~~
1. Business service occupations.
  2. Personal service occupations.
  3. Repair service occupations.
  4. Contractors and contracting.
  5. Professional office-based services.
  6. Studios for fine arts and crafts.
  7. Antique sales ~~and the sale of any goods or items produced on the premises.~~

8. The sale of any goods or items produced on the premises.
9. Except as provided above, no retail or wholesale commercial businesses are permitted.

**E. Small Business Site Development Criteria.**

**1. Standards and Restrictions for Small Business Uses.**

	Acreage	No. of Employees	Heavy Equip.(On-Site)	Business Vehicles(On-Site)
(a)	0-3	1 maximum	none	2 maximum
(b)	3 but <10	3 maximum	none	2 maximum
(c)	10 but <50	4 maximum	2 maximum	4 maximum
(d)	50 or greater	10 maximum	5 maximum	6 maximum
(e) Business vehicle may not have more than two axles.				

**2. Regulations for Structures.**

	Acreage	Size of Structures
(a)	3-5	2,000 sq. ft. maximum
(b)	5 but <10	2,500 sq. ft. maximum
(c)	10 or greater	5,000 sq. ft. maximum for the initial 10 acres, plus an additional 1,000 sq. ft. for each additional 10 acres, not to exceed 15,000 sq. ft. maximum
(d) Building Height: 35 feet maximum.		

3. **Accessory Structures, Agriculture.** Notwithstanding the limitations placed on home occupations in Section 5-400 3.06.09.03, 100% of an existing farmagriculture accessory structure may be used. An approved zoning/building permit shall be received for the change in use.

**4. Regulations for Storage Yards.**

	Acreage	Size of Storage Yards
(a)	3-5	2,000 sq. ft. maximum
(b)	5 but <10	2,500 sq. ft. maximum
(c)	10 or greater	5,000 sq. ft. maximum for the initial 10 acres, plus an additional 1,000 sq. ft. for each additional 10 acres, not to exceed 15,000 sq. ft. maximum
(d) Storage yards shall be screened consistent with the requirements of Section 5.07.04-653(C) ( <u>Screening of Outdoor Storage and Storage Yards</u> ). Outdoor storage space must be enclosed on all sides by a fence.		

**5. Setback requirements.**

- a. The minimum setback for all structures or storage yards of less than 2,000 sq. ft. for uses allowed under this Section shall be set back a minimum of 100 feet from all lot lines.
- b. The minimum setback for all structures or storage yards in excess of 2,000 sq. ft. shall be set back at least 300 feet from all lot lines.
- c. The minimum setback for all structures or storage yards used for the storage of heavy equipment shall be set back at least 300 feet from all lot lines and 500 feet from existing residential dwellings.

6. **Access.** All businesses which use, or store on site, heavy equipment shall access a Class II or Class III road.

**F. Sketch and Site Plans.**

1. **Sketch Plan.** A sketch plan is required as part of a zoning permit application for permitted small businesses. Sketch plans shall include a drawing of all aspects of the business operations including the size and

dimensions of the residence; the size and dimensions of areas within the residence to be used for the business; size, dimensions, and location of any structures, outdoor storage yards, and screening and buffering; size and dimensions of parking areas and signs if any; and the approximate location of any on-site major floodplain as determined from the County flood plain map. In addition, the sketch plan shall include the required off-site information needed to illustrate conformance with the small business regulations, (Section ~~5-614~~ 3.06.04.15), such as distances between storage yards, structures and adjacent residential structures and other buildings, the location and width of adjacent right-of-way, adjoining properties, and easements. The sketch plan need not be drawn to scale, nor does it have to be prepared by a licensed professional. However, distances from structure to adjacent lot lines must be accurately depicted.

2. **Special Exceptions.** Special exceptions may contain a condition for a site plan, in lieu of a sketch plan ~~as defined herein~~, whenthat the Board of Supervisors finds ~~such a condition is~~ necessary to mitigate potential off-site impacts of the proposed use.
- G. **Signs.** Signs for permitted and special exception small businesses approved under Section ~~5-614~~ 3.06.04.15 are subject to the regulations contained in ~~Section 5-1200~~ Chapter 6 of this Ordinance for ~~Businesses non-residential uses in the applicable zoning district~~.
- H. **Parking.**
  1. **General.** Parking shall be provided in accordance with Section ~~5-1102~~ 5.05.03 when employees and customers are to be on the premises.
  2. **Landscaping/Buffering/Screening.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
  3. **Location.** No parking shall be permitted in a required yard or setback.
- I. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards).
- J. **Noise Standards.** The use shall comply with the noise standards of Section ~~5-652(B)~~ 5.12.B (Noise Standards).

### 3.06.04.19 Snack or Beverage Bars

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### 3.06.04.19 Teahouse; Coffeehouse

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- A. **Applicability.** This ~~section applies to Teahouse or coffeehouse uses~~ snack or beverage bars in the ARN or ARS districts ~~shall comply with the following standards~~.
- B. **Intensity/Character Standards.** Hours of operation ~~shall be~~ limited to 6:00 a.m. to 9:00 p.m.
- C. **Size of Use.**
  1. **Site Size.** The minimum lot area ~~shall be~~ is 5 acres.
  2. **Structure.** The ~~maximum~~ size of structures used ~~shall not exceed~~ is 2,500 square feet in gross floor area (total all structures).
- D. **Location on Site/Dimensional Standards.** The ~~minimum setback for a teahouse or coffeehouse use~~ snack or beverage bar ~~shall be~~ setback is 50 feet from all lot lines.
- E. **Landscaping/Buffering/Screening.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
- F. **Parking.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
- G. **Roads Access Standards.**
  1. **General Access Standards.** The use shall comply with the road access standards in Section ~~5-654~~ 5.13.
  2. **Number of Access Points.** ~~There shall be no more than~~ Only one point of access is permitted to a public Class II or Class III road. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652~~ 5.12. ~~(A.) (1.), (2.) and (4).~~

- I. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section ~~6-1800~~ 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a ~~Teahouse or Coffeehouse~~ snack or beverage bar and shall be exempt from the minimum lot area and floor area requirements specified above. ~~, provided that a~~ Any expansion or enlargement of ~~such that~~ structure shall ~~not exceed~~ is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.04.20 Vehicle Repair, Heavy with Accessory Motor Vehicle Sales

- A. **Applicability** ~~Vehicle Repair, Heavy, with Accessory Motor Vehicle Sales.~~ Limited motor vehicle sales ~~must be~~ are permitted only as an accessory use pursuant to the following conditions to heavy vehicle repair subject to this section. This section does not prevent a mechanic from selling a car to recover costs associated with a mechanic's lien.
- B. **Location.**
  1. The accessory vehicle sales must be on the same lot and within the same building as the principal use of Vehicle Repair, Heavy.
  2. Accessory vehicle sales are only permitted when the use is located on a paved local road capable of accommodating the traffic generated by the use, and accessed by the same roads that serve the principal use.
  3. Any car-carrier loading/unloading area and vehicle storage areas must be located on the same lot and separated from the customer parking areas.
- C. **Outside Display.** ~~No~~ Outside display of vehicles ~~must be~~ is not permitted within front yards, setbacks or parking areas.
- D. **Inventory.**
  1. All vehicles sold must have received repair, modification, or customization (not to include light repair) by the Heavy Vehicle Repair, Heavy, use.
  2. All vehicles sold, for street use, must meet applicable state and federal regulations regarding emissions and safety.
- E. ~~Accessory vehicle sales must only be permitted when the use is located on a paved local road capable of accommodating the traffic generated by the use, and accessed by the same roads that serve the principal use.~~
- F. ~~Any car-carrier loading/unloading area and vehicle storage areas must be located on the same lot and be separated from the customer parking areas.~~
  1. The sale and/or outdoor storage of vehicles that are not in operating condition shall is not be permitted.
- G. **Franchise Prohibited.** No dealership franchises are permitted.
- H. ~~No exterior signs advertising vehicle sales are permitted.~~
- I. ~~These conditions shall not prevent a mechanic from selling a car to recover costs associated with a mechanic's lien.~~

### 3.06.04.21 Vehicle Wholesale Auction

- A. **Applicability.** This section applies to any vehicle wholesale auction.

## B. Locational Criteria.

1. Vehicle wholesale auctions shall be located on a ~~public, paved~~ Class I or Class II road capable of accommodating the traffic generated by the use.
2. Vehicle wholesale auctions shall be located on parcels ~~wherethat are~~ at least a ~~portion of the parcel is partially~~ located within the noise contour areas of the Airport Impact Overlay District, as existing at the time of initial site plan approval.
3. ~~Vehicle wholesale auctions shall be located on a parcel with an area of~~The minimum lot area is 50 acres ~~more.~~

## C. Site Development Criteria.

1. Any car-carrier loading/unloading area and vehicle storage areas shall be located separately from the customer parking areas, ~~and such areas shall be identified with directional signage.~~
2. The use shall be served by public sewer.
3. Car washing associated with the use shall utilize recycled water.
4. The sale and/or storage of vehicles that are not in operating condition ~~shallis not be~~ permitted.
5. Outdoor vehicle storage, parking spaces, and loading spaces shall be specifically identified on an approved site plan and ~~shallis be~~ limited to ~~suchthose~~ areas.
6. ~~The minimum setback for~~ outdoor vehicle storage ~~shall be setback at leastis~~ 100 feet from any road right-of-way.
7. The test driving of all vehicles ~~shallmust~~ be conducted on-site.
8. Vehicle wholesale auctions shall not be conducted before 8:00 a.m., after 6:00 p.m., or on Saturdays or ~~on~~ Sundays.

## 3.06.05 Public/Civic/Institutional

### 3.06.05.01 Amphitheater

#### 3.06.05.01 Outdoor Amphitheater

- A. **Applicability.** This section applies to any ~~outdoor~~ amphitheater in the ~~SM, ARN or ARS~~ districts ~~shall comply with the following standards.~~
- B. **Intensity/Character.**
  1. The minimum lot area for an ~~outdoor~~ amphitheater ~~in the ARN or ARS districts shall beis~~ 50 acres.
  2. **Accessory Uses.** Accessory uses may include concession facilities for the sales of drinks and food during events, and offices used solely to operate and manage the amphitheater.
- C. **Size of Use.**
  1. ~~The capacity for permitted amphitheaters is limited to 2,000 personsseats. Amphitheaters in the SM district may exceed 2,000 seats with special exception approval.~~
  2. ~~Accessory concession facilities are limited to 5,000 square feet in the ARN or ARS districts.~~
- D. **Location on Site/Dimensional Standards.** ~~An outdoor amphitheater shall be~~The minimum set-back from lot lines ~~a minimum ofis~~ 1000 feet ~~in the ARN or ARS districts.~~
- E. **Landscaping/Buffering/Screening.**
  1. **Buffer.** ~~The use shall comply with~~Refer to Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
  2. **Parking Areas.** ~~Parking areas shall comply with~~Refer to Section ~~5-1407~~ 5.07.05.
- F. **Roads/Access.**

1. **General.** ~~The use shall comply with the road access standards of~~ Refer to Section ~~5-654~~ 5.13.
  2. **Number of Access Points.** ~~There shall be no more than~~ Only ~~two~~ 2 points of access are permitted to an outdoor amphitheater. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
  3. **Driveways.** Driveways ~~shall not be located~~ are prohibited within a required buffer yard ~~area~~ except as ~~minimally~~ necessary to access the site.
- G. **Parking.**
1. **General.** ~~Parking and loading shall be provided as required by~~ Refer to Section ~~5-1102~~ 5.05.03.
  2. **Surface.** ~~All parking areas serving the use shall~~ must use a dust-free surfacing material as provided in the ~~Facilities Standards Manual~~.
- H. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards), except that fully shielded lighting fixtures are not required around the outdoor amphitheater itself.
- I. **Noise Standards.** ~~The use shall comply with the noise standards of~~ Refer to Section ~~5-652(B)~~ 5.12.B (Noise Standards).

## 3.06.05.02 Agricultural Cultural Center

- A. **Applicability.** This section applies to ~~An~~ agricultural cultural centers in the ~~ARN, ARS~~ and Route 28 CO, PD-CM and CB districts ~~shall comply with the following standards:~~.
- B. **Intensity/Character of Use.** The minimum lot area for an agricultural cultural center ~~shall be~~ is 10 acres.
- C. **Size of Use.**
1. **Floor Area Ratio.** The maximum floor area ratio ~~shall be~~ is 0.04.
  2. **Storage Yards.** The total area of all storage yards ~~shall be~~ is limited to ~~10% percent~~ of the total gross floor area of the principal structure on the site. Outdoor exhibit space open to members of the public ~~shall~~ is not ~~be~~ counted as part of the area of storage yards.
- D. **Location on Site.** ~~Lot Lines.~~ ~~An agricultural cultural center shall be~~ The minimum set back from lot lines ~~as follows is:~~
1. **Structures over 18,000 square feet of gross floor area:** 225 feet minimum from all lot lines.
  2. **Structures greater than 9,000 square feet, and up to 18,000 square feet of gross floor area:** 175 feet minimum from all lot lines.
  3. **Structures of less than 9,000 square feet of gross floor area:** 125 feet minimum from all lot lines.
- E. **Landscaping/Buffering/Screening.**
1. **Buffer.** The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
  2. **Parking Areas.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
  3. **Storage Yards.** All storage yards shall comply with Section ~~5-1406~~ 5.07.04.
- F. **Roads/Access.**
1. **General Access Standards.** An agricultural cultural center shall comply with the road access standards of Section ~~5-654~~ 5.13.
  2. **Number of Access Points.** ~~There shall be no more than~~ Only ~~one~~ 1 point of access is permitted to a ~~public~~ Class I, Class II or Class III road. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
  3. **Driveways.** Driveways ~~shall not be located~~ are not permitted within a required buffer yard area except as minimally necessary to access the site.

- G. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ **5.12.A** (Exterior Lighting Standards).
- H. **Parking.**
  - 1. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ **5.05.03**.
  - 2. ~~**Surface.** All parking areas serving an agricultural cultural center of up to 5,000 square feet gross area shall use a dust free surfacing material as provided in the Facilities Standards Manual. Parking areas in excess of 5,000 square feet of gross floor area shall provide paved parking for visitors and users.~~
- I. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section ~~6-1800~~ **7.11** et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an Agricultural Cultural Center and ~~shall be~~ exempt from the minimum lot area, floor area ratio, and set back from lot line requirements specified above. ~~, provided that a~~ Any expansion or enlargement of ~~such that~~ structure ~~shall not exceed~~ is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

### 3.06.05.03 Agricultural Education or Research

#### 3.06.05.03 Educational or Research Facilities Use Related to the Agriculture, Horticulture and Animal Husbandry Uses in the District

- A. **Applicability.** This section applies to any agricultural educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the ARN, ARS, TLN and TR-2 districts shall comply with the following standards.
- B. **Size of Use Standards.**
  - 1. **Site Size.** The minimum lot area shall be 25 acres.
  - 2. **Visitors/Customers/Parking Spaces.** No more than 200 visitors are allowed on any one day, and no more than 100 vehicles are allowed on site at any one time. Additional visitors are allowed by right, subject to an increase in minimum site size at a rate of 1 acre per 5 visitors in excess of 25 acres. The minimum lot area shall increase based on the number of visitors/customers attracted, as follows:

Scope of Use/Event	Lot Area(Minimum)
No more than 200 visitors on any one day; no more than 100 vehicles allowed on site at any one time. Additional visitors allowed by right at rate of 5 per acre in excess of 25 acres.	25 acres

- 3. **Structure.** The maximum floor area ratio shall not exceed 0.04.
- 4. **Storage Yards.** The maximum total area of storage yards shall not exceed 10% percent of the total area of the principal structure.
- B. **Location on Site/Dimensional Standards.** The use shall be minimum set-back all from lot lines as follows:
  - 1. Structures up to 7,000 square feet of gross floor area: 100 feet minimum from all lot lines.
  - 2. Structures greater than 7,000 square feet of gross floor area and up to 12,000: 150 feet minimum from all lot lines.
  - 3. Structures greater than 12,000 square feet of gross floor area: 200 feet minimum from all lot lines.
- C. **Parking.** Parking and loading shall be provided as required by Section ~~5-1102~~ **5.05.03**.
- D. **Landscaping/Buffering/Screening.**

1. **Buffer.** ~~The use shall comply with~~ Refer to Section ~~5-1404(A)(6)~~ **5.07.03.A.6.**
  2. **Parking Areas.** ~~Parking areas shall comply with~~ Refer to Section ~~5-1407~~ **5.07.05.**
  3. **Storage Yards.** ~~All storage yards shall comply with~~ Refer to Section ~~5-1406~~ **5.07.04.**
- E. **Roads/Access.**
1. **General.** ~~The use shall comply with the road access standards of~~ Refer to Section ~~5-654~~ **5.13.**
  2. **Number of Access Points.** ~~There shall be no more than~~ Only ~~two~~ **2** points of access are permitted to a public road. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
  3. **Driveways.** Driveways ~~shall not be located~~ are not permitted within a required buffer yard area except as ~~minimally~~ necessary to access the site.
- F. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section ~~5-652(A)~~ **5.12.A** (Exterior Lighting Standards).
- G. **Noise Standards.** ~~The use shall comply with the noise standards of~~ Refer to Section ~~5-652(B)~~ (Noise Standards).
- H. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section ~~6-1800~~ **7.11** et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an ~~agricultural educational or research~~ **Facilities Use Related to the Agriculture, Horticulture and Animal Husbandry** and ~~shall be~~ exempt from the minimum lot area, floor area ratio, and set-back from lot line requirements specified above, ~~provided that a~~ Any expansion or enlargement of ~~such that~~ structure ~~shall not exceed~~ is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.05.04 Arboretum, Botanical Garden, Nature Study Area

- A. **Applicability.** ~~The following standards shall~~ This section applies to the development of arboretums, botanical gardens, and nature study areas in the ~~ARN, ARS, JLMA-20 and PD-CV districts.~~ These are defined as part of a cultural facility use.
- B. **Intensity/Character of Use.**
1. **Site Size.** The minimum lot area for any arboretum, botanical garden or nature study area ~~shall be~~ 5 acres.
  2. **Hours of Operation.** The hours of operation ~~shall be~~ limited to 6:00 a.m. to 9:00 p.m., except that permitted temporary special events at an arboretum, botanical garden, or nature study area may operate beyond the 9:00 p.m. time according to the terms of the temporary special events permit.
  3. **Accessory Uses.** Accessory uses ~~shall be~~ only permitted on lots 20 acres in size or larger. Accessory uses to an arboretum, botanical garden, or nature study area may include retail sales (e.g., gift shops), small restaurants or cafes, or visitor centers ~~are~~ subject to the following standards:
    - a. Retail sales ~~shall be~~ limited to the sale of items directly related to the nature and character of the principal permitted use.
    - b. Accessory uses other than ~~a~~ visitors centers ~~shall contain no more than~~ are limited to 1,000 square feet of gross floor area. A visitors center ~~shall contain no more than~~ is limited 2,500 square feet of gross floor area.
- C. **Size of Use.**
1. **Floor Area Ratio.** The maximum floor area ratio ~~shall be~~ 0.02.
  2. **Storage Areas.** The total area of storage areas ~~shall not exceed~~ is limited to 10% ~~percent~~ of the total area of the principal structure.

- D. **Roads/Access.** Uses shall comply with the road access standards of Section ~~5-654~~ 5.13.
- E. **Parking.**
  - 1. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
  - 2. **Surface.** ~~All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.~~
- F. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards).
- G. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section ~~6-1800~~ 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as an Arboretum, Botanical or Garden Nature Study Area and ~~shall be~~ exempt from the minimum lot area and floor area ratio requirements specified above., ~~provided that a~~Any expansion or enlargement of ~~such that~~ structure ~~shall not exceed~~ is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.05.05 Assembly

### 3.06.05.05 Religious Assembly Uses (Church, Synagogue, Temple, Mosque)

- A. **Applicability.** The following standards shall apply ~~to the development of religious~~ to assembly uses in the ARN, ARS, JLMA and TLNR-10 districts, ~~which includes religious land uses.~~
- B. **Approval.** Religious land uses with seating capacity of more than 300 in the sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, or recreation facilities, must have special exception review and approval in the JLMA-1, JLMA-2, JLMA-3, JLMA-20 districts.
- C. **Size of Use.**
  - 1. **Site Size.** The minimum lot area is:
    - a. Seating capacity of 300 seats or less: 10 acres.
    - b. Seating capacity of 300 seats or more seats, and accessory uses (schools, day care centers, recreation facilities): 20 acres.
  - 2. **Maximum Floor Area Ratio.** The maximum floor area ratio, as measured utilizing all structures and the total gross acreage of the site ~~shall be~~ 0.20.
  - 3. **Storage Yards.** The ~~maximum~~ total area of storage yards ~~shall not exceed~~ is 10 percent of the total area of the principal structure.
- D. **Location on Site.**
  - 1. **Setbacks from Lot Lines.** ~~A religious assembly use (including all accessory uses and structures) shall be set back from lot lines a~~The minimum setback from lot lines is ~~of~~ 75 feet for buildings and other structures and a ~~minimum of~~ 50 feet for parking.
- E. **Child Care Facilities.** ~~Religious assembly uses with~~Accessory child care facilities shall comply with ~~the requirements of~~ Section 5-609.
- F. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** ~~The use shall comply with~~Refer to Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
  - 2. **Parking Areas.** ~~Parking areas shall comply with~~Refer to Section ~~5-1407~~ 5.07.05.
  - 3. **Storage Yards.** ~~All storage yards shall comply with~~Refer to Section ~~5-1406~~ 5.07.04.

## G. Roads/Access.

1. **General Access Standards.** ~~Religious assembly uses shall comply with the road access standards offer to Section 5-654 5.13.~~
2. **Number of Access Points.** ~~There shall be no more than two~~ Only 2 points of access are permitted to a ~~public~~ Class I, Class II or Class III road from an ~~religious assembly use~~. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.

## H. Parking.

1. **General.** ~~Parking and loading shall be provided as required by~~ Refer to Section 5-1102 5.05.03.
2. **Surface.** ~~All parking areas shall must use a dust-free surfacing material as provided in the Facilities Standards Manual.~~

## I. Exterior Lighting Standards.

~~All exterior lighting shall comply with the standards of~~ Refer to Section 5-652(A) 5.12.A (Exterior Lighting Standards).

## J. Modification of Performance Standards.

~~For religious land uses, the Zoning Administrator shall have the authority to may grant modifications to modify~~ any of the standards listed in this Section 5-639 3.06.05.22 in order to eliminate a substantial burden on religious exercise as guaranteed by the federal Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. Sec. 2000cc) ("RLUIPA"), as amended. In granting ~~such~~ a modification, the Zoning Administrator may require conditions consistent with ~~the federal Act~~ RLUIPA that will secure substantially the objectives of the modified standard and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties.

### 3.06.05.06 Cemetery, Mausoleum, Crematorium, Memorial Park

## A. Applicability.

~~The following standards shall apply to the development of~~ This section applies to cemeteries, mausoleums, crematoriums, and memorial parks., ~~except t~~ This section ~~shall~~ does not apply to crematoriums permitted in the ~~Planned Development Mixed Use Business (PD-MUB) Suburban Mixed Use (SM)~~ zoning district.

## B. Intensity/Character of Use.

1. **Site Size.** The minimum lot area for any cemetery, mausoleum, crematorium, ~~or memorial park~~ is ~~shall be~~ 10 acres.
2. **Hours of Operation.** The hours of operation ~~shall be~~ limited to 6:00 a.m. to 9:00 p.m. or dusk, whichever occurs first.

## C. Size of Use.

1. **Maximum Floor Area Ratio.** The maximum floor area ratio ~~shall be~~ 0.04.
2. **Storage Areas.** The ~~maximum~~ total area of storage areas ~~shall not~~ exceed 10% ~~percent~~ of the total area of the principal structure.

## D. Location on Site/Dimensional Standards.

1. **General.** ~~Cemetery, mausoleum, or crematorium uses shall be~~ The minimum set back is 150 feet from lot lines.
2. **Setback from Residences ~~without Property Owner Consent.~~** ~~Cemetery, mausoleum and crematorium uses shall be set back a minimum of 250 yards~~ The minimum setback from a residence is 250 yards, unless if property owner of the residence consents in writing to ~~is not received to be located closer to the residence a closer setback.~~
3. **Setback from Water Company Well.** ~~Cemetery, mausoleum or crematorium uses shall be~~ The minimum set back ~~a minimum of 300 yards~~ from a city, town or water company well is 300 yards (Section 57-26 Code of Virginia).

## E. Landscaping/Buffering/Screening.

1. **Buffer.** The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
  2. **Parking Areas.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
  3. **Storage Areas.** All storage areas shall comply with Section ~~5-1406~~ 5.07.04.
- F. **Roads/Access.**
1. **General Access Standards.** Uses shall comply with the road access standards of Section ~~5-654~~ 5.13.
  2. **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.
- G. **Parking.**
1. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
  2. **Surface.** ~~All parking areas serving the use shall use a dust free surfacing material as provided in the Facilities Standards Manual.~~
- H. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards).

### 3.06.05.07 Conference and Training Centers

- A. **Applicability.** This section applies to convention or exhibition facilities ~~Conference~~ and training centers in the ARN, ARS, JLMA-20 and ~~TRTLN~~-10 districts ~~shall comply with the following standards.~~
- B. **Intensity/Character.** The minimum lot area ~~shall be as follows is:~~

Use	Lot Area(Minimum)	Average Daily Users
Level I-small scale	50 acres	Up to 50 users
Level II-medium scale	100 acres	>50 and up to 100 users
Level III-large scale	150 acres	>100 and up to 150 users
Level IV	Requires special exception approval pursuant to Section <del>6-1300</del> <u>7.09</u>	>150 users

Average daily users include the employees, trainees and conferees the conference and training center is designed to accommodate. Service trips, which are trips made to the facility for the purpose of delivering food, supplies, and related materials are in addition to the average daily users.

- B. **Size of Use.**
  1. **Floor Area Ratio.** The maximum floor area ratio ~~shall be is~~ 0.04.
  2. **Accessory Uses.**
    - a. Dining and banquet facilities may be provided for employees, trainees and conferees. The maximum total area of banquet and dining facilities ~~shall not exceed is~~ 20% percent of the total area of the principle permitted structure.
    - b. The maximum total area of lodging facilities ~~shall not constitute over is~~ 40% percent of the total area of the principal permitted structure.
  3. **Special Events Only by Section ~~5-500~~ 3.05 or Special Exception.** Special events shall receive approval pursuant to Section ~~5-5003.05~~, or be specifically provided for in the approval of a special exception (Section ~~6-1300~~ 7.09), as applicable.
  4. **No Products Sold On-Site.** No products shall be sold on-site, except those that are clearly incidental and integral to the training programs and seminars. Shirts, glasses, golf equipment, pens and pencils, mugs and similar items with the logo of the company or firm conducting or sponsoring the conference or seminars are considered incidental and integral to the training program.
  5. **Storage Yards.** The maximum total area of storage yards ~~shall not exceed is~~ 10% percent of the total area of the principle structures.

6. **On-Site Recreation Facilities.** On-site recreation facilities may be used solely by employees, trainees or conferees.
7. **Open Space.** At least ~~minimum of 75% percent~~ of the site ~~shall~~ must remain as open space.
8. **Location on Site/Dimensional Standards.** ~~Conference and training centers shall be~~ The minimum set-back from lot lines ~~as follows~~ is:

Use	Lot Area (Min)	Setback from Lot Lines
Level I—small scale	50 acres	150 ft.
Level II—medium scale	100 acres	200 ft.
Level III—large scale	150 acres	250 ft.

**C. Landscaping/Buffering/Screening.**

1. **Buffer.** The use shall comply with Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
2. **Parking Areas.** Parking areas shall comply with Section ~~5-1407~~ 5.07.05.
3. **Storage Yards.** All storage yards shall comply with Section ~~5-1406~~ 5.07.04.

**D. Roads/Access.**

1. **General.** The conference and training center use shall comply with the road access standards of Section ~~5-654~~ 5.13.
2. **Number of Access Points.** ~~There shall be no more than~~ Only ~~one~~ 1 point of access is permitted to a ~~public~~ Class I, Class II or Class III road. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
3. **Driveways.** Driveways shall not be located within a required buffer yard area except as ~~minimally~~ necessary to access the site.

**E. Parking.**

1. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
2. **Surface.** ~~All parking areas serving the use shall use a dust free surfacing material as provided in the Facilities Standards Manual.~~

**F. Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards).

**G. Noise Standards.**

1. The maximum allowable dB(A) level of impulsive sound from the site, as measured at the property line, shall not exceed 55 dB(A).
2. ~~In addition, outdoor music shall~~ is not ~~be~~ allowed after 11:00 PM.

## 3.06.05.08 Country Club

**A. Applicability.**

1. This section applies to country clubs in the ARN-1 and ARS-2 ~~shall comply with the following standards.~~ Country clubs are defined as part of the outdoor or major recreation use.
2. ~~Throughout~~ For purposes of this section:
  - a. "Lot Area" ~~shall~~ includes the total acreage of abutting parcels under common ownership and control, or under a common development plan, and
  - b. "Property Line" ~~shall be~~ means the outer line of ~~the~~ properties under common ownership and control, or under a common development plan."

**B. Intensity/Character.** The minimum lot area shall be as follows:

Use	Lot Area(Minimum)
Level I-small scale	50 acres
Level II-medium scale	75 acres
Level III-large scale	150 acres

**B. Size of Use.**

- 1. Floor Area Ratio.** The maximum floor area ratio shall be 0.04.
- 2. Maximum Structure Size.** The maximum size of structures shall be as follows:

Use	Maximum Total Size of Permitted Principal Structures (GFA)
Level I—small scale	25,000 sq. ft.
Level II—medium scale	50,000 sq. ft.
Level III—large scale	75,000 sq. ft.

- 3. Accessory Structures.** The maximum total area of all accessory structures shall not exceed 15 percent of the total gross floor area of the principal structures used for the country club use.
- 4. Distribution of Uses.**

Use	Total Maximum Gross Floor Area of the Principal Permitted Structures
Dining and Restaurant Facilities	30% percent
Banquet and Conference Facilities	25% percent
Spa and Health Facilities	15% percent

**C. Use Limitations.**

- Enclosed principal structures for dining and banquet facilities, conference facilities, spa, fitness facilities, and recreational activities (such as pool and tennis) shall be sited and designed to take advantage of the topography and existing vegetation to blend into the rural landscape to the maximum extent feasible.
- Such principal structures shall be clustered to maximize usage of site infrastructure (i.e. parking, travelway, utilities). This does not apply to principal structures that have reason to be separated from the main country club complex (e.g. maintenance facilities, structures housing livestock) are not required to be clustered.
- Structures shall be sited to minimize visual impacts on adjacent properties and promote the rural character of the landscape. Siting on primary ridgelines or hilltops, if visible from the adjacent public roadways is prohibited. However, if, because of engineering constraints (e.g. utility easements, drainage, access easements, soil conditions, etc.) it becomes necessary to site a facility on a primary ridgeline or hilltop, then the applicant shall provide additional landscaping and buffering to mitigate the visual impact from adjacent public roadways.

**D. Minimum Required Yards.**

- The minimum required yard for principal and accessory structures shall have a minimum yard of 50 feet from all property lines (the "property line" is determined to be the outer line of the properties under common ownership and control).

2. ~~In order to~~To encourage preservation of environmental resources, the Zoning Administrator may reduce yard requirements ~~may be reduced~~ up to 25% ~~by the Zoning Administrator~~.
  3. Accessory structures, not requiring a building permit, may be located a minimum of 25 feet from all property lines.
- E. **Landscaping/Buffering/Screening.**
1. **Buffer.** A Buffer Yard Type B (see Section 5.07.03.D) is required for principal or accessory structures associated with the country club ~~use shall provide a Buffer Yard Type B in accordance with Section 5-1404(D) 5.07.03.D~~ where ~~that are~~ adjacent to parcels of 3 acres or less that are not part of a common development plan.
  2. **Parking Areas.** Parking areas shall comply Section ~~5-1407~~ 5.07.05.
  3. **Storage Yards.** All storage yards shall comply with Section ~~5-1406~~ 5.07.04.
- F. **Roads/Access.**
1. **General.** The country club use shall comply with the road access standards of Section ~~5-654~~ 5.13.
  2. **Number of Access Points.** ~~There shall be no more than~~Only ~~two~~ 2 direct points of access are permitted from a Country Club use to a public road. This requirement ~~shall~~does not preclude an additional access for emergency vehicles.
  3. **Driveways.** Driveways shall not be located within a required buffer yard area except as ~~minimally~~ necessary to access the site.
- G. **Water and Sewer.** A Country Club shall be served by a communal water system and a communal wastewater collection and pre-treatment or treatment system.
- H. **Parking.**
1. **General.** Parking and loading shall be provided as required by Section ~~5-1102~~ 5.05.03.
  2. **Surface.** Where practicable, a pervious surface ~~shall be provided~~ is required. ~~Where not practicable, a dust-free surfacing material shall be provided in accordance with the requirements of that complies with the Facilities Standards Manual is required.~~
- I. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards).
- J. **Noise Standards.** The maximum allowable dB(A) level of impulsive sound from the site, as measured at the property line, ~~shall not exceed~~is 55 dB(A).

### 3.06.05.09 Cross-Country Ski Business or Eco-Tourism

- A. **Applicability.** This section applies to any cross-country ski business or eco-tourism use in the ARN, ARS, JLMA-20 and ~~FRTL~~TLN-10 districts ~~shall comply with the following standards~~. A cross-country ski business is defined as an outdoor or major recreation use, and eco-tourism is defined as part of a cultural facility use.
- B. **Intensity/Character of Use.** The hours of operation ~~shall be~~are limited to 6:00 a.m. to 9:00 p.m.
- C. **Size of Use.**
1. **Size of Use.** The minimum lot area of an eco-tourism use ~~shall be~~is 5 acres.
  2. **Structure Size.** The ~~maximum~~ size of structures used ~~shall not exceed~~is 5,000 square feet in gross floor area.
  3. **Storage Areas.** The ~~maximum~~ total area of storage areas ~~shall not exceed~~is 1,000 square feet.
- D. **Roads/Access.**
1. **General Access Standards.** ~~The eco-tourism use shall comply with~~Refer to the road access standards in Section ~~5-654~~ 5.13.

2. **Number of Access Points.** ~~There shall be no more than~~ Only **one 1** point of access is permitted to a public road. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
- E. **Exterior Lighting.** The only exterior lighting allowed for an eco-tourism use ~~shall be~~ is for security purposes ~~only~~.
- F. **Parking.**
  1. **General.** Parking and loading ~~shall be provided as~~ required by Section ~~5-1102~~ **5.05.03**.
  2. **Surface.** ~~All parking areas serving the use shall use~~ A dust-free surfacing material is required for all parking areas ~~as provided in~~ (refer to the Facilities Standards Manual).
- G. **Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section ~~6-1800~~ **7.11** et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used as a Cross-Country Ski Business or for Eco Tourism and ~~shall be~~ exempt from the minimum lot area and floor area requirements specified above., ~~provided that a~~ Any expansion or enlargement of ~~such that~~ structure ~~shall not exceed~~ is limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

## 3.06.05.10 Fairground

- A. **Applicability.** The following standards shall apply to fairgrounds in the **ARN, ARS** and JLMA-20 districts. ~~A fairground is classified as part of an outdoor or major recreation use.~~
- B. **Intensity/Character of Use.** The minimum lot area ~~for the use shall be~~ 25 acres.
- C. **Size of Use.**
  1. **Floor Area Ratio.** The maximum floor area ratio ~~shall be~~ 0.04.
  2. **Storage Areas.** The **maximum** total area of storage areas ~~shall not exceed~~ is **10% percent** of the total area of the principal structures.
  3. **Building Height.** **Maximum** building height ~~shall not exceed~~ 35 feet.
  4. **Location on Site.** The ~~use shall be~~ minimum set-back from lot lines ~~as follows~~ is:
    - a. Structures of less than 20,000 square feet of gross floor area: 150 feet ~~minimum from all lot lines~~.
    - b. Structures greater than 20,000 square feet, up to 40,000 square feet of gross floor area: 200 feet ~~minimum from all lot lines~~.
    - c. Structures greater than 40,000 square feet of gross floor area: 225 feet ~~minimum from all lot lines~~.
- D. **Landscaping/Buffering/Screening.**
  1. **Buffer.** ~~The use shall comply with~~ Refer to Section ~~5-1404(A)(6)~~ **5.07.03.A.6**.
  2. **Parking Areas.** ~~Parking areas shall comply with~~ Refer to Section ~~5-1407~~ **5.07.05**.
  3. **Storage Areas.** ~~All storage areas shall comply with~~ Refer to Section ~~5-1406~~ **5.07.04**.
- E. **Roads/Access.**
  1. **General Access Standards.** ~~Fairgrounds shall comply with the road access standards of~~ Refer to Section ~~5-654~~ **5.13**.
  2. **Number of Access Points.** ~~There shall be no more than~~ Only **two 2** points of access to a fairground are permitted. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
  3. **Driveways.** Driveways ~~shall not be located~~ are not permitted within a required buffer yard area except as ~~minimally~~ necessary to access the site.

F. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section 5-652(A)(1) ~~(3) 5.12.A.1-3.~~

G. **Noise.**

1. **Location in Relation to Residential Use.** No loading/unloading activities, or other noise-producing activities shall be allowed within 250 feet of an existing adjacent single family detached use during the hours of 11:00 p.m. and 6:00 a.m.
2. **Maximum dB(A).** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A). In addition, outdoor music shall not be allowed after 11:00 PM.

H. **Parking.**

1. **General.** ~~Parking shall be provided as required by~~ Refer to Section 5-1102 5.05.03.
2. **Surface.** All parking areas serving a fairground shall use a dust-free surfacing material as provided in the Facilities Standards Manual.

### 3.06.05.11 Farm Based Tourism

A. **Applicability.** This section applies to farm based tourism uses in the ARN, ARS, TRTLN, JLMA, and Route 28 CO, PD-CM and CB districts ~~shall comply with the following standards:~~. These are defined as part of cultural tourism (see Section 3.03.04).

B. **Intensity/Character Standards.**

1. **Site Size.** The minimum lot area for a farm based tourism use shall be 5 acres.
2. **Visitors/Customers/Parking Spaces.** The minimum lot area shall increase based on the number of visitors/customers attracted to the use, as follows:

Use	Scope of Use/Event	Lot Area Requirement
Level I—small scale	No more than 300 visitors on any one day; no more than 150 vehicles allowed on site at any one time.	>5 acres, up to 40
Level II—medium scale	> 300 visitors daily, no more than 600 visitors on any one day; no more than 300 vehicles allowed on site at any one time.	>40 acres, up to 80
Level III—large scale	> 600 visitors daily, no more than 800 visitors on any one day; no more than 400 vehicles allowed on site at any one time.	>80 acres

3. **Hours of Operation.** Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.
4. **Owner.** The farm based tourism use shall be operated or maintained by the owner, operator, or occupant of the land upon which the primary associated agriculture, horticulture or animal husbandry use is being conducted.

B. **Size of Use Standards.**

1. **Structure.**

- a. The maximum size (total for all structures, based on gross floor area) used for the farm based tourism use shall not exceed the following gross floor areas (total all structures):

Use	Lot Area (Minimum)	Size of Structures (Maximum)
Level I—small scale	5 acres, up to 40 acres	Up to 5,000 square feet
Level II—medium scale	>40 acres, up to 80 acres	> 5,000 square feet, up to 7,500 square feet

Use	Lot Area (Minimum)	Size of Structures (Maximum)
Level III—large scale	>80 acres	> 7,500 square feet, up to 10,500 square feet

- Storage Areas.** The maximum total area of all storage areas shall not exceed 25% percent of the total floor area of the structures used for the farm based tourism use.

**C. Location on Site/Dimensional Standards.**

- Lot Lines.** The minimum setback from all lot lines for structures used for farm based tourism uses shall be set back from lot lines as follows:

Use	Size of Structures (Maximum)	Setback from Lot Lines
Level I—small scale	Up to 5,000 square feet	100 feet.
Level II—medium scale	>5,000 square feet up to 7,500 square feet	150 feet.
Level III—large scale	>7,500 square feet, up to 10,000 square feet	200 feet.

**D. Landscaping/Buffering/Screening.**

- Buffer.** The use shall comply with Refer to Section 5-1404(A)(6) 5.07.03.A.6.
- Parking Areas.** Parking areas shall comply with Refer to Section 5-1407 5.07.05.
- Storage Areas.** All storage areas shall comply with Refer to Section 5-1406 5.07.04.

**E. Road/Access Standards.**

- General Access Standards.** Farm based tourism uses shall comply with the road access standards of Refer to Section 5-654 5.13.
- Driveways.** Driveways shall not be located within are prohibited in a required buffer yard area except as minimally necessary to access the site.

**F. Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Refer to Section 5-654(A) 5.12.A (Exterior Lighting Standards).

**G. Parking.**

- General.** Parking shall be provided as required by Refer to Section 5-1102 5.05.03.
- Surface.** All parking areas shall must use a dust free surfacing material as provided in the Facilities Standards Manual.

**H. Historic Structures.** A structure existing prior to January 7, 2003, that is: 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 7.11 et seq.; 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP); or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District, may be used for Farm Based Tourism and shall be exempt from the minimum lot area and Level I lot area and setback from lot lines requirements, provided that aAny expansion or enlargement of suchthat structure shall not exceedis limited to 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the listing or eligibility of structures.

**3.06.05.12 Funeral Homes**

- A. **Applicability.** This section applies to funeral home service uses, when located within the PD-IPSE, TLI and JLMA-LE zoning districts, are subject to the following additional provisions:
- B. **Location.**
  - 1. The funeral home service use must be located within a freestanding building and be the sole principal use on the lot.
  - 2. The funeral service use must be established on a parcel of land fronting on, and with direct access to, an existing collector or arterial road.
- C. **Lot Size.** The minimum lot size for a funeral home use shall be 1.5 acres.
- D. ~~The funeral home use shall be established on a parcel of land fronting on, and with direct access to, an existing collector or arterial road.~~
- E. **Stacking.** Sufficient car stacking space shall be provided on the lot such that a collector or arterial road need not be used for the forming of funeral processions. The area of the lot used for the forming of funeral processions shall have direct, but limited, access to the collector or arterial road.

### 3.06.05.13 Golf Course

- A. **Applicability.** This section applies to any golf course in the ARN, ARS, TRLN, and JLMA and PD-CV districts shall comply with the following standards. A golf course is classified as part of an outdoor or major recreation use.
- B. **Intensity/Character.**
  - 1. **Site Size.** The minimum lot area for a golf course shall be:
    - a. 75 acres for 9 holes.
    - b. 150 acres for 18 holes.
  - 2. **Hours of Operation.** The hours of operation for a golf course shall be limited to 6:00 a.m. to 9:00 p.m.
  - 3. **Accessory Uses.** Accessory uses to a golf course may include a club house which includes a pro shop and small restaurant or café, subject to the following standards:
    - a. The golf pro shop shall be limited to sales of golf-related items.
    - b. Accessory uses shall constitute no more than are limited to 25% percent of the total size of the golf clubhouse.
- C. **Size of Use.**
  - 1. **Structure Size.** The maximum size of all structures (total) used at a golf course shall not exceed 25,000 square feet in gross floor area (total all structures).
  - 2. **Storage Yards.** The maximum total area of storage yards shall not exceed 5,000 square feet.
- D. **Location on Site/Dimensional Standards.** A golf course shall be The minimum set-back is 200 feet from all lot lines.
- E. **Parking.**
  - 1. **General.** Parking shall be provided as required by Refer to Section 5-1102 5.05.03.
  - 2. **Surface.** All parking areas serving the use shall use a dust free surfacing material as provided in the Facilities Standards Manual.
- F. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** The use shall comply with Refer to Section 5-1404(A)(6) 5.07.03.A.6.
  - 2. **Parking Areas.** Parking areas shall comply with Refer to Section 5-1407 5.07.05.
- G. **Roads/Access.**
  - 1. **General Access Standards.** A golf course shall comply with the road access standards in Refer to Section 5-654 5.13.

2. **Number of Access Points.** ~~There shall be no more than~~ Only **two (2)** points of access are permitted to a public road from a golf course. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
- H. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section 5-652(A) **5.12.A** (Exterior Lighting Standards).

### 3.06.05.14 Health and Fitness Centers

- A. **Applicability.** This section applies to health and fitness centers.
- B. **Massage Services.** A health and fitness center may provide massages if:
  1. The health club occupies an area greater than 5,000 square feet, and
  2. No more than 5% of the gross floor area is used for massages.
- C. **Development Criteria in Certain Districts.** Permitted subject to the following criteria in the SI, TIE, and JLMA-LI districts. Special exception review and approval is required if criteria is not met.
  1. **Pickup and Drop-off.** Include a designated pickup and delivery zone providing at a minimum one (1) parking space per twenty (20) patrons/children located in close proximity to the facility that provides safe and clearly designated access to enter or exit the facility.
  2. **Location.** Cannot be located within the Quarry Notification Overlay District.
  3. **Access.** No inter-parcel access to an adjoining industrial use or SI, TIE, JLMA-LI zoned parcel.
  4. **Site Design.** Building entrances and exits must be separated from vehicular circulation for industrial uses.
- D. **Bicycle Parking.** Parking and storage for bicycles must be provided consistent with Section 5.05.04.

### 3.06.05.15 Hospitals

- A. **Applicability.** ~~The following standards shall~~ This section applies to ~~the development of~~ hospitals. ~~:-~~ Hospitals are classified as a medical care facility (Section 3.03.04).
- B. **Locational Criteria.** All hospital sites shall have frontage on a **public, hard surfaced Class I or Class II** road capable of accommodating the traffic generated by the site.
  1. ~~The minimum setback for hospital structures shall be set back a minimum of~~ 250 feet from County-designated Agricultural-Forestal districts.
- C. **Site Development Criteria.**
  1. Hospitals serving over **one hundred (100)** inpatients ~~shall~~ must be served by public water and sewer systems.
  2. The minimum setback for hospital structures is 250 feet from County-designated Agricultural-Forestal districts.
  3. The minimum setback for principal structures is the greater of:~~shall be set back a minimum of~~
    - a. 100 feet from property lines, or
    - b. ~~shall meet~~ the minimum yard setback requirements of the applicable district, ~~within which it is located~~ or
    - c. the adjacent district setback requirements, ~~whichever are greater.~~
  4. The minimum setback for accessory structures and parking ~~shall be set back a minimum of~~ is the greater of:
    - a. 25 feet from any rights-of-way, private access easements, and property lines which adjoin agricultural or residential districts, or
    - b. ~~shall meet~~ the minimum yard setback requirements of ~~those~~ adjoining districts, ~~whichever are greater.~~

### 3.06.05.16 Private Schools

#### 3.06.05.16 PH-IP Private School Notification Standards

- A. **Applicability.** This section applies to private schools (elementary, middle, or high). They are defined as part of a school use. This section does not apply to public schools.
- B. **Approval.**
1. **Minor special exception for more than 15 pupils in the SR, A-3, SN, SCN, TLN, TR-2, JLMA-1, JLMA-2, JLMA-3, JLMA-20, RAR, VR, and VAR districts.**
  2. **Minor special exception regardless of size in the Urban, SM, SC, SE, TLI, JLMA-LE, RC, RV, and VC districts.**
  3. **Special exception regardless of size in the SI, TIE, JLMA-LI, ARN, and ARS districts.**
- C. **Notice Required.** Operators of a private school **within the SE, SI, TLI or JLMA-LE districts located within a PD-IP District** must notify all applicants for admission to the school, at the time of application, of the potential permitted and special exception uses within ~~such the a~~ district.
1. **Notification Document.** The notification document shall include a list of the uses permitted within the industrial zone. The document shall include a section that requires prospective student's parent to sign a statement stating that they have reviewed or have been offered the opportunity to review this document. ~~Said~~The document shall remain on file at the school for the period of the student's enrollment.

### 3.06.05.17 Public Safety Uses

#### 3.06.05.17 Public Safety Uses (Fire and/or Rescue Station, Police Station or Substation)

- A. **Applicability.** ~~The following standards shall apply to the development of Fire and/or Rescue Stations and Police Stations or substations~~This section applies to public safety uses (fire and/or rescue stations and police stations or substations) in the ARN, ARS, ~~TR~~TLN and JLMA districts. ~~Such~~These standards ~~shall do~~ not apply to the development of a temporary fire and/or rescue station in the ARN, ARS, ~~TR~~TLN and JLMA districts.
- B. **Fire and/or Rescue Station.** The following apply to fire and/or rescue stations:
1. **Size of Use.**
    - a. **Site Size.** The minimum lot area ~~for any Fire and/or Rescue Station is shall be~~ **two (2)** acres.
    - b. **Floor Area Ratio.** The maximum floor area ratio ~~shall be~~ 0.3.
    - c. **Storage Yards.** The **maximum** total area of storage yards ~~shall not exceed~~ is **20% percent** of the total area of the principal structure.
    - d. **Setback from Lot Lines.** ~~The minimum setback for~~ structures associated with Fire and/or Rescue Stations ~~shall be set back~~ is 100 feet from all lot lines. ~~Such~~The setback may be reduced to 60 feet from lot lines if a Buffer Yard Type C is provided along ~~such the~~ lot line.
  2. **Landscaping/Buffering/Screening.**
    - a. **Buffer.** ~~The use shall comply with~~Refer to Section ~~5-1404(A)(6)~~ **5.07.03.A.6.**
    - b. **Parking Areas.** ~~Parking areas shall comply with~~Refer to Section ~~5-1407~~ **5.07.05.**
    - c. **Storage Yards.** ~~All storage yards shall comply with~~Refer to Section ~~5-1406~~ **5.07.04.**
  3. **Roads/Access.**
    - a. **General Access Standards.** ~~Uses shall comply with the road access standards of~~Refer to Section ~~5-654~~ **5.13.**

- b. **Number of Access Points.** ~~There shall be no more than~~ Only **two (2)** points of access are permitted to a **public Class I or Class II** road. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
  4. **Parking.** ~~Parking and loading shall be provided as required by~~ Refer to Section **5-1102(B)(4) 5.05.03.B.4**. These spaces ~~shall~~ be in addition to vehicle storage spaces for vehicles not in use.
  5. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section **5-652(A)(1) and (2) 5.12.A.1 and 2** (Exterior Lighting Standards).
- C. **Police Station or Substation.** The following apply to police stations or substations:
1. **Size of Use.**
    - a. **Site Size.** The minimum lot area ~~for a Police Station or Substation shall be~~ **two (2)** acres.
    - b. **Floor Area Ratio.** The maximum floor area ratio ~~shall be~~ 0.3.
    - c. **Storage Yards.** The **maximum** total area of storage yards ~~shall not exceed~~ is **20% percent** of the total area of the principal structure.
    - d. **Setback from Lot Lines.** ~~The minimum Police Stations or Substations shall be~~ set-back from lot lines ~~as follows:~~
      - i. Structures of less than 4,000 square feet of gross floor area: **60 feet** ~~minimum from all lot lines~~.
      - ii. Structures greater than 4,000 square feet, and up to 8,000 square feet of gross floor area: **100 feet** ~~minimum from all lot lines~~.
      - iii. Structures greater than 10,000 square feet of gross floor area: **120 feet** ~~minimum from all lot lines~~.
  2. **Landscaping/Buffering/Screening.**
    - a. **Buffer.** ~~The use shall comply with Section~~ Refer to **5-1404(A)(6) 5.07.03.A.6**.
    - b. **Parking Areas.** ~~Parking areas shall comply with~~ Refer to Section **5-1407 5.07.05**.
    - c. **Storage Yards.** ~~All storage yards shall comply with~~ Refer to Section **5-1406 5.07.04**.
  3. **Roads/Access.**
    - a. **General Access Standards.** ~~Uses shall comply with the road access standards of~~ Refer to Section **5-654 5.13**.
    - b. **Number of Access Points.** ~~There shall be no more tha~~ Only **two (2)** points of access are permitted to a **public Class I or Class II** road. This requirement ~~shall~~ does not preclude an additional access for emergency vehicles only.
  4. **Parking.** ~~Parking and loading shall be provided as required by~~ Refer to Section **5-1102(B)(4) 5.05.03.B.4**. These spaces ~~shall~~ be in addition to vehicle storage spaces for vehicles not in use.
  5. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section **5-652(A)(1) and (2) 5.12.A.1 and 2** (Exterior Lighting Standards).

## 3.06.05.18 Recreation

- A. **Applicability.** This section applies to indoor recreation uses and outdoor or major recreation uses.
- B. **Intensity/Character.**
  1. Indoor recreation uses cannot exceed 10,000 square feet in the UT, UM, or UE districts.
  2. The building for an indoor recreation use must be minimum of three stories in height and house two or more distinct principal uses that do not share the same physical space when located within the UT, UM, or UE districts.

- C. **Pickup and Drop-off.** Indoor and outdoor/major recreation uses in the SE, SI, TLI, TIE, JLMA-LE, and JLMA-LI districts must include a designated pickup and delivery zone providing at a minimum one (1) parking space per twenty (20) patrons/children located in close proximity to the facility that provides safe and clearly designated access to enter or exit the facility.
- D. **Approval.** Indoor and outdoor/major recreation uses and that do not meet applicable criteria listed in subsection B and C must have special exception review and approval.

## 3.06.05.19 Rural Retreat

### 3.06.05.19 Rural Corporate Retreat

- A. **Applicability.** This section applies to rural retreats in the ARN, ARS, A-3, TLN-10, SC, RAR, RC, RV, VSR, JLMA-3 and JLMA-20 districts.
- B. **Approval.** Permitted rural retreats must meet specific development criteria outlined in subsection C below. Any rural retreat that does not meet the criteria of subsection C requires special exception approval.
- C. **Development Criteria.** ~~provides for~~ Rural retreats ~~that are~~ must be compatible with and supportive of the primary land use of agriculture, forestry, open space and/or historic preservation.
  - 1. **Minimum Acreage.** The minimum acreage ~~shall be~~ 50 acres.
  - 2. **Open Space.** A minimum of 75% of the total property acreage ~~shall~~ must be kept in an agricultural, forestry, open space, and/or historic preservation use.
  - 3. **Frontage and Access.** The property on which the Rural Corporate Retreat is located ~~shall~~ must have frontage and access on a state-maintained road.
  - 4. **Floor Area Ratio.** The maximum floor area ratio ~~shall be~~ 0.04. The total acreage ~~shall be~~ used ~~for~~ to determine the permitted floor area.
  - 5. **On-Site Food Services.** The retreat facilities may provide on-site food service for employees and retreat visitors, but may not contain restaurant facilities open to the general public.
  - 6. **Setbacks.** ~~The minimum setback for~~ all retreat facilities buildings ~~shall be set back a minimum of~~ 200 feet from adjacent properties.
  - 7. **Storage Areas.** Storage areas related to the retreat facilities ~~shall be~~ permitted.
  - 8. **Programs.** The retreat facilities use may include training programs, seminars, and similar activities.
  - 9. **Special Events.** Special events ~~shall receive~~ require approval pursuant to Section ~~5-500~~ 3.05, unless the facility meets the requirements of Section ~~5-642~~ 3.06.04.04.
  - 10. **Products Sold On-Site.** ~~No~~ products ~~shall be~~ sold on-site ~~except those that are~~ must be clearly incidental and integral to the purpose and program of the retreat.
  - 11. **One Principal Dwelling.** ~~No more than~~ Only one principal dwelling unit ~~shall be~~ permitted. Tenant dwellings ~~shall be~~ permitted in accord with Section ~~5-602~~ 3.06.02.03.
  - 12. **Adaptive Reuse.** Incorporating restored structures to preserve rural character is encouraged.
  - 13. **On-Site Recreation.** The retreat facilities may provide on-site recreation facilities to be used solely by employees and visitors, but not by the general public.
  - 14. **Average Daily User and Acreage Ratio.** 100 users per 50 acres. ~~Notwithstanding, there shall be~~ No more than 450 users are allowed on greater than 200 acres ~~without first securing~~ special exception approval. The term "Average Daily Users" includes employees and visitors to the site. Service trips, such as food or supply deliveries, package delivery, and similar trips are in addition to the average daily users.
  - 15. **Exclusions.** Buildings or structures used exclusively for agricultural use, the principal dwelling unit, and tenant dwellings are excluded from these requirements and from the floor area ratio calculations.

- D. **Performance Standards.** The handling or processing of hazardous or toxic materials is prohibited at a Rural Retreat. The Rural Retreat use shall comply with the applicable performance standards of Section 5.08.
- E. **Sketches, Site Plans, Special Exceptions and Statements of Use.**
1. **Sketch Plan.** A sketch plan is required as a part of a zoning permit application for permitted Rural ~~Corporate~~ Retreats. Sketches shall include an accurate drawing of all aspects of the Rural ~~Corporate~~ Retreat including the size and dimensions of buildings; the size and dimensions of land area devoted to the Rural ~~Corporate~~ Retreat use; the size and dimensions of the land to be maintained in agricultural, forestry, open space, and/or historic preservation use; the size and dimensions of parking areas; building setbacks; the size, dimension, and location of any signs; and the approximate location of any on-site major floodplain as determined from the County flood plain map. In addition, the sketch plan shall include the required information needed to illustrate conformance with the Rural ~~Corporate~~ Retreat regulations of this Section ~~5-619~~ **3.06.05.23**.
  2. **Statement of Use.** For all Rural ~~Corporate~~ Retreats, a statement of use shall be filed in conjunction with the sketch or site plan. The statement of use shall define the operations of the Rural ~~Corporate~~ Retreat and shall outline how the use meets the development criteria.

### 3.06.05.20 Schools, Public (Elementary, Middle or High)

- A. **Applicability.** This section applies to public elementary, middle or high schools ("public schools"). These are defined as part of a school.
- B. **Approval.**
1. Permitted in the SR, A-3, SN, SCN, TLN, TR-2, JLMA-1, JLMA-2, JLMA-3, JLMA-20, RAR, VR, and VAR districts.
  2. Minor special exception in the Urban, SM, SC, SE, TSN, TCC, TLI, JLMA-LE, RC, RV and VC districts.
  3. Special exception in the SI, TIE, JLMA-LI, ARN and ARS districts.
- C. **Utilities.** All public schools ~~shall~~**must** be served by either central or municipal sewer and water utilities.
- D. **Lighting:**
1. **Light Fixtures.** Exterior building lighting, including security lighting, and parking lot lighting ~~shall~~**must** be full cutoff and fully shielded and shall direct light downwards and into the interior of the property and away from surrounding ~~public or private~~ roads and properties.
  2. **Exterior Building Lighting.** The maximum average illumination for exterior building lighting (including security lighting), ~~shall not exceed a maximum average illumination of five (5)~~ foot-candles at grade level, unless otherwise required by law, ordinance, or regulation.
  3. **Parking Lot Lighting.** ~~Parking lot lighting shall not exceed a~~ The maximum average illumination for parking lot lighting is ~~two (2)~~ foot-candles at grade level. Parking lot lighting ~~shall~~**must** be turned off within one hour following the end of evening activities, or by 11 p.m., whichever occurs first.
  4. **Recreational and Athletic Fields and Facilities Lighting.** Lighting for recreational and athletic fields and facilities is subject to the following:
    - a. Lighting ~~shall~~**must** be turned off by 11 p.m.;
    - b. Lighting ~~shall~~**must** be directed inward and downward toward the field being illuminated;
    - c. Lighting ~~shall~~**must** incorporate a reflector technology system that directs light onto the field being illuminated.
    - d. Lighting ~~and shall~~**must** be cut-off and shielded in directions away from the recreational or athletic field to minimize glare and spillage onto adjacent properties.

- e. ~~Lighting for recreational and athletic fields and facilities must not cause~~ Maximum illumination in excess of ~~ten~~ **10** foot-candles above background light levels measured at the boundary of any residential district, or, in residential or agricultural districts, at the lot line of any adjacent lot.
  - f. ~~The maximum height of light poles for recreational and athletic fields and facilities shall not exceed~~ is 80 feet ~~in height~~.
5. **Height of Light Fixtures.** The ~~maximum~~ mounting height of any exterior light fixture ~~shall not exceed~~ is 20 feet, except for light poles for athletic fields. Height ~~shall be~~ measured from the ground to the light fixture.
- E. **Landscaping/Buffering/Screening.** In addition to ~~meeting the Buffering and Screening requirements of~~ Section 5-1404(B), Public Schools ~~shall~~ **must** provide an additional ~~five~~ **(5)** evergreen trees per ~~one hundred~~ **(100)** linear feet along all side yard and rear yard buffers adjoining existing residential uses, except where existing vegetation is ~~to be~~ preserved and provides an equivalent buffer ~~in accordance with the provisions of~~ (refer to Section ~~5-1400~~ **5.07**).
- F. **Trails.** Any on-site pedestrian circulation network ~~shall be designed so as to~~ **must** connect to any existing or proposed public use trails on adjacent properties which are designed to abut or connect to the public school site.
- G. **Bicycle Parking Racks.** ~~At least one bike rack shall~~ **must** Bicycle parking ~~must be installed at the Public School building~~ **consistent with requirements of Section 5.05.04** ~~with space to accommodate at least 10 bicycles~~.
- H. **Noise.** Installation of outdoor public address systems ~~shall be~~ limited to the recreational and athletic fields. Noise emanating from the public address system ~~shall not exceed~~ is limited to 60 dBA at the property boundaries and use of the system ~~shall be~~ prohibited after 11 p.m. and before 8:00 a.m.
- I. **Setbacks:**
- 1. **From Agriculture or Residential.** ~~The minimum setback for~~ principal Public School buildings ~~shall have a minimum setback of~~ **is** ~~fifty~~ **(50)** feet from adjacent agriculturally or residentially zoned properties or, if located within a mixed use zoning district, from any land bay designated for agricultural or residential use. ~~Such building~~ This setback ~~shall~~ **does** not apply to accessory public school buildings, ~~but such accessory buildings must conform which are subject to the~~ applicable zoning district yard requirements.
  - 2. **From Industrial/Commercial/Office.** ~~The minimum setback for~~ principal Public School buildings ~~shall have a minimum setback of~~ **is** ~~one hundred~~ **(100)** feet from adjacent industrial, commercial or office zoned properties or, if located within a mixed use zoning district, from any land bay designated for industrial, commercial or office uses. ~~Such building~~ This setback ~~shall~~ **does** not apply to accessory public school buildings, ~~but such accessory buildings must conform which are subject to the~~ applicable zoning district yard requirements.
- J. **Building and Site Design.**
- 1. **Stormwater Management.** Unless stormwater management is ~~to be~~ provided by an existing approved off-site storm water management facility, stormwater management and Best Management Practices ~~shall be used~~ **are required** on-site, in accordance with the Virginia Stormwater Management Handbook and the Loudoun County Facilities Standards Manual.
  - 2. **Bus Parking Area.** Stormwater runoff from ~~the~~ bus parking areas ~~shall~~ **must** be routed to an oil and water separator or a system providing equivalent treatment for water quality purposes.
  - 3. **Design.** Public school building design ~~shall~~ **must** avoid the use of continuous plane building surfaces and wherever practicable shall break up large building segments into smaller segments through the use of fenestration and setbacks. Public School buildings ~~shall~~ **must** include accent materials around the building exterior to provide further architectural interest.
  - 4. **Erosion and Sediment Control.** The following erosion and sediment control practices ~~shall be~~ **are** required during construction where an outfall drains to a sensitive environmental feature (streams, wetlands, and very steep slopes). ~~In such instances t~~ These requirements ~~shall be~~ **are** applied adjacent to the sensitive

environmental feature if on-site, or if off-site, along the property line(s) proximate to the sensitive environmental feature:

- a. Super silt fence ~~shall~~ **must** be substituted for silt fence;
- b. Sediment traps and basins ~~shall~~ **must** provide double the minimum required volume (268 cubic yards per acre) except that this volume may be reduced to avoid impacts to sensitive environmental features;
- c. Stabilization matting ~~shall be~~ **is** required in all vegetated, constructed channels and on slopes greater than 3:1.

## 5. Floodplain:

- a. A maximum of 20% of on-site areas in major and minor floodplain may be used for utilities, trails or other uses permitted within the floodplain, exclusive of road crossings. ~~These areas so used shall be~~ **are** excluded from the calculation for meeting the forest cover requirement of (c) below;
- b. Road Crossings ~~shall~~ **are** not ~~be~~ subject to the use limitation of (a) above, and areas used for road crossings ~~shall be~~ **are** excluded from the calculation for meeting the forest cover requirement of (c) below;
- c. ~~Unless excluded by (a) or (b) above, 80% of major and minor floodplain located on-site shall be forested, either through the retention of existing forest cover or through the planting of unforested floodplain with at least five different native deciduous species at a density of 300 3-gallon plants (180 canopy trees and 120 understory trees) per acre on a 12 x 12 grid.~~

## K. Transportation.

1. Public Schools ~~shall be located with~~ **must have** direct access to at least one ~~paved, public Class I, Class II or Class III road, or to at least one paved private road subject to a public access easement.~~ Public Schools ~~shall~~ **must** have a secondary means of access, which may be provided by either a paved or unpaved roadway. Access to a public school site ~~shall~~ **must** be capable of accommodating traffic generated by the site.
2. Entrances/Exits ~~shall be provided with sight distances adequate to~~ meet minimum Virginia Department of Transportation ~~sight distance~~ standards.
3. Right and left turn lanes, into and out of a site, ~~shall be provided, as are required when needed,~~ to accommodate traffic generated by the site.
4. At signalized intersections (stop signs or traffic signals) adjacent to a school site, crosswalks ~~shall be provided~~ **are required** to access the site, as needed, to accommodate pedestrian traffic generated by the site.
5. A traffic impact analysis, in conformance with the County's Facilities Standards Manual, ~~shall be provided to the County is required~~ in conjunction with each site plan application for a Public School building. ~~The, and such~~ traffic impact analysis ~~shall specifically~~ **must** include, ~~but not be limited to a minimum,~~ an analysis of the need for right and left turn lanes into and out of the public school site and the crosswalks to provide pedestrian access to the public school site.

L. **Airport Impact Overlay Noise Contours.** No Public School shall be located within the portions of the County subject to the Airport Impact Overlay District Ldn 65 or higher aircraft noise contour.

M. **Archaeological Survey.** ~~A Phase I Archaeological survey shall be provided to the County in conjunctions~~ **is required** ~~with each site plan application for a Public School building.~~

### 3.06.05.21 Schools, Public (15 or Fewer Pupils)

### 3.06.05.21 Elementary, Middle, or High School for 15 or Fewer Pupils

- A. **Applicability.** This section applies to any public elementary, middle, or high school for 15 or fewer pupils. These are defined as part of a school (see Section 3.03.04).
- B. **Size of Use.** The minimum lot area for an elementary, middle, or high school for fifteen (15) or fewer pupils is 5 acres, except to the extent permitted on smaller lots in the PD-MUB or PD-TC zoning districts.
- C. **Road/Access Standards.** ~~shall comply with the road access standards of~~ Refer to Section ~~5-654~~ 5.13.
- D. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section ~~5-652(A)~~ 5.12.A Exterior Lighting Standards).
- E. **Outdoor play space.** Outdoor play space ~~shall be provided~~ is required in accordance with the standards established in Section ~~5-609~~ 3.06.03.4 (~~Child Care Facilities~~). ~~Outdoor play space shall be provided in accordance with the standards established in Section 5-609 Child Care.~~

## 3.06.06 Industrial / Production

### 3.06.06.01 Contractor Service Establishment

- A. **Applicability.** This section applies to any contractor.
- B. **Retail Sales.** Retail sales to the general public shall not exceed Up to ten percent (10%) of the gross floor area devoted to the contractor ~~service establishment~~ may include retail sales to the general public.
- C. **Outdoor Storage.** Outdoor storage of equipment, supplies, and construction trailers are permitted. Storage yards shall be screened consistent with requirements of Section 5.04.04. ~~fully screened from public roads and adjacent lots where contractors service establishments are permitted.~~

### 3.06.06.02 Data Center

- A. **Data Centers.** ~~The following standards shall~~ This section applies to data centers in the ~~CLISE, JLMA-LE, PD-RDP,~~ and ~~PD-IPTLI~~ zoning districts.
- B. **Principal Building Facades.** This subsection applies to P principal building facades, which shall include all building facades that face adjacent ~~public~~ Class I or Class II roads. Principal building facades associated with new construction shall must meet the following standards:
  - 1. Principal building facades shall must avoid the use of undifferentiated surfaces by including at least two (2) of the following design elements: change in building height;; building step-backs or recesses;; fenestration;; and change in building material, pattern, texture, color, or use of accent materials.
  - 2. When a building has more than one 1 principal façade, such the principal building facades shall must be consistent in terms of design, materials, details, and treatment.
  - 3. Loading bays are not permitted in principal building facades.
- C. **Screening of Mechanical Equipment.** ~~In order to~~ To minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment shall must be screened. This screening may be provided by a principal building. Mechanical equipment not screened by a principal building shall be screened by a visually solid fence that surrounds the equipment, screen wall or panel, parapet wall, or other visually solid screen that shall be is constructed of materials compatible with those used in the exterior construction of the principal building. Screening is not required for Notwithstanding the requirements of this section, mechanical equipment if that the Zoning Administrator determines is located in a manner found to have that has no adverse impact on adjacent roads and adjacent properties, ~~as determined by the Zoning Administrator, shall is not be required to be screened.~~
- D. **Exterior Lighting.** All exterior lighting shall must be designed and constructed with cutoff and fully shielded fixtures that direct light downward and into the interior of the property and away from adjacent roads and adjacent properties.

## E. Pedestrian and Bicycle Facilities.

1. **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails for pedestrian and/or bicycle access ~~shall~~ must be provided, at a minimum, along any side of a public road that abuts the property upon which the data center is located.
  - a. **Exception.** Sidewalks and/or trails are not required along public roads where such facilities are not included in the Countywide Transportation Plan (CTP).-
2. **Sidewalk and/or Trail Connections.** To provide for future sidewalk and/or trail connections, the sidewalks and/or trails for pedestrian and/or bicycle access provided pursuant to ~~subSection 5-664(D)(1) 3.06.06.02.D.1.~~ above ~~shall~~ must be equivalent to any other sidewalk and/or trail for pedestrian and/or bicycle access that is located on the same side of the public road, and within 500 feet, of the ~~subject property upon which the data center is located.~~

## F. Landscaping/Buffering/Screening.

1. **Buffer Yards.** In lieu of the buffer yard required under Table ~~5-1404(B) 5.07.03.B.~~, any side/rear yard abutting property located within ~~thea CRVR, JLMA, TRLN, SR-1, SR-2, SR-3, SR-4, SR-8, SCN, SN, RC, VC, or PD-H, PD-CV, PD-RV, or PD-AAAR~~ zoning districts that is not developed with commercial or industrial uses ~~shall~~ must include a Buffer Yard Type C with required plantings located on an earthen berm that has a minimum height of ~~six (6)~~ feet and ~~shall not have~~ a grade ~~steeper~~ lower than 2:1.
2. **Road Corridor Buffer.**
  - a. In lieu of the road corridor buffer required under Section ~~5-1403(B) 5.07.02.B.~~, any front yard abutting a collector or arterial road ~~shall~~ must include a Road Corridor Buffer Type 3 with required plantings located on an earthen berm that has a minimum height of ~~six (6)~~ feet and ~~shall not have~~ a grade ~~steeper~~ lower than 2:1;
  - b. ~~unless~~ if a Gateway Corridor Buffer is required, ~~in which case~~ the Gateway Corridor Buffer ~~shall be provided~~ applies.
3. In lieu of the requirements of Section ~~5-1408(B)(2) 5.07.06.B.2.~~, the following requirements ~~shall~~ apply to the plant types used to meet ~~subSection 5-664(E)(1) 3.06.06.02.EF.1 and F.2 above and Section 5-664(E)(2) 3.06.06.02.E.2.~~ Maximum percentages ~~shall~~ apply solely in determining the quantity of a given plant type ~~that can~~ be counted towards meeting a Plant Unit requirement, and ~~shall~~ do not preclude the installation of additional plant material from that plant type, if desired.
  - a. A maximum of 30% of the required plant units may be large deciduous trees.
  - b. A minimum of 40% and a maximum of 70% of the required plant units ~~shall~~ must be evergreen trees that are a minimum of ~~eight (8)~~ feet in height at the time of planting.
  - c. A maximum of 30% of the required plant units may be small deciduous trees.
  - d. A maximum of 20% of the required plant units may be a combination of shrubs, ornamental grasses, and perennials.
  - e. Use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, may be substituted for the above requirements if determined by the County Urban Forester to provide screening at the density, depth, and height equivalent to the Buffer Yard Type C with earthen berm required under ~~subSection 5-664(E)(1) 3.06.06.02.EF.1.~~ or Road Corridor Type 3 with earthen berm required under ~~subSection 5-664(E)(2) 3.06.06.02.EF.2.~~
  - f. The maximum percentages of plant types provided under (a) through (d) above ~~shall be applied along~~ apply to each property line where the buffer yard or road corridor buffer is required.

## 3.06.06.03 Extractive Industries

- A. **Prohibited Uses.** No uranium mining or well water fields are permitted in JLMA-LI, TIE, or SI districts.

- B. ~~Nonresidential Uses. For adjacent properties, no commercial, industrial or other nonresidential building shall locate within fifty (50) feet from the property line of an existing and/or approved quarry operation.~~
- C. ~~Outdoor Storage. No storage of any kind is permitted within any front yard.~~
- D. ~~Utility Requirements. All new utility distribution lines in the JLMA-LI, TIE, or SI districts shall be placed underground.~~
- E. ~~Stone Quarrying Operations~~ **Applicability.** This section applies to Extractive Industries uses.
- F. **Lot Size.** The minimum lot size ~~must be~~ **is** 3 acres.
- G. **Pit Walls.** The pit wall of a quarry ~~shall~~ **must** be at least 1000 feet from the JLMA-LI, TIE, or SI district boundary, except:
  - 1. Where quarries are adjacent to land not under County zoning authority, such as Dulles Airport or an incorporated town, the minimum distance from the quarry pit wall to the district boundary may be reduced to 200 feet as a result of special exception approval, which assures that the reduction is compatible with adjacent land uses.
  - 2. Where quarries are adjacent to a public road of ~~four (4)~~ or more lanes, or to a road designated as a part of an approved VDOT or County corridor study or identified in the Comprehensive Plan to be ~~four (4)~~ or more lanes, the distance may be reduced to not less than 200 feet, provided an effective buffer is constructed and maintained.
  - 3. Where quarries are adjacent to the GB district, the setback may be reduced to a minimum of 200 feet.
  - 4. ~~Where quarries are adjacent to the PD-GI or CLI district, the setback may be reduced to a minimum of 50 feet.~~
- H. **Processing Equipment.** Structures and buildings enclosing processing equipment associated with an quarrying extraction operation, including crushers, conveyors, washers, and screeners, ~~shall~~ **must** be located a minimum of 500 feet from the district boundary, except where ~~quarries are the operation is~~ adjacent to land not under County zoning authority, such as Dulles Airport or an incorporated town. In those cases, the distance may be reduced to a minimum of 200 feet as a result of special exception approval, which assures abutting lands are adequately buffered from the processing operations.
- I. **Other Extraction Structures.** Other structures and buildings related to quarrying extraction operations, including scale houses and storage yards, ~~shall~~ **must** be located a minimum of 200 feet from the district boundary. ~~Such Those structures shall must also be located a minimum of and~~ 100 feet from all public roads within the district. ~~Provided, however, that where such~~ If those structures are adjacent to the GBSE, JLMA-CLI or PDGSI districts, the ~~minim~~ setback may be reduced to ~~a minimum of~~ 50 feet.
- J. **Office and Administration.** The minimum setback for buildings devoted solely to office and administrative uses ~~shall must be a minimum of~~ is 50 feet from the district boundary.
- K. **Nonresidential Uses.** ~~For adjacent neighboring properties, no commercial, industrial or other nonresidential building must locate is allowed within 50 feet from the property line of an existing and/or approved quarry operation.~~

### 3.06.06.04 Flex Buildings

#### 3.06.06.04 Flex Industrial Uses

- A. **Applicability.** These following limitations regarding section applies to flex-industrial buildings and uses shall apply at a minimum:
  - B. **Height.** No Maximum building shall exceed height is ~~two (2)~~ stories in height., except ~~that~~ This requirement shall does not apply to the Planned Development Mixed Use Business (PD-MUB)SM zoning district.
  - C. **Loading Bays.**

1. At least 2 loading bays are required for all buildings ~~shall have a minimum of two (2) loading bays.~~
  2. All loading bays ~~shall~~ must be located so that vehicles using ~~such bays shall~~ they are not ~~be~~ visible from public streets.
  3. All loading bays ~~shall~~ must be screened from view by the building, landscaping, walls or decorative fencing.
  4. Except during the process of loading or unloading, trucks and trailers ~~shall~~ must not be parked outside the building, unless parked in screened areas not visible from adjacent roads or properties.
- D. ~~No more than~~ **Uses.**
1. ~~At least 49 percent~~ **51%** of the gross floor space of each building shall be used for ~~non-accessory office~~ **Industrial/Production** uses.
  2. Office uses recognized as appropriate in flex ~~industrial/office~~ buildings shall be associated with permitted and special exception uses ~~in the applicable district~~ and ~~shall~~ must not include professional office uses with high-turnover or high intensity traffic, such as ~~but not limited to~~ corporate headquarters (unless associated with a permitted use), law offices, architectural offices, insurance offices, medical offices and health maintenance organizations.
- E. **Outdoor Storage.** ~~No~~ Outdoor storage is ~~not~~ permitted.
- F. **Performance Standards.** All sources of emission of noise and/or vibration shall meet the performance standards of Sections ~~5-1505~~ **5.08**.

## 3.06.06.06 Mini-Warehouse

### 3.06.06.06 Storage, Mini-Warehouse

- A. **Applicability.** This section applies to ~~Aa storage~~ mini-warehouse ~~use shall comply with the following regulations~~ in the ~~GBSE, SI, PD-IPJLMA-LE, JLMA-SI, and TLI and PD-GI~~ zoning districts.
- B. **Landscaping/Buffering/Screening.** ~~The use shall~~ must comply with ~~Refer to~~ Section ~~5-1400~~ **5.07**. When the use abuts a major collector road, in lieu of the road corridor buffer for other major collector roads required under Section ~~5-1403(B)~~ **5.07.02**, a Road Corridor Buffer Type 3 ~~shall be provided~~ **is required**.
- C. **Security.** If a security device is provided for the building or a security fence is installed around the use, ~~in consultation with Fire, Rescue and Emergency Services,~~ the owner (~~in consultation with Fire, Rescue and Emergency Services~~) shall demonstrate on the site plan the selection of a device to allow adequate and timely access of emergency vehicles to the ~~storage,~~ mini-warehouse. ~~use and such~~ The device shall be installed prior to occupancy permit.
- D. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section ~~5-652(A)~~ **5.12.A**. (Exterior Lighting Standards).
- E. **Road Access.** ~~The storage, mini-warehouse use shall comply with the road access standards of~~ Refer to Section ~~5-654~~ **5.13**.

## 3.06.06.07 Outdoor Storage

- A. **Applicability.** This section applies to outdoor storage uses.
- B. **Screening.** All outdoor storage must be enclosed by a fence, wall, landscaped berm, or other suitable and appropriate method.

## 3.06.06.08 Sawmills

- A. **Applicability.** This section applies to sawmills ~~shall comply with the following standards.~~
- B. **Intensity/Character Standards.**

- 1. Site Size.** The minimum lot area ~~for a sawmill shall be~~ 12 acres.
- 2. Customers/Parking Spaces.** The minimum lot area ~~shall increase~~ based on the number of customers attracted to the use, as follows.

Use	Scope of Use/Event	Lot Area(Minimum)
Level I—small scale	No more than 25 customers on any one day; no more than 13 vehicles allowed on site at any one time.	12 acres
Level II—medium scale	> 25 customers on any one day, no more than 100; no more than 50 vehicles allowed on site at any one time.	20 acres
Level III—large scale	> 100 customers on any one day, no more than 150; no more than 75 vehicles allowed on site at any one time.	25 acres

- 3. Hours of Operation.** Hours of operation ~~for a sawmill shall be~~ limited from 6:00 a.m. to 6:00 p.m.

**B. Size of Use Standards.**

- 1. Structure.** Excluding the actual timber cutting equipment, the size of all structures used at the sawmill ~~shall not exceed~~ is limited to the following gross floor areas (total all structures):

Use	Lot Area(Minimum)	Size of Structures(Maximum)
Level I—small scale	12 acres	3,500 square feet
Level II—medium scale	20 acres	5,500 square feet
Level III—large scale	25 acres	7,000 square feet

- 2. Storage Yards.** The size of storage yards used for a sawmill ~~shall not exceed~~ is limited to the following (size in square feet):

Use	Lot Area (minimum)	Size of Storage Yard (maximum)
Level I—small scale	12 acres	4,500 square feet
Level II—medium scale	20 acres	9,000 square feet
Level III—large scale	25 acres	15,000 square feet

**C. Location on Site/Dimensional Standards.**

- 1. Lot Lines.** ~~The minimum setback for structures and storage yards shall be set back~~ from lot lines ~~as follows:~~

Use	Size of Structures (maximum)	Setback from Lot Lines
Level I—small scale	Up to 3,500 square feet	225 ft.
Level II—medium scale	>3,500 square feet, up to 5,500 square feet	275 ft.
Level III—large scale	>5,500 square feet, up to 7,000 square feet	325 ft.

- 2. Sawdust and or Wood Chip Pile.** ~~The maximum height of sawdust or wood chip piles at the sawmills shall not exceed~~ 25 feet.

**D. Landscaping/Buffering/Screening.**

- 1. Buffer.** ~~The use shall comply with~~ Refer to Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
- 2. Parking Areas.** ~~Parking areas shall comply with~~ Refer to Section ~~5-1407~~ 5.07.05.

3. **Storage Yards.** ~~All storage yards shall comply with~~ Refer to Section ~~5-1406~~ 5.07.04.
- E. **Roads/Access Standards.**
  1. **General Access Standards.** ~~A sawmill shall comply with the road access standards of~~ Refer to Section ~~6-564~~ 5.13.
  2. **Driveways.** Driveways ~~shall not be located~~ are not permitted within a required buffer yard area except as ~~minimally~~ necessary to access the site.
- F. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section ~~5-652~~ 5.12 (Exterior Lighting Standards).
- G. **Noise Standards.** The maximum allowable dB(A) level of impulsive sound emitted by the use, as measured at the property line, ~~shall not exceed~~ is 55 dB(A).
- H. **Parking.**
  1. **General.** ~~Parking and loading shall be provided as required by~~ Refer to Section ~~5-1102~~ 5.05.03.
  2. **Surface.** ~~A dust-free surfacing material is required for all parking areas serving the sawmill shall~~ must use a dust-free surfacing material as provided in the (refer to the Facilities Standards Manual).

## 3.06.06.09 Wholesale Distribution, Warehousing and Storage

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### 3.06.06.09 Wholesale Trade Establishment

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- A. **Applicability.** This section applies to any wholesale distribution, warehousing and storage use.
- B. **Retail Sales.** Retail sales to the general public ~~shall not exceed~~ are limited to ~~twenty percent (20%)~~ of the gross floor area devoted to the wholesale ~~trade establishment~~ distribution, warehousing and storage use.

## 3.06.07 Infrastructure

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### 3.06.07.01 Airport

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- A. **Applicability.** ~~The following standards shall apply~~ This section applies to airports in the ARN, ARS, JLMA-20 and FRTLN-10 districts.
- B. **Intensity/Character.**
  1. **Scope of Aviation Operations.**
    - a. ~~No more than one air strip is permitted.~~
    - b. The airport shall be for private aviation aircraft only, limited exclusively to the use of the landowner and guests;
    - c. Commercial operations (~~including~~ flight training, ground school, and sales); are prohibited.
    - d. Instrument-guided flight to access the airport is prohibited.
    - e. Jet-propelled aircraft ~~shall~~ must not use the airport.
    - f. Takeoffs or landings are prohibited between the hours of 6:00 p.m. and 6:00 a.m.
  2. **Accessory Aircraft Repairs and Servicing.**
    - a. Typical accessory support services for the airport landing strip are allowed, including but not limited to fueling stations, fuel tanks, and storage.
    - b. Routine minor repairs and necessary maintenance of aircraft are permitted accessory uses; provided if all routine repairs and maintenance occur within an enclosed structure; such as a hangar.
- C. **Site Size.**
  1. The minimum lot area for an airport ~~shall be~~ is 80 acres, except as provided in subsection 2.

2. ~~that~~The minimum lot area for a use consisting only of a landing strip with no accessory structures or facilities other than a fueling station ~~shall be a minimum of~~ is 15 acres ~~in size~~.
- D. **Structure Size.**
1. **Structure Size.** The size of structures necessary to service the use, such as aircraft service buildings, ~~shall not exceed the following gross floor area (total all structures):~~ is limited to 15,000 square feet (gross floor area for all structures).
  2. **Storage Yards.** The maximum total area of storage yards for all lots smaller than 25 acres ~~shall be~~ is 5,000 square feet. For lots greater than 25 acres, an additional 1,000 square feet ~~shall be~~ is allowed for each additional 10 acres, not to exceed a maximum of 20,000 square feet.
- E. **Location on Site/Dimensional Standards.**
1. **Aviation Structures, Storage Yards and Runway or Landing Strip.** The minimum setback for all aviation structures, storage yards, and the runway or landing strip, ~~shall be set back from lot lines as follows~~ from all lot lines is:
    - a. Structures less than 2,500 square feet of gross floor area: 125 feet ~~minimum from all lot lines~~.
    - b. Structures greater than 2,500 and up to 15,000 square feet of gross floor area: 200 feet ~~minimum from all lot lines~~.
    - c. Structures over 15,000 square feet of gross floor area: 250 feet ~~minimum from all lot lines~~.
    - d. Runway or landing strip: 650 feet ~~minimum from all lot lines~~.
- F. **Landscaping/Buffering/Screening.**
1. **Runway Buffer Area.** A buffer area ~~shall must be provided~~ extending from the end of all runways or landing strips. The size of the buffer shall encompass ~~a minimum land area equal to at least~~ a one-quarter mile radius measured from the edge of the end of every runway. No uses ~~shall be~~ are allowed within this runway buffer area.
  2. **Parking.** ~~Parking areas shall comply with~~ Refer to Section ~~5-1407~~ 5.07.05.
  3. **Outdoor Services/Activities.** All tanks, storage yards, and vehicles and equipment stored outdoors ~~shall must be screened and landscaped consistent with the standards of~~ comply with Section ~~5-1406~~ 5.07.04.
- G. **Road/Access.** ~~Any airport/landing strip use shall comply with the road access standards of~~ Refer to Section ~~5-654~~ 5.13.
- H. **Exterior Lighting Standards.** ~~All exterior lighting shall comply with the standards of~~ Refer to Section ~~5-652(A)~~ 5.12.A (Exterior Lighting Standards).
- I. **Parking.**
1. **General.** ~~Parking shall be provided as required by~~ Refer to Section ~~5-1102~~ 5.05.03.
  2. **Surface.** ~~All parking areas serving the use shall must use a dust free surfacing material as provided in the Facilities Standards Manual.~~

## 3.06.07.02 Parking Facility

- A. **Applicability.** This section applies to any parking facility use.
- B. **Approval.**
1. All parking facility uses must have special exception review and approval with the exception of commuter parking lots that do not meet the criterion in subsection B2.
  2. Commuter parking lots exceeding 50 spaces located within rural, transition, JLMA, and suburban residential zoning districts require special exception review and approval.

## 3.06.07.03 Public Utilities

- A. **Applicability.** This section applies to ~~lot requirements for~~ uses in the Utilities use category (Section 3.03.07) that are provided or operated by Municipal Corporations, VDOT, LCSA, Public Utilities and Public Service Corporations. This section does not apply to solar facilities (site-specific or commercial), which are regulated separately.
- B. **Site Size.** ~~In all zoning districts, public utilities shall be located on lots of~~The minimum lot area is one half (1/2) acre ~~or more.~~
- C. **Landscaping/Buffering/Screening**
1. All utility facilities, (except for a municipal water well (defined as a major utility)), ~~municipal,~~ shall ~~have~~require a minimum Buffer Yard Type C.
  2. A municipal water well, ~~municipal shall have~~ (defined as a major utility) requires a minimum Buffer Yard Type A if the well area includes other accessory structures or buildings. Side and rear buffer yards ~~shall~~must be supplemented with an additional two (2) evergreen trees per 100 linear feet.
- D. **Access Easements.** ~~Such a~~Utilities may be accessed by private access easement.
- E. **Utility Substations.** Utility Substations are governed by Section ~~5-616~~ 3.06.05.24 of this Ordinance and are not this Section ~~5-621~~.
- F. **Municipal Water Wwell, municipal.** Prior to approval of the first site plan for a new ~~municipal W~~water well, ~~municipal use,~~ an Applicant shall complete the testing and reporting requirements of either ~~Subs~~Sections ~~5-621(E)(1)~~ 3.06.05.20.EF.1 or ~~Section 5-621(E)(2)~~ 3.06.06.20.EF.2. The Applicant may choose, ~~below, with the choice of either the (E)(1) E.1. or the (E)(2) E.2. testing to be option at Applicantit's discretion. The Applicant, and shall provide the results to the Director of the Department of Building and Development in conjunction with the said site plan application. Such~~The applicant must conduct the tests ~~shall be required to be conducted only during the initial testing period prior to the approval of a site plan for a new municipal water well, and shallis not required to conduct~~ continuous monitoring of off-site wells after site plan approval.
1. Yield and Drawdown Tests ~~as~~required by the Virginia Department of Health-Office of Drinking Water, and monitoring of existing private wells within 500 feet of the proposed well, as recommended by the Virginia Department of Health-Office of Drinking Water and with the consent of the property owner; or
  2. A Hydrogeologic Report prepared in accordance with Section 6.240.A (Background Information), Section 6.240.B (Analysis of Background Information), Section 6.240.E (Pumping Test), and Section 6.240.G (Groundwater monitoring program proposal) of the Facilities Standards Manual. Monitoring of private wells is ~~to be conducted~~allowed only with the ~~property owner's consent of the property owner.~~

## 3.06.07.04 Recycling Collection Centers and Material Recovery Facilities

- A. **Applicability.** This section applies to recycling collection centers and material recovery facilities (defined as part of a solid waste facility use).
- B. **Recycling Collection Centers (Generally).** ~~;~~Recycling collection centers (public or private); ("centers") shall meet the following minimum standards:
1. Centers may be established on a site that has either a public or private school, shopping center, community center, church, park, fire station, or library, or ~~may be established~~on land owned by a local government or ~~an~~ home owners' association.
  2. A center may ~~utilize~~use movable containers and trailers to collect and store recyclable materials.
  3. ~~All recycling drop-off c~~Centers ~~shall~~must accept only glass, metals, plastics, papers, corrugated cardboard, and other identified reusable recyclable items; ~~H~~hazardous or toxic materials ~~shall~~must not be accepted.
  4. ~~Recycling drop-off c~~Centers ~~shall be no larger than~~must not exceed 3,000 square feet ~~in area. The 3,000 square feet~~This area ~~shall be for their~~ limited to recycling containers only (which may be portable), and permanent or semi-permanent buildings or structures.

5. All recyclable materials stored at ~~recycling drop-off~~ centers ~~shall~~ must be stored in containers ~~which are~~ constructed and maintained of a durable waterproof and rustproof material, ~~are~~ secured from unauthorized entry or removal of material, and ~~are of~~ with a capacity sufficient to accommodate material collected.
  6. Recycling containers ~~shall~~ must be clearly marked to identify the type of material which may be deposited. ~~Recycling drop-off centers shall be marked~~ clearly to identify the name and telephone number of the facility sponsor and the hours of operation, and display a notice stating that no material ~~shall~~ must be left outside the recycling enclosure or containers.
  7. All ~~public and private recycling drop-off~~ centers ~~shall~~ must be maintained free of litter by a responsible sponsoring organization or by Loudoun County.
  8. All ~~recycling drop-off~~ centers ~~shall~~ must be screened from other uses on the same parcel and adjacent residential uses in accordance with Section ~~5-1406~~ 5.07.04.
  9. Recycling containers ~~shall~~ must be at least 150 feet from any residential dwelling.
  10. The ~~recycling drop-off~~ center ~~shall~~ must be situated so that vehicular ingress and egress ~~does~~ not pose traffic hazards. A minimum of ~~one (1)~~ stacking or parking space per 500 square feet of the recycling drop-off center, or the anticipated peak customer load as determined by the Zoning Administrator, whichever is higher, ~~shall be~~ is required on-site. Stacking and parking spaces ~~shall not be located~~ are not allowed within the road right-of-way or setbacks.
  11. Occupation of any parking spaces by the ~~recycling drop-off~~ center may not reduce required parking spaces for the principal use below the required minimum ~~number~~, unless ~~the following conditions exist~~:
    - a. A parking study shows that existing parking capacity is not fully utilized during the hours of operation of the principal use and the ~~recycling drop-off~~ center, or
    - b. Hours of normal operation of the principal use do not overlap those of the recycling drop-off center.
  12. ~~Signs may be provided as follows~~:
    - a. ~~Sizes of signs must be in conformity with Section 5-1200-6.01 of this Ordinance.~~
    - b. ~~Signs must be consistent with the character of the location.~~
    - c. ~~Directional signs, bearing no advertising message, may be installed with the approval of the Zoning Administrator if necessary to facilitate traffic movements on site, or if the facility is not visible from the public right-of-way.~~
  13. No portion of any ~~recycling drop-off~~ center ~~shall be located~~ is allowed in any major floodplain or required setbacks ~~cited herein~~.
  14. ~~No~~ Noxious odors ~~shall not~~ be emitted beyond any boundary lines of the recycling drop-off center.
  15. Operation of ~~recycling drop-off~~ centers shall occur during daylight hours, unless located within commercial or industrial areas ~~which are~~ equipped with lighting capable of illuminating the center during periods of darkness.
- C. **Specific Standards for Public Recycling Collection Centers.** ~~The minimum setback for public recycling collection centers is shall be set back at least fifty (50) feet from the right-of-way of any street or as otherwise specified under Section 5-1403(B)5.07.02;~~ and ~~at least fifty (50) feet from any lot or land bay zoned, used, or planned for residential uses. The use, and~~ shall not obstruct pedestrian or vehicular circulation.
- D. **Specific Standards for Private Recycling Collection Centers.** ~~Private recycling collection centers:~~
1. ~~The center shall~~ Must meet the setback requirements for ~~PD-GSI and JLMA-LI~~ uses adjacent to a lot or land bay zoned, used, or planned for residential use, ~~and~~
  2. In commercially and industrially zoned districts, a center may utilize electric power-driven processing equipment to sort, clean, or compact recyclable materials between the hours of 7AM and 7PM. ~~Use of such~~ That equipment is not permitted in residentially zoned districts.

- E. ~~Specific Standards for~~ **Material Recovery Facilities (MRF)**. All MRF's shall meet the following minimum standards:
1. Neither an MRF nor the lot on which the MRF is located shall abut a property in residential land use. All processors shall operate in an entirely enclosed building except for incidental storage, except when:
    - a. The operation is within an area enclosed on all sides by an opaque fence or wall ~~not less than~~ **at least eight (8)** feet in height and landscaped on all property lines; and
    - b. The operation is located at least 300 feet from any property zoned, used, or planned for residential uses.
  2. Processing in MRF's is limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials, construction debris, and repairing of reusable materials.
  3. Power-driven processing equipment ~~shall be~~ permitted, ~~provided that~~ if the noise level requirements of Section ~~5-1507~~ **5.12.B.** and any special exception conditions are met.
  4. All exterior storage of material ~~shall be~~ in sturdy containers or enclosures ~~which are~~ covered, secured, and maintained in good condition at all times, or ~~shall be~~ baled or palletized. ~~No such~~ **Exterior** storage ~~shall not~~ be visible from any adjacent road or other property.
  5. MRF sites ~~shall be~~ maintained free of litter, ~~shall be~~ cleaned of loose debris on a daily basis, and ~~shall be~~ secured from unauthorized entry and removal of materials when unattended.
  6. ~~The maximum hours of operation for~~ MRF sites located within 500 feet of an occupied residential dwelling ~~shall not be in operation between the hours of~~ 7:00 p.m. and 8:00 a.m. The MRF ~~will be~~ administered by on-site personnel during all hours of operation.
  7. Any containers provided for after-hours donation of recyclable materials ~~shall be~~ at least 500 feet from any occupied dwelling unit.
  8. If the MRF is open to the public, ~~a minimum of at least~~ **ten (10)** vehicle stacking spaces or the number of spaces necessary to accommodate the peak anticipated load (as determined by the Zoning Administrator), whichever is higher, ~~shall be~~ required on-site.
  9. ~~At least minimum of~~ **one (1)** parking space ~~shall be provided~~ is required for each commercial vehicle owned and operated by the MRF, unless a greater number of spaces is required by the zoning district in which the facility is located.
  10. No dust, fumes or smoke, above ambient levels may be detectable on adjacent properties.
  11. Noise or vibration emitted or derived from the MRF shall not exceed the levels permitted by Sections ~~5-1505~~ **5.08** and ~~5-1507~~ **5.12.B.** respectively.
  12. All material recovery facilities ~~shall~~ accept only glass, metals, plastics, papers, corrugated cardboard, construction debris, and other identified reusable recyclable items. ~~;~~ ~~hazardous or toxic materials~~ ~~shall not~~ be accepted.
  13. ~~No~~ **Noxious odors** ~~shall not~~ be emitted beyond any boundary lines of the facility.

### 3.06.07.05 Solar Facility, Commercial

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TBD

### 3.06.07.06 Stockpiling

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### 3.06.07.06 Stockpiling of Dirt

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- A. **Applicability.** This section applies to any stockpiling ~~of dirt in the AR and TR districts shall comply with the following standards:~~
- B. **Intensity/Character Standards.**
1. **Size of Use.**
    - a. **Minimum Lot Size.** Five ~~(5)~~ Acres
    - b. **Pile Area.** The maximum area of aA single stockpile of dirt ~~pile shall not exceed an area greater isthan two (2) acres.~~
    - c. **Height.** The maximum height of aA single stockpile of dirt ~~shall not exceedis~~ 25 feet above original natural grade. For each additional ~~five (5)~~ acres in lot area, the height may increase ~~one (1)~~ foot ~~and in no case shall the height exceed up to~~ 50 feet above original natural grade. ~~Additionally, nNo~~ stockpile ~~shall~~ be visible above the existing tree line as viewed from any property line.
    - d. **Slope.** Maximum sSlope shall ~~not exceed ais~~ 3:1 ~~ratio.~~
  2. **Siting.**
    - a. No stockpile ~~of dirt~~ is permitted in the Mountainside Overlay District and/or FOD.
    - b. ~~To the maximum extent feasible s~~Stockpiles ~~of dirt shall not be locatedare not permitted~~ in wetlands, hydric soils, or areas identified as containing endangered species or plants.
    - c. Stockpiles ~~of dirt shall~~are only ~~be~~ permitted on forested sites when there is an approved forest management plan.
  3. **Location on Site/Dimensional Standards.**
    - a. **Setback from Single-Family Dwellings.** No stockpile ~~of dirt~~, loading/unloading activities, general stockpile ~~of dirt~~ operations, or related activities ~~shall be~~ allowed within 500 feet of an existing residential structure.
    - b. **Other setbacks.** No stockpile ~~of dirt shall be located~~ permitted within 100 feet of any lot line and/or street to include ingress-egress easements.
  4. **Hours of Operation.** The hours of operation ~~shall be~~ limited to 7:00 AM to 6:00 PM.
- C. **Access/Vehicular Circulation.**
1. **Access.** Access to the lot ~~shall be from~~ is required from a paved, State maintained road at least ~~twenty (20)~~ feet in width.
  2. **Driveways/Internal Access Roads (driveways).** Driveways ~~shall not be locatedare not permitted~~ within a required buffered setback ~~area~~ except as minimally necessary to access the site. ~~Such d~~Driveways ~~shall~~ must be all-weather roads negotiable by loaded transport vehicles.
  3. **Vehicular Circulation.** Adequate-stacking space ~~shall be provided is required~~ on site to accommodate anticipated traffic. ~~Such s~~Stacking space ~~shall~~ must be screened ~~in accordance with theas~~ required in by ~~sub~~Section ~~5-650(B) 3.06.07.03.E.~~
  4. **Debris.** To prevent the tracking of debris, mud, dirt or other material on public rights-of-way, the public rights-of-way ~~shall~~ must be hosed off on a daily basis when the stockpile of dirt facility is in operation. During winter months the road ~~shall~~ must be chemically treated to prevent icing conditions after hosing off the road.
- D. **Materials.** Stockpiles of dirt may be comprised only of uncontaminated dirt and naturally occurring rock. Incorporated organic material, including roots, twigs, limbs, logs, leaves, and grass may not exceed three (3) percent by volume at any location in the stockpile of dirt. Processing within the stockpile of dirt is limited to grading, sorting, and compacting of dirt and waste rock. Screening of dirt ~~shall~~ is not ~~be~~ permitted.
- E. **Exterior Lighting.** Exterior Lighting ~~shall be~~ is permitted for security purposes only and in accordance with Section 5.12-649. ~~Signage for the stockpile of dirt use shall not be illuminated.~~

- F. **Landscaping/Buffering/Screening.** ~~The use shall comply with~~ Refer to Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
- G. **Noise.** ~~Noise created by the activity at the stockpile of dirt shall comply with~~ Refer to Section ~~5-649(B)~~ 5.12.
- H. **Compliance with other Ordinances.** ~~Nothing herein shall~~ This section does not relieve the stockpile of dirt activity from complying with other Federal, State or County Codes. ~~Where~~ If there is a conflict in the applicable ordinances, the more restrictive ~~shall apply~~s. A Zoning Permit and grading permit is required prior to the commencement of the Stockpiling of Dirt. In addition, prior to commencing any stockpile ~~of dirt~~ activity, a preliminary soil report ~~shall~~ must be ~~provided to the County Soil Scientist~~ conducted in accordance with Chapter 6 of the Facilities Standards Manual.

## 3.06.07.07 Telecommunications Facility

### 3.06.07.07 Telecommunications Use And/Or Structures

- A. **Applicability.** ~~The following performance standards shall be applied to~~ This section applies to telecommunications ~~uses and/or structures~~ facilities.
- B. **Antennas.**
  - 1. **Building-Mounted Antennas, Any Portion of Which Exceeds a Height of Over 60 Feet As Measured from Natural Ground Elevation, When Mounted on Buildings and Structures in Height.**
    - a. This subsection B.1 applies to antennas mounted on buildings or structures and ~~related~~ connected unmanned equipment ~~connected to such antennas~~, any portion of which that exceeds ~~a height of sixty (60)~~ feet in height., Height ~~is~~ measured from natural ground elevation, ~~mounted on buildings or structures may be developed~~ subject to the following performance standards to the extent telecommunications antennas are listed as a permitted use in the underlying zoning district.
    - b. Omnidirectional or whip antennas ~~shall not exceed~~ are limited to ~~twenty (20)~~ feet in height or ~~seven (7)~~ inches in diameter. ~~The antenna must consist and shall be~~ of a material or color which matches the exterior of the building or structure upon which they are mounted.
    - c. Directional or panel antennas ~~shall not exceed~~ are limited to ~~ten (10)~~ feet in height or ~~two (2)~~ feet in width. ~~and~~ Antennas ~~shall~~ must be consistent of a material or color which matches the exterior of the building or structure upon which they are mounted.
    - d. Dish antennas ~~shall not exceed~~ are limited to ~~six (6)~~ feet in diameter and ~~shall~~ must be screened from public view.
    - e. ~~No commercial advertising shall be allowed on any antenna.~~
    - f. Signals, lights, and/or illumination ~~shall~~ are not ~~be~~ permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
    - g. Cylinder shrouds for the concealment of antennas ~~shall not exceed~~ are limited to ~~eleven (11)~~ feet in height or ~~twenty-six (26)~~ inches in diameter and ~~shall be~~ must consist of a material or color which matches the exterior of the building or structure upon which they are mounted. No portion of the antenna ~~shall~~ must be exposed outside the shroud.
    - h. ~~The r~~ Related unmanned equipment structure(s) ~~shall not contain more than~~ are limited to ~~five hundred (500)~~ square feet of total gross floor area per user on each site and ~~shall not exceed~~ ~~twelve (12)~~ feet in height. If located within the building or structure ~~upon which~~ where the antennas are mounted, they may be located in the areas which are excluded from the determination of net floor area without changing the exclusion of those areas from the calculation of the ~~structure's~~ density ~~of the structure.~~ Such ~~The~~ structures shall ~~be~~ consist of a material or color which matches the exterior of the building or structure ~~upon which~~ where they are mounted.

- i. If the equipment structure is located on ~~the~~ roof of a building, the area of the equipment and structures shall not occupy more than ~~are~~ limited to ~~twenty-five percent (25%)~~ of the roof area.
  - j. All antennas and related unmanned equipment shall ~~must~~ be removed within ~~ninety (90)~~ days after ~~such antennas or related unmanned equipment~~ they are no longer in use.
  - k. The original approved height of a monopole or tower may ~~be~~ increased ~~twenty (20)~~ feet for the collocation of telecommunications antennas, ~~provided that the~~ if their height ~~of such monopoles and towers,~~ (including collocated antennas); ~~shall~~ does not exceed ~~one hundred ninety-nine (199)~~ feet, ~~as measured from the natural ground elevation.~~
2. **Building-Mounted Antennas, No Portion of Which Exceeds a Height of Up To 60 Feet As Measured From Natural Ground Elevation, when Mounted on Buildings or Structures (Including Antenna Support Structures) in Height.**
- a. This subsection B.2 applies to antennas mounted on buildings and structures and ~~related~~ connected unmanned equipment connected to such antennas, no portion of which exceeds a height of sixty (60) feet.; ~~as~~ Height is measured from the natural ground elevation, ~~when mounted on buildings or structures (including antenna support structures), may be developed subject to the following performance standards to the extent telecommunication antennas are listed as a permitted use in the underlying zoning district:~~
  - b. Omnidirectional or whip antennas shall ~~not exceed~~ are limited to ~~eight and one-half (8 ½)~~ feet in height or ~~three (3)~~ inches in diameter and shall ~~must~~ be consist of a material or color which matches the exterior of the building or structure ~~on which~~ where they are mounted. ~~Such~~ The antennas shall be flush mounted so that neither the antenna nor any portion of the supporting mount shall ~~extends~~ more than ~~two (2)~~ feet from the building or structure.
  - c. Directional or panel antennas shall ~~not exceed~~ are limited to ~~five (5)~~ feet in height or ~~one (1)~~ foot in width and shall ~~must~~ be consist of a material or color which matches the exterior of the building or structure ~~on which~~ where they are mounted. ~~Such~~ The antennas shall be flush mounted so that neither the antenna nor any portion of the supporting mount shall ~~extends~~ more than ~~two (2)~~ feet from the building or structure.
  - d. Dish antennas shall ~~not exceed~~ are limited to ~~three (3)~~ feet in diameter and shall ~~be~~ consist of a material or color which matches the exterior of the building or structure on which they are mounted.
  - e. ~~No commercial advertising shall be allowed on any antenna.~~
  - f. Signals, lights, and/or illumination shall ~~are~~ not ~~be~~ permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
  - g. Cylinder shrouds for the concealment of antennas shall ~~not exceed~~ are limited to ~~six (6)~~ feet in height or ~~fourteen (14)~~ inches in diameter and shall ~~be~~ consist of a material or color which matches the exterior of the building or structure ~~upon which~~ where they are mounted. No portion of the antenna shall ~~must~~ be exposed outside the shroud.
  - h. ~~No more than~~ Only ~~one (1)~~ related unmanned equipment structure shall ~~be located~~ is permitted on an antenna support structure. ~~Such~~ The related unmanned equipment structure shall ~~not exceed~~ is limited to ~~five (5)~~ feet in height or ~~twenty (20)~~ cubic feet in volume and shall ~~be~~ consist of a material or color which matches the exterior of the antenna support structure on which it is mounted.
  - i. Antennas and related unmanned equipment structures located on the roof of a building shall ~~must~~ not exceed are limited to 15 feet above the building height ~~of such building by more than~~ ~~fifteen (15) feet and shall~~ must and may not occupy more than ~~twenty-five percent (25%)~~ of the roof area.
  - j. All antennas and related unmanned equipment shall ~~must~~ be removed within ~~ninety (90)~~ days after ~~such antennas or related unmanned equipment~~ they are no longer in use.

3. **Antenna Hub Sites.** The following apply to antenna hub sites ~~may be developed provided such sites comply with the following criteria:~~

- a. Related unmanned equipment at antenna hub sites ~~shall not contain more than~~ are limited to **five hundred (500)** square feet of total gross floor area and ~~shall not exceed~~ **twelve (12)** feet in height.
- b. ~~The~~ Antenna hub sites are subject to any maximum permitted floor area ratio and minimum yard requirements ~~for of~~ the applicable zoning district ~~applies, if applicable, shall not be exceeded.~~
- c. ~~Antenna hub sites shall meet the minimum yard requirements of the district in which they are located.~~
- d. Antenna hub sites ~~shall~~ must be compatible with development located in the surrounding visual range regarding the setting, color, lighting, topography and materials. To the maximum extent feasible, related unmanned equipment at an antenna hub site ~~shall~~ must be located in the interior of the ~~subject property~~ ~~property on which it is located.~~
- e. Related unmanned equipment at antenna hub sites ~~shall~~ must be screened by a solid fence, wall or berm **eight (8)** feet in height with an evergreen hedge reaching an ultimate height of at least **eight (8)** feet and a planted height of at least **four (4)** feet. If equipment is added to an existing screened enclosure that contains telecommunication uses and/or structures, the screening requirements may be satisfied with the existing screening.
- f. Antenna hub sites that are fully enclosed within a building ~~shall~~ are not ~~be~~ subject to the above criteria.
- g. Antenna hub sites ~~shall~~ must be removed within **ninety (90)** days after ~~such antenna hub sites~~ they are no longer in use.

C. **Monopoles.** The following apply to monopoles and related unmanned equipment structure(s) ~~may be developed as a permitted or special exception use, as listed below:~~

1. **Monopoles, Permitted By Right.** Monopoles ~~shall be~~ are permitted by right subject to the performance criteria listed in ~~subSection 5-618(B)(3)~~ **3.06.06.08.B.3**, in the following situations if:

- a. ~~In all zoning districts, if~~ Located within an overhead utility transmission line right of way with existing structures greater than eighty (80) feet in height.
- b. In the ~~PD-OPSE, SI, JLMA-LE, GB, PD-GI, JLMA-LI, PD-SA, PD-IP, TLI, PD-RDP, or MR-HITIE~~ zoning districts ~~provided it they are~~ is located at least 750 feet ~~or greater~~ from an adjoining residential district.
- c. In the ~~PD-GISI, TIE and MR-HIJLMA-LI~~ zoning districts ~~further~~ subject to ~~subSection 5-618(B)(4)~~ **3.06.06.08.B.4** if located less than 750 feet from an adjoining residential district.
- d. In the ~~ARN, ARS, A-10RN, TRTLN, JLMA-1, JLMA-2, JLMA-3, A-3RAR, VAR, SAR, CR-1, CR-2, CR-3, CR-4VR, PD-TRECUE, VC and RC~~ zoning districts, when accessory to a fire or rescue station.

2. **Monopoles, Special Exception Required.** Except as provided above, telecommunications monopoles ~~shall be permissible subject to approval of~~ require a special exception and are subject to ~~the general performance criteria listed in~~ ~~subSection 5-618(B)(C.3)~~ and additional submission requirements listed in ~~subSection 5-618(B)(C.4), in the following situations if~~ located:

- a. In the ~~ARN-1, ARS-2, A-10RN, TRTLN, JLMA-1, JLMA-2, JLMA-3, A-3RAR, VAR, SAR, CR-1VR, CR-2, CR-3, CR-4, PD-TRECUE, VC and RC~~ zoning districts, except as provided in ~~subSection 5-618(B)(C.1)(d), and in the CLISE, PD-CC(CC)SC, SCN, PD-CC(SC), PD-CC(RC), PD-TCSM, PD-TRCUT, UM, PD-MUBSM, and PD-RV and PD-CV~~ zoning districts.
- b. In the ~~SE, SI, JLMA-LE, PD-OP, GB, PD-SA, PD-IP and TLI and PD-RDP~~ zoning districts ~~when located and~~ less than 750 feet from an adjoining residential district.

- c. In all zoning districts, except ~~PD-AAARSCN~~, as an accessory use to a fire and rescue station, except as provided in ~~subSection 5-618(B)(1)(d)~~ 3.06.06.08.BC.1.d.
  - d. In all zoning districts, within the right of way of a private toll road.
  - e. In the ~~PD-H and RSR-1, SR-2, SR-3, SR-4, SR-8, SN, SCN~~ zoning districts when located on property owned by:
    - i. Any department or branch of the Federal Government, Commonwealth of Virginia, Loudoun County Government, or Loudoun County School Board; or
    - ii. Public Utilities.
3. **Monopoles, General Performance Criteria.** All telecommunications monopoles, whether permitted by right or ~~permissible with the approval of as a special exception application~~, ~~shall beare~~ subject to the following criteria:
- a. The proposed telecommunications monopole ~~shall~~must be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. ~~In addition,~~ ~~the facility shall~~must be located in the interior of the property and areas of existing vegetation, if applicable, ~~shall~~must be used to screen the facility.
  - b. New telecommunications monopoles ~~shall~~must be designed to accommodate at least ~~three (3)~~ providers, unless:
    - i. Doing so would create an unnecessary visual impact on the surrounding area; or
    - ii. No additional need is anticipated for any other potential user in the vicinity; or
    - iii. There is some valid economic, technological, or physical justification as to why co-location is not possible.

The applicant shall identify the conditions under which future co-location by other service providers is permitted.
  - c. The height of ~~such~~the monopole, including antennas, ~~shall not exceed~~is limited to 199 feet, as measured from the natural ground elevation.
  - d. Satellite and microwave dishes attached to monopoles ~~shall not exceed~~are limited to ~~two (2)~~ feet in diameter.
  - e. Except as provided in ~~subSections 5-618(B)(3)(e)~~ 3.06.06.08.BC.3.o and ~~Section 5-618(B)(4)(d)~~ 3.06.06.08.BC.4.d, ~~the minimum setback telecommunications monopoles shall not be located~~are not permitted closer than ~~is~~ one (1) foot for every ~~five (5)~~ feet in height to any property line. Structures and buildings may be constructed within the setback areas of the monopole, ~~provided if~~ other zoning standards are met.
  - f. The related unmanned equipment structure(s) ~~shall not contain mores~~is limited thanto 500 square feet of total gross floor area per telecommunications provider on each site. Structures ~~shall not exceed~~are limited to 12 feet in height.
  - g. Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, monopoles must blend with the background.
  - h. No signals or lights or illumination are permitted on a monopole, unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the County.
  - i. ~~No commercial advertising or signs shall be allowed on a monopole.~~
  - j. A commission permit ~~shall be~~is required, except when located in accordance with ~~subSection 5-618(B)(1)(a)~~, 3.06.06.08.BC.1.a ~~provided if~~ the monopole ~~shall~~does not exceed the height of existing

- overhead utility transmission line structures by more than ~~twenty (20)~~ feet as measured from natural ground elevation.
- k. ~~No m~~ Monopoles ~~shall be located~~ are prohibited within a County designated historic districts.
  - l. All unused equipment and facilities from a commercial public telecommunications site ~~shall~~ must be removed within 90 days of cessation of commercial public telecommunication use. ~~and t~~ The site shall be restored as closely as possible to its original condition.
  - m. Applicants for any commercial public telecommunications facility ~~shall~~ must demonstrate that they have complied with applicable regulations of the FCC and the FAA. A finding from the FAA that the proposed facility is not a hazard or obstruction to aviation is ~~necessary~~ required prior to the issuance of a zoning permit. If a proposed telecommunications facility is higher than 199 feet or within ~~five (5)~~ miles of the property boundary of either Dulles or Leesburg Airports, the applicant shall provide verification that: 1) the appropriate airport authority (Metropolitan Washington Airports Authority or the Town of Leesburg) has been notified in writing; and 2) the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation.
  - n. When locating on a Loudoun County or Loudoun County Sanitation Authority site or fire and/or rescue company site: 1) the telecommunications equipment shall not interfere with the existing telecommunications equipment of the primary use; and 2) the setback provisions of ~~sub~~Section ~~5-618(B)(3)(e)~~ ~~3-06-06-08-BC.3.e~~ shall do not apply.
  - o. Applicants proposing a new telecommunications monopole within ~~one (1)~~ mile of a County designated historic district or a Virginia Byway ~~shall~~ must submit ~~a minimum of at least~~ ~~three (3)~~ visual simulations and written justification as to why the monopole could not be sited elsewhere. This requirement ~~shall also be applied~~ applies if a telecommunications monopole is proposed on a property listed on the National Register of Historic Places.
  - p. Telecommunications monopoles ~~shall not be located~~ are prohibited along ridge lines, but are allowed downslope from the top of ridge lines, to protect views of the Catoctin, Bull Run, Hogback, Short Hill, and Blue Ridge Mountains.
  - q. Applicants ~~shall~~ must submit documentation, in written and graphic form, regarding the service area to be provided by the proposed telecommunications monopole.
4. **Monopoles, Additional Submission Requirements.** Applicants ~~shall submit~~ the following additional information ~~shall be submitted by applicants~~ for monopoles that required ~~to be approved by~~ special exceptions:-
- a. ~~The applicant shall provide~~ pPhotoimagery or other visual simulation of the proposed telecommunications monopole shown with the existing ~~site conditions of the site~~. This simulation ~~shall~~ must be provided from ~~a minimum of at least~~ ~~three (3)~~ perspectives. The applicant ~~shall~~ must address how the facility ~~can~~ will be designed to mitigate the visual impact on area residents, facilities, and roads.
  - b. Except for areas where permitted by right, an applicant for a new commercial public telecommunication monopole ~~shall~~ must demonstrate that location on an existing telecommunications facility or structure greater than 40 feet in height is not feasible. The applicant ~~shall~~ must evaluate telecommunications facilities and structures greater than 40 feet in height within a ~~one (1)~~ mile radius of the proposed facility within the Eastern Loudoun Urban Growth Area. Elsewhere in the County, the applicant shall evaluate these locations within a ~~two (2)~~ mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining infeasibility. Co-location may be determined ~~to be~~ infeasible ~~in the following situations~~ if:
    - i. Planned equipment would exceed the structural capacity of existing and approved telecommunications facilities, considering existing planned use of those facilities, and ~~such~~ the

facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;

- ii. Planned equipment will cause interference with other existing or planned equipment for that telecommunications facility, and that interference cannot be prevented at a reasonable cost;
- iii. Existing or approved telecommunications facilities do not have space on which planned equipment can be placed so as to provide adequate service; and
- iv. Existing and approved telecommunications facilities will not provide adequate signal coverage.

c. In addition to those entitled to notice under the provisions of Section ~~6-600~~ 7.02 of this Ordinance, all owner(s), or their agent(s), of all properties abutting or immediately and diagonally across the street or road from those properties whose owners are entitled to notice under Section ~~6-600~~ 7.02, shall be provided with the same written notice. The applicant is also encouraged to meet with community and homeowners association groups in the area.

d. Telecommunications monopoles ~~permissible~~ permitted by special exception pursuant to ~~subSection 5-618(B)(2)(d)~~ 3.06.06.08.BC.2.d shall not be subject to the lot requirements, building requirements, and open space requirements, if applicable, of the applicable zoning district in which they are located.

D. **Telecommunications Towers.** This subsection applies to telecommunications towers with related unmanned equipment structure(s) ~~may be developed as a permitted or special exception use as listed below, subject to the performance standards of this section.~~

1. **Telecommunications Towers, Permitted By Right.** ~~Transmission~~ Telecommunications towers shall be permitted by right subject to the performance criteria listed in ~~subSection 5-618(C)(3)~~ 3.06.06.08.CD.3:

- a. In the MR-HISI, TIE, and PD-GJLMA-SI zoning districts if the tower is ~~forty (40)~~ feet or less in height and is mounted on an existing structure.
- b. In the MR-HISI, TIE and PD-GJLMA-SI zoning districts if the tower is greater than ~~forty (40)~~ feet in height and will be further subject to the performance standards of ~~subSection 5-618(C)(4)~~ 3.06.06.08.CD.4.

2. **Telecommunications Towers, Special Exception Required.** Telecommunications towers shall be ~~permissible~~ permitted by special exception subject to the performance standards listed in ~~subSections 5-618(C)(3)~~ 3.06.06.08.CD.3 and ~~5-618(C)(4)~~ 3.06.06.08.CD.4 in the following situations if located:

- a. In the A-10, AR-1, AR-2ARN, ARS, TRTLN, JLMA-1, JLMA-2, JLMA-3, A-3RAR, VAR, SAR, CR-1, CR-2, CR-3, CR-4VR, RC, VC, CLISE, PD-CC(CC)SCN, SC, PD-CC(SC), PD-CC(RC), SMPD-TC, PD-TRECUE, PD-MUBSM, UM and PD-TRCUT zoning districts.
- b. In the PD-OPSE, JLMA-LE, GB, PD-SA, and TLIPD-IP and PD-RDP zoning districts.
- c. In all zoning districts, except PD-AAARSCN, and PD-RV and PD-CV zoning districts, as an accessory use to a fire and rescue station.
- d. In the SR-1, SR-2, SR-3, SR-4, SR-8, SN, and SCNPD-H and R zoning districts when located on property owned by:
  - i. Any department or branch of the Federal Government, Commonwealth of Virginia, Loudoun County Government, or Loudoun County School Board; or
  - ii. Public Utilities.

3. **Telecommunications Towers, General Performance Criteria.** All telecommunications towers, ~~whether permitted by right or permissible with the approval of a special exception application, shall be~~ are subject to the following criteria:

- a. The telecommunications tower shall be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. ~~In addition, t~~The facility

~~shall~~ must be located in the interior of the property and areas of existing vegetation, if applicable, ~~shall~~ must be used to screen the facility.

- b. New telecommunications towers ~~shall~~ must be designed to accommodate at least three (3) providers, unless:
  - i. Doing so would create an unnecessary visual impact on the surrounding area; or
  - ii. No additional need is anticipated for any other potential user in the vicinity; or
  - iii. There is some valid economic, technological, or physical justification as to why co-location is not possible.

The applicant ~~shall~~ must identify the conditions under which future co-location by other service providers is permitted.

- c. ~~The maximum height of telecommunications towers, including antennas, shall not exceed~~ is 199 feet, as measured at the natural ground elevation, unless the applicant can clearly demonstrate that the facilities of 199 feet or less cannot render needed services. At the applicant's expense, the County may have an independent analysis performed on the applicant's proposal.
- d. Satellite and microwave dishes attached to the towers shall not exceed ~~six (6)~~ feet in diameter.
- e. Except as provided in ~~subSection 5-618(C)(3)(e) 3-06-06-08-CD.3.o,~~ towers shall be the minimum set back ~~is one (1)~~ foot for every ~~five (5)~~ feet in height from the property line. Structures and buildings may be constructed within the setback area of the tower, ~~provided if~~ other zoning standards are met.
- f. ~~The r~~ Related unmanned equipment structure(s) ~~shall not contain more than is limited to~~ 500 square feet of total gross floor area per telecommunications provider on each site. Structures ~~shall not exceed are limited to~~ 12 feet in height.
- g. Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, telecommunications towers ~~shall~~ must blend with the background.
- h. No signals or lights or illumination ~~shall be~~ permitted on a monopole, unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the County.
  - i. ~~No commercial advertising shall be allowed on the tower.~~
  - j. A commission permit ~~shall be~~ is required.
  - k. ~~No t~~ Transmission towers ~~shall be located are prohibited~~ within a County designated historic districts.
  - l. ~~No t~~ Towers ~~shall be located are prohibited~~ within the a-PD-RV zoning district.
- m. All unused equipment and facilities ~~shall~~ must be removed from a commercial public telecommunications site within 90 days of cessation of commercial public telecommunication use. ~~and t~~ The site ~~shall~~ must be restored as closely as possible to its original condition.
- n. Applicants for any commercial public telecommunications facility ~~shall~~ must demonstrate that they have complied with applicable regulations of the FCC and the FAA. A finding from the FAA that the proposed facility is not a hazard or obstruction to aviation is ~~necessary required~~ prior to the issuance of a zoning permit. If a proposed telecommunications facility is higher than 199 feet or within ~~five (5)~~ miles of the property boundary of either Dulles or Leesburg Airports, the applicant ~~shall~~ must provide verification that: 1) the appropriate airport authority (Metropolitan Washington Airports Authority or the Town of Leesburg) has been notified in writing; and 2) the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation.
- o. When locating on a Loudoun County or a Loudoun County Sanitation Authority site or fire and/or rescue company site: 1) the telecommunications equipment ~~will~~ must not interfere with the existing

telecommunications use of the primary use; and 2) the setback provision of ~~sub~~Section 5-618(C)(3)(e) ~~3-06-06-08-CD.3.e~~ does not apply.

- p. Applicants proposing a new telecommunications tower within ~~one (1)~~ mile of a County designated historic district or Virginia Byway ~~shall~~ ~~must provide a minimum of at least~~ ~~three (3)~~ visual simulations and written justification as to why the tower could not be sited elsewhere. This requirement ~~shall~~ also ~~be applied~~ if a telecommunications tower is proposed on a property listed on the National Register of Historic Places.
  - q. Telecommunications towers ~~shall not be~~ ~~prohibited~~ ~~located~~ along ridge lines, but ~~are~~ ~~allowed~~ downslope from the top of ridge lines, to protect views of the Catoctin, Bull Run, Hogback, Short Hill, and Blue Ridge Mountains.
  - r. Applicants ~~shall~~ ~~must~~ submit documentation, in written and graphic form, regarding the service area to be provided by the proposed telecommunications tower.
4. **Telecommunications Towers, Additional Submission Requirements.** The following ~~additional performance standards shall apply~~ ~~applies~~ to transmission towers ~~when~~ approved by special exception:
- a. The applicant ~~shall~~ ~~must~~ provide photoimagery or other visual simulation of the proposed facility shown with the existing ~~site conditions of the site~~. This simulation ~~shall~~ ~~must~~ be provided from a minimum of ~~three (3)~~ perspectives. The applicant ~~shall~~ ~~must~~ address how the facility can be designed to mitigate the visual impact on area residents, facilities, and roads.
  - b. Except for areas where permitted by right, an applicant for a new commercial public telecommunication monopoles ~~shall~~ ~~must~~ demonstrate that location on an existing telecommunications facility or structure greater than 40 feet in height is not feasible. The applicant shall evaluate telecommunications facilities and structures greater than 40 feet in height within a ~~one (1)~~ mile radius of the proposed facility within the Eastern Loudoun Urban Growth Area. Elsewhere in the County, the applicant ~~shall~~ ~~must~~ evaluate these locations within a ~~two (2)~~ mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining infeasibility.

Co-location may be determined ~~to be~~ infeasible ~~in the following situations~~ if:

- i. Planned equipment would exceed the structural capacity of existing and approved telecommunications facilities, considering existing planned use of those facilities, and ~~such~~ ~~the~~ facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;
  - ii. Planned equipment will cause interference with other existing or planned equipment for that telecommunications facility, and that interference cannot be prevented at a reasonable cost;
  - iii. Existing or approved telecommunications facilities do not have space on which planned equipment can be placed so as to provide adequate service; and
  - iv. Existing and approved telecommunications facilities will not provide adequate signal coverage.
- c. In addition to those entitled to notice under the provisions of Section ~~6-600 7.02~~ of this Ordinance, all owner(s), or their agent(s), of all properties abutting or immediately and diagonally across the street or road from those properties whose owners are entitled to notice under Section ~~6-600 7.02~~, ~~shall~~ ~~must~~ be provided with the same written notice. The applicant is also encouraged to meet with community and homeowners association groups in the area.
  - d. Applicants for new telecommunications towers ~~shall~~ ~~must~~ demonstrate that a telecommunications monopole, of comparable transmission capabilities, cannot be utilized or cannot provide an equivalent level of service.

## 3.06.07.08 Utility Substations

- A. **Applicability.** The following standards shall apply to the development of utility substations. Utility substations are defined as a minor utility (Section 3.03.07).
- B. **Utility substation, transmission.** The following apply to transmission utility substations:
1. ~~In~~ Minimum lot size in all agricultural rural and residential districts; utility substations shall be located on lots of ~~one (1)~~ acre or more.
  2. ~~In~~ Minimum lot size in all commercial and industrial districts; utility substations shall be located on at least is the minimum lot size of the district.
- C. **Utility substation, distribution.** The minimum lot size of distribution utility substations is 1 acre.
1. ~~In all agricultural and residential districts, utility substations shall be located on lots of one (1) acre or more.~~
  2. ~~In all commercial and industrial districts, utility substations shall be located on lots of one (1) acre or more.~~
- D. **Comprehensive Plan Compliance.** All utility substations shall must be located in areas consistent with the adopted Comprehensive Plan. A Commission Permit shall be is required unless the utility substation is specially delineated in the Comprehensive Plan.
- E. **Buffers.** All utility transmission and distribution substations and accessory storage yards shall have require a minimum Buffer Yard Type C. provided, however, in areas where if required utility connections preclude installation of large and small deciduous trees, the maximum percentage applicable to shrubs under Section ~~5-1408(B)(2)(d)~~ 5.07.06.B.2.d. shall does not apply. In lieu of the minimum and maximum percentages applicable to evergreen trees under Section ~~5-1408(B)(2)(b)~~, 5.07.06.B.2.b, a minimum of at least 40% and a maximum of up to 70% of the required plant units shall must be evergreen trees..
- F. **Access Easement.** Such utilities Utility substations may be accessed by a private access easement.

## 3.06.08 Agriculture

### 3.06.08.01 Agriculture, Horticulture and Animal Husbandry

- A. **Applicability.** This section applies to any agriculture, horticulture or animal husbandry use.
- B. **Parcel Size.**
1. Agriculture, Horticulture and Animal Husbandry uses shall have no minimum lot size.
  2. Animal Husbandry shall is not be permitted on a parcel of less than ~~five (5)~~ acres in size unless such parcel has obtained an approved a Conservation Farm Plan with a section identifying required a Best Management Practices section is approved for that parcel as described in subSection ~~5-626(B)~~ 3.06.08.01.C below.
- C. **Conservation Farm Plan.**
1. Prior to the establishment of an Animal Husbandry use on a property of less than ~~five (5)~~ acres the owner of the parcel shall be required to must:
    - a. execute a Conservation Farm Plan (also known as a farm management plan) including a waste management plan, through and with the Loudoun Soil and Water Conservation District (SWCD) and the Virginia Cooperative Extension Service (VCES), and
    - b. provide a copy of such the executed Plan to the Zoning Administrator.
  2. The Plan shall indicate the types and quantity of proposed animals, location and size of existing and proposed structures, grazing areas, and location and type of wells and septic fields and reserve septic fields.
  3. The Plan must include Aa Best Management Practices section shall be included identifying the best management practices necessary to support the proposed types and quantity of animals.

4. ~~Review of t~~The Plan shall take into consideration must address the type and construction of any wells, septic fields and reserve septic fields and environmental features such as steep slopes, rock outcroppings and streams.
  5. The Virginia Cooperative Extension Service must review the Best Management Practices Section shall be reviewed by the Virginia Cooperative Extension Service to confirm that it is consistent with generally accepted Animal Husbandry standards. The applicant must provide and documentation indicating such that confirmation shall be provided to the Zoning Administrator.
  6. After approval, no additional animals may be added to the site without an approved amendment to the Plan.
- D. **Setbacks for Certain Structures.** No structure for housing livestock including barns, run-in sheds, stables, and the like shall be located is allowed closer than 60 feet from the property line of an adjoining lot where a residential dwelling existing or under construction at the time of construction of the structure is the principal use. This setback shall does not apply if such the residential dwelling is located more than 60 feet from the property line adjoining the structure.

### 3.06.08.02 Agriculture Support Uses (Direct Association with On-Site Agricultural Activity)

- A. **Applicability.** This section applies to agriculture support and service uses that are directly associated with ongoing agriculture, horticulture or animal husbandry, on-site.-
- B. **Intensity/Character.**
  1. **In Association with On-Going Agriculture, Horticulture, or Animal Husbandry Use.** The agriculture support use (direct association) shall be is allowed only in direct association with an on-going agriculture, horticulture, or animal husbandry use or activity.
  2. **Site Size.** The minimum lot area for any agriculture support use (direct association) shall be is 5 acres, except the following uses shall have the following minimum lot area:

Use	Lot Area (Minimum)
Equestrian Event Facility	25 acres
Stable, Livery	25 acres

3. **Visitors/Customers/Parking Spaces.** The minimum lot area shall increases based on the number of visitors/customers allowed depends on the size of the lot area attracted to the use, as follows:

Use	Scope of Use/Event	Lot Area (Minimum)
Level I—small scale	No more than 200 visitors on any one day; no more than 100 vehicles allowed on site at any one time.	5 to 25 acres See subsection B.2 above
Level II—medium scale	> 200 visitors on any one day, no more than 400; no more than 200 vehicles allowed on site at any one time.	>25 acres, up to 50 acres
Level III—large scale	> 400 visitors on any one day, no more than 600; no more than 300 vehicles allowed on site at any one time, except 4 additional visitors and 2 additional vehicles allowed per acre in excess of 100 acres.	>50 acres, up to 100 acres

4. **Hours of Operation.** Hours of operation for any agriculture support use (direct association) shall be are limited to the hours from 6:00 a.m. to 9:00 p.m.
5. **Owner.** The agriculture support use (direct association) shall must be operated or maintained by the owner or occupant of the land upon which the primary associated agriculture, horticulture, or animal husbandry use is being conducted.

C. **Size of Use.**

- Structure.** The size of structures used in the agricultural support use (direct association) shall not exceed is limited to the following gross floor area (total all structures):

Use	Lot Area	Size of Structures(Maximum)
Level I—small scale	5 to 25 acres	12,000 square feet
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet
Level III—large scale	> 50 acres, up to 100 acres. Additional structure size allowed by right at rate of 2,400 square feet per 10 acres in excess of 100 acres, up to 48,000 square feet in total structure size.	36,000 square feet

- Storage Areas.** The total area of all storage areas used in the agricultural support use (direct association) shall not exceed is limited to the following size in square feet:

Use	Lot Area	Size of Structures(Maximum)
Level I—small scale	5 to 25 acres	5,000 square feet
An additional 1,000 square feet of storage area shall be is allowed by right for each additional 10 acres in excess of 25 acres, not to exceed a maximum of up to 20,000 square feet.		

- Location on Site/Dimensional Standards.** The minimum setback for structures or storage areas of an agricultural support use (direct association) shall be set back from lot lines as follows is:

Use	Lot Area(Min.)	Size of Structures(Max.)	Setback from Lot Lines
Level I—small scale	5 to 25 acres	12,000 square feet	60 ft.
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet	120 ft.
Level III—large scale	> 50 acres, up to 100 acres	36,000 square feet	175 ft.

**E. Landscaping/Buffering/Screening.**

- Buffer.** The use shall comply with Refer to Section 5-1404(A)(6) 5.07.03.A.6.
- Storage Areas.** All storage areas shall comply with Refer to Section 5-1406 5.07.04.

**F. Road/Access Standards.**

- General Access Standards.** An agriculture support use (direct association) shall comply with the road access standards of Refer to Section 5-654 5.13.
- Driveways.** Driveways shall are not be located permitted within a required buffer yard area except as minimally necessary to access the site.
- Vehicles/Equipment.** Any agricultural support use (direct association) that involves the use of or services heavy equipment shall must have direct access to a paved public Class I or Class II road maintained by the state. Direct access shall not be provided by a private easement is not allowed.

- Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Refer to Section 5-652(A) 5.12.A (Exterior Lighting Standards).

- Noise Standards.** The use shall comply with the noise standards of Refer to Section 5-652(B) 5.12.B (Noise Standards).

- Hazardous Chemicals, Pesticide Use.** The use and application of herbicides, pesticides, and potentially hazardous chemicals and substances such as paints and solvents shall be is prohibited within the required buffer.

**J. Parking.**

1. **General.** ~~Parking shall be provided as required by~~ Refer to Section ~~5-1102~~ 5.05.03.
2. **Surface.** ~~All parking areas serving the agricultural support use (direct association) shall must use a dust free surfacing material as provided in the Facilities Standards Manual.~~

### 3.06.08.03 Agriculture Support Use (Standalone)

- A. **Applicability.** This section applies to agricultural support and service uses that do not have a direct association with agriculture, horticulture or animal husbandry, on-site.
- B. **Intensity/Character.**
  1. **Site Size.** The minimum lot area for an agriculture support use (standalone) (no direct association) shall be 5 acres, ~~except the following uses shall have the following minimum lot area~~ as provided below:

Use	Lot Area (Minimum)
Agricultural education or research Facility	25 acres
Central Farm distribution hub for agricultural products	25 acres
Equestrian event facility	25 acres
Stable or, livery	25 acres

2. **Visitors/Customers/Parking Spaces.** The ~~minimum lot area shall increase based on the~~ number of visitors/customers ~~allowed depends on the size of the lot area attracted to the use,~~ as follows:

Use	Scope of Use/Event	Lot Area (Minimum)
Level I - small scale	No more than 200 visitors on any one day; no more than 100 vehicles <del>allowed</del> on site at any one time.	5 to 25 acres See subsection B.1 above
Level II - medium scale	More than 200 visitors on any one day and less than 400; no more than 200 vehicles <del>allowed</del> on site at any one time.	>25 acres, up to 50 acres
Level III - large scale	More than 400 visitors on any one day and less than 600; no more than 300 vehicles <del>allowed</del> on site at any one time, except that 5 additional visitors and 2 additional vehicles are allowed per acre in excess of 100 acres.	>50 acres, up to 100 acres

3. **Hours of Operation.** Hours of operation for an agricultural support use (standalone) (no direct association) shall be ~~are~~ limited to ~~the hours from~~ 6:00 a.m. to 10:00 p.m.

C. **Size of Use.**

1. **Structure Size.** The size of structures used ~~on~~ for the agricultural support use (standalone) (no direct association) shall ~~not exceed the following~~ are limited to the floor area ratio or gross floor area, as applicable:

Use	Lot Area (Minimum)	Size of Structures (Maximum)
Agricultural education or research facility	25 acres	Maximum FAR: 0.02
Central Farm Distribution Hub for Agricultural Products	25 acres	Maximum FAR: 0.02
<b>All Other Uses</b>		
Level I—small scale	5 to 25 acres	12,000 square feet
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet

Use	Lot Area (Minimum)	Size of Structures (Maximum)
Level III—large scale	> 50 acres, up to 100 acres. Additional structure size allowed by right at rate of 2,400 square feet per 10 acres in excess of 100 acres, up to 48,000 square feet in total structure size.	36,000 square feet

2. **Storage Areas.** The total area of storage areas shall not exceed 10% percent of the total area of the principal structure.

D. **Location on Site/Dimensional Standards.** An agricultural support use (standalone) (no direct association) shall be set back from lot lines as follows:

Use	Lot Area (Min)	Size of Structures (Max.)	Setback from Lot Lines
Agricultural education or research facility	25 acres	Maximum FAR (all structures): 0.02	150 ft.
Central Farm Distribution Hub for Agricultural Products	25 acres	Maximum FAR (all structures): 0.02	150 ft.
<b>All Other Uses</b>			
Level I—small scale	5 to 25 acres	12,000 square feet	60 ft.
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet	120 ft.
Level III—large scale	>50, up to 100 acres	36,000 square feet	175 ft.

E. **Landscaping/Buffering/Screening.**

4. **Buffer.** The use shall comply with Section 5-1404(A)(6) 5.07.03.A.6.

5. **Parking Areas.** Parking areas shall comply with Section 5-1407 5.07.05.

6. **Storage Areas.** All storage areas shall comply with Section 5-1406 5.07.04.

F. **Roads/Access Standards.**

1. **General Access Standards.** An agricultural support use (no direct association standalone) shall comply with the road access standards in Section 5-654 5.13.

2. **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.

3. **Vehicles/Equipment.** Any use that involves the use of or services heavy equipment shall have direct access to a paved public Class I or Class II road.

4. **Number of Access Points.** There shall be no more than Only two points of access are permitted from the use to a public Class I, Class II or Class III road. This requirement shall does not preclude an additional access for emergency vehicles only.

G. **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) 5.12.A (Exterior Lighting Standards).

H. **Noise Standards.** The use shall comply with the noise standards of Section 5-652(B) 5.12.B (Noise Standards).

I. **Parking.**

1. **General.** Parking shall be provided as required by Section 5-1102 5.05.03.

2. **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.

## 3.06.08.04 Brewery, Limited

### A. Applicability

1. This section applies to limited breweries.
2. Limited breweries shall be licensed as a Limited Brewery in accordance with [Title 4.1](#) of the Code of Virginia, as amended, ~~and shall be located in the AR-1, AR-2, A-10, or A-3 districts.~~
3. No Limited Brewery shall be established either as the initial use of the subject property or by change of use of the property until a sketch plan ~~has been~~ is approved [per Section 7.XX.XX](#).
4. The owner of a limited brewery ~~is requested to~~ must contact the Loudoun County Department of Fire, Rescue and Emergency Management and Department of Building and Development for an informational inspection of the building(s) or structure(s) to be used for the limited brewery prior to establishing the use.

B. **Location.** A limited brewery shall be located on a farm on land zoned agricultural. For purposes of this definition, "farm" means one or more contiguous parcels of land, totaling at least 10 acres, owned or leased by the licensed limited brewery and used as an "agricultural operation" or "production agriculture and silviculture" as defined in Section 3.2-300 of the Code of Virginia.

### C. Intensity/Character.

1. Outdoor tasting rooms or similar outdoor activities must be set back at least 50 feet from all lot lines of adjacent agriculturally or residentially zoned properties under separate ownership.
2. The use or any associated activities must comply with the noise standards of Section 5.12.
3. Parking must meet the standards and requirements of Section 5.05.03.

D. **Limited Brewery Event.** For the purposes of this section, a "Limited Brewery Event" is any event conducted at a limited brewery on one or more days, where the purpose is agritourism or to promote beer sales, and which includes any of the following: receptions where beer is sold or served; beer club meetings and activities; beer tasting educational seminars; beer tasting luncheons, business meetings, and corporate luncheons with a focus on selling beer; gatherings with the purpose of promoting sales to the trade, such as restaurants, distributors, and local chamber of commerce activities; brewmasters' dinners where beer is paired with food; agritourism promotions; fundraisers and charity events; or similar activities.

1. **Permitted By Right.** Limited brewery events are permitted by-right at a limited brewery if no more than 250 persons are in attendance at the brewery at any time and the events are related to agritourism or beer sales.
2. **Parking.** All parking for those events must be provided on site. Parking must meet the standards and requirements of Section 5.05.03.

E. **Limited Brewery Special Event.** For purposes of this section, a "Limited Brewery Special Event" is any event conducted at a limited brewery on one or more days, where the purpose is agritourism or to promote beer sales, and which includes beer festivals or any event identified as a Limited Brewery Event in which more than 250 persons are in attendance at the brewery at any time. [A private party is not deemed a special event.](#)

1. **Frequency.** Within a single calendar year, the same property may host no more than 10 limited brewery special events pursuant to this subsection. The temporary use permits for these special events may be reviewed and approved concurrently. [At least](#) 14 days shall lapse between special events on any one property, or the subsequent special event shall be at least 2,000 feet from the location of the previous event.
2. **Parking.** All parking for limited brewery special events should be provided on site out of the public right-of-way. If any special event parking is provided off-site, a shuttle service must be provided.
3. **Approval.** Special events shall receive approval pursuant to Section 3.05.

F. **Prohibited Uses.** The following uses/activities are prohibited accessory uses at any Limited Brewery:

1. Helicopter rides
  2. Grocery, convenience or general stores
  3. Go-kart, motorized bike or four-wheeler trails, tracks or rides
  4. Amusement park rides
  5. Flea markets
  6. Other uses that the Zoning Administrator determines are similar in nature or in impact to those listed above.
- G. **SECTION MOVED TO APPLICATION REQUIREMENTS** ~~Sketch Plan.~~ A sketch plan is required as part of a zoning permit application for a Limited Brewery. Such a sketch plan shall must include the following:
1. Property boundaries;
  2. Location, function (manufacturing, storage, tasting, residence, etc.), size and dimensions of structure(s) and outdoor area(s). If structure(s) are located more than 300 feet from the property line approximate distances may be provided;
  3. Location of residences not located on the property that are within 300' of a structure;
  4. Location and dimensions of all ingress/egress points (including emergency access), access drives and easements;
  5. Location of parking areas;
  6. Location of floodplain, well, septic fields, and restroom facilities;
  7. Location of landscaping and screening for outdoor tasting room and event areas within 300' of a residence not located on the property;
  8. Location, height, and type of proposed lighting; and
  9. Location of vegetation, fences, streams, directional signs, or other similar feature that may limit access onto or direct access away from an adjacent residential property line within 300' of tasting room and event areas.
- H. ~~The Sketch Plan need not be drawn to scale, nor does it have to be prepared by a licensed professional. However, distances from structures to adjacent lot lines must be accurately depicted.~~
- I. **Private Access Easements.** Limited Breweries that share a private access easement with another property owner/s, must show the easement allows a use of this type or written permission must be obtained by the sharing parties.

### 3.06.08.05 Wayside Stands

- A. **Applicability.** This section applies to wayside stands. ~~are subject to the following provisions:~~
- B. **Retail Sales.**
1. Wayside stands are for retail sales provided the principal sales items sold are farm and garden products produced principally on-site. ~~The term "On-site" shall be defined as means~~ all locations (separate parcels) used by the owner or tenant for farming (agriculture, horticulture or animal husbandry).
  2. Permanent retail sales areas within structures ~~shall not exceed are limited to~~, in the aggregate, ~~ten thousand (10,000)~~ square feet in floor area or a Floor Area Ratio of 0.02, whichever is greater.
- C. **Existing Structures.** Wayside stands may be located in farm structures existing prior to January 7, 2003. The sales area in an existing farm structure shall have no limitation and may be used as a sales area subsequent to compliance with the Uniform Statewide Building Code.
- D. **Accessory Products.** Sales areas for accessory products shall be limited to 25% of the gross sales area. Accessory products include those products related to the care and culture of products produced on the farm, such as pottery, baskets, and garden accessories.

- E. **Access.** Entrances and exits to the wayside stand from public roadways shall must provide safe ingress and egress from roads, and shall be channeled to prevent unrestricted vehicular access to and from the premises.
- F. **Seasonal Produce.** ~~The sale of s~~Seasonal produce harvested on the farm may ~~occur throughout~~ be sold on the area of actual production.
- G. ~~Signs for wayside stands shall be erected in compliance with Section 5-1200 6.01.~~

## 3.06.08.06 Winery, Commercial

- A. **Applicability.** This section applies to commercial wineries.
- B. **Uses.** In addition to facilities for making and bottling wine, uses at a commercial winery may include:
  - 1. The growing of fresh fruits or agricultural products for the production of wine; and
  - 2. Accessory uses such as wine tasting rooms, at which wine tasting occurs, accessory food sales related to wine tasting, and wines produced on-site are sold; and
  - 3. The manufacture and sale of cider in accordance with this definition and Section 4.1-213 of the Code of Virginia.
- C. **Approval.** Commercial wineries that exceed 20,000 square feet must have special exception review and approval.
- D. **Intensity/Character.**
  - 1. **Site Size.** The minimum lot area for a commercial winery is 10 acres.
  - 2. **Wine Tasting Rooms and Accessory Food Sales.** Facilities for wine tasting rooms and accessory food sales (including a kitchen) shall not exceed are limited to 49% percent of the total gross floor area of all structures at the commercial winery.
  - 3. **Hours of Operation.** Hours of operation shall beare limited to 10:00 a.m. to 10:00 p.m.
- E. **Size of Use.**
  - 1. **Floor Area Ratio.** The maximum floor area ratio for a commercial winery shall not exceedis 0.04.
  - 2. **Storage Yards.** The maximum total area of storage yards shall notis exceed 20% percent of the total area of the principal structure.
- F. **Location on Site/Dimensional Standards.** ~~A commercial winery shall be~~The minimum set-back ~~at least~~is 125 feet from all lot lines.
- G. **Landscaping/Buffering/Screening.**
  - 1. **Buffer.** ~~The use shall comply with~~Refer to Section ~~5-1404(A)(6)~~ 5.07.03.A.6.
  - 2. **Parking and Storage Areas.** ~~Parking areas shall comply with~~Refer to Section ~~5-1407 5.07.05.~~ ~~Storage areas shall comply with the requirements of~~ and Section ~~5-1406 5.07.04.~~
- H. **Roads/Access Standards.**
  - 1. **General Access Standards.** ~~A commercial winery shall comply with the road access standards of~~Refer to Section ~~5-654 5.13.~~
  - 2. **Driveways.** Driveways to a commercial winery shall not be locatedare not allowed within a required buffer yard area ~~except as minimally necessary to access the site.~~
  - 3. **Vehicles/Equipment.** Commercial wineries that use heavy equipment shall must have direct access to a paved publicClass I or Class II road.