

## \*MEMORANDUM

To: **Building and Development, Subdivision, Mary Valenta**  
**Building and Development, Subdivision, Ronald Dunbar**  
**Building and Development, Zoning Permits, Theresa Stein**  
**Building and Development, Natural Resource Team, Anna Dougherty**  
**Economic Development, Katy Lowitz**  
**Health Department, Environmental Health, Mark Sharrer**  
**Planning and Zoning, Community Planning, Randall Farren**  
**Planning and Zoning, Zoning Enforcement, Keith Fairfax**  
**Zoning Ordinance Committee (ZOC), c/o Ryan Reed**

From: Jacob Hambrick, Sr. Planner, Zoning Administration, Planning and Zoning

Date: 12/30/2021

Re: Referral Review for ZOAM-2020-0002, Cluster Subdivision and Prime  
Agricultural Soil Amendments

CC: **County Administration, Charles Yudd**  
**County Administration, Valmarie Turner**  
**County Administration, David Street**  
**County Attorney's Office, Courtney Sydnor**  
**County Attorney's Office, Jason Hobbie**  
**Planning and Zoning, James David**  
**Economic Development, Buddy Rizer**  
**Building and Development, Alan Brewer**  
**Health Department, David Goodfriend**

**Comment Due Date:** Friday January 28, 2022.

Please be advised, a referral discussion meeting will be scheduled during the week of January 31<sup>st</sup> – February 4<sup>th</sup>. At this meeting, referral agency representatives are expected to have completed their review and be prepared to share/discuss/resolve any comments or issues. A meeting invite will be sent out via email to confirm a meeting date, time, location, and/or virtual meeting information. A meeting with ZOC to discuss the ZOAM draft text amendments will take place in February 2022.

**Background:** The *Loudoun County 2019 General Plan* (2019 GP), adopted by the Board of Supervisors (Board) in June 2019, carried forward the growth management approach of the Rural Policy Area (RPA) provided for in the prior plan, the Revised General Plan (RGP), which seeks to retain farmland and sustain the rural economy. The RPA strategies and actions of the 2019 GP specifically point to “evaluating” and “revising” zoning regulations and design standards to improve upon development

within the RPA to incorporate and protect natural features as well as ensure the success of rural economy uses and agricultural operations.

ZOAM-2020-0002 looks to guide all future cluster residential subdivision applications in the Agricultural Rural – 1 (AR-1) and Agricultural Rural – 2 (AR-2) zoning districts with amendments to improve the design of clustered residential development by incorporating natural features, protecting, and conserving agriculturally productive prime agricultural soils, allowing for equine and rural economy uses, and further implementing the policies of the 2019 GP with respect to clustered rural residential development.

On [June 16, 2020, a Board Member Initiative](#) (BMI) was brought forward by Chair Randall and Supervisor Buffington seeking amendments to ordinances and revisions to regulations to improve cluster development design, preserve prime agricultural soils, and ensure the success of rural economy uses in the AR-1 and AR-2 zoning districts of the RPA. The Board approved the BMI (9-0) and directed staff to begin the process of a separate Zoning Ordinance Amendment (ZOAM) and Development Ordinance Amendment (DOAM), to revise zoning regulations in the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance) and associated regulations in the Facility Standards Manual (FSM) and Land Subdivision and Development Ordinance (LSDO).

Following the approval of the BMI, at the [September 1, 2020, Business Meeting](#) the Board approved (9-0) an updated ZOAM Work Program that directed staff to develop amendments to the cluster subdivision regulations in the AR-1 and AR-2 zoning districts as a separate stand-alone ZOAM with an estimated completion timeframe of 18-24 months.

As part of the approved ZOAM Work Program and direction contained in the approved BMI, staff was directed to seek community input from stakeholders, to include farmers and owners of land zoned AR-1 and AR-2. Based on 12 outreach sessions with various community groups, committees, commission, or advisory boards, as well as other public input, Zoning Administration staff have made draft Zoning Ordinance text amendments to Article 2 (AR-1, AR-2) and Article 8, Definitions, with the goal of protecting and preserving agriculturally productive prime farmland soils and to further implement the policies of the 2019 GP with respect to clustered rural development.

**Objectives of the ZOAM:** In preparing the proposed draft text, staff was guided by the following objectives:

- Adhere to the Board direction contained in the June 16, 2020, Board Member Initiative;

- Adhere to the Board direction contained in the September 1, 2020, ZOAM Work Plan
- Implement the policies of the 2019 GP;
- Incorporate ZOC and Stakeholder input that is consistent with the 2019 GP and Board direction;
- Add new requirements to the Cluster Subdivision Option in the AR-1 and AR-2 that preserve a percentage of prime farmland soils;
- Retain the financial incentives for landowners to preserve prime farmland soils and other environmental features by placing their land in conservation easements;
- Retain cluster subdivision requirements intended to allow a variety of rural economy uses, in addition to farming activities;
- Retain cluster subdivision requirements intended to preserve sensitive environmental resources

**Summary of Proposed Amendments:** The following is a summary of the proposed, draft text amendments. Please see the attached draft text for more details. Please be advised that the draft text reflects staff's initial draft based on input received to date and is subject to change based on additional input received from referral agencies and stakeholders.

- Revise the Purpose and Intent to include the preservation of prime farmland soils and to reflect the policies of the 2019 GP;
- Revise the "Use List" to include uses for the specific lot types of the Cluster Subdivision Option, to include Residential Cluster Lot, Preservation Farm Lot, Rural Economy Cluster Lot, and Open Space Lot.
- Retain the requirement that 70% of the gross land area of the originating tract must be comprised of non-residential cluster lots;
- Revise the 70% land area requirement to include at least 1 preservation farm lot when the subdividing tract contains 5 acres or more of prime farmland soils;
- Reduce the number of residential cluster lots that can be allowed in separate groups from 25 lots to 15 lots to allow greater flexibility of design to preserve prime farmland soils
- Reduce the distance between groupings of residential cluster lots from 500 feet to 250 feet to allow greater flexibility of design to preserve prime farmland soils;
- Reduce the maximum lot size of Residential Cluster Lots from 4 acres to 3 acres to allow greater flexibility of design to preserve prime farmland soils;
- Add a requirement for the delineation of prime farmland soils;
- Add requirements for a new Preservation Farm Lot
  - Require a minimum of 50% of prime farmland soils to be located on a Preservation Farm Lot when the originating tract being subdivided contains 5 or more acres of prime farmland soils,;

- Limit the uses on the lot to agriculture, horticulture, animal husbandry, and a dwelling associated with such uses;
- Add requirement prohibiting private agreements from limiting permitted uses;
- Require a minimum lot size of 10 acres;
- Require lots to be contiguous, unless the prime farmland soils are not contiguous;
- Revise the requirements for the Rural Economy Cluster Lot(s):
  - Only require a Rural Economy Lot for cluster subdivisions of less than 100 acres if a Preservation Farm Lot is not required;
  - Exclude areas of Major Floodplain, very steep slopes and highly sensitive areas of the MDOD from counting towards the minimum 15-acre size;
  - Delete the maximum length/width ratio lot requirement;
  - Add requirement prohibiting private agreements from limiting permitted uses under the Agriculture, Horticulture or Animal Husbandry Use Category permitted in Table 2-102 and Table 2-202;
- Add Open Space requirement prohibiting private agreements from limiting permitted uses under the Agriculture, Horticulture or Animal Husbandry Use Category
- Move uses permitted in the Open Space to Table 2-102 and Table 2-202;
- Add of a pre-submission meeting requirement for developments using the Cluster Subdivision Option.
- Add advisory design guidelines for developments using the Cluster Subdivision Option; and
- Revise definitions in Article 8:
  - Revise the definition of "Cluster Development (AR Districts Only)"
  - Revise the definition of "Rural Economy Uses";
  - Revise the definition of "Rural Economy Conservation Lands";
  - Revise the definition of "Rural Economy Lot";
  - Add a definition of "Preservation Farm Lot"
  - Add a definition of "Prime Farmland Soils."

The proposed draft text is included in this referral memo as Attachment 1.

Attachments:

1. ZOAM-2020-0002 Draft Text for Cluster Subdivision Regulations, dated December 30, 2021.

**ARTICLE 2**  
**NON-SUBURBAN DISTRICT REGULATIONS**

**DIVISION A: RURAL DISTRICTS**

**Section 2-100            AR-1 Agricultural Rural-1**

**2-101            Purpose and Intent.** The purpose and intent of the AR-1 district is to:

(A) Preserve and protect prime farmland and agricultural soils recognizing their importance to the overall economic health of the rural economy.

(B) Support the use of land that protects, preserves, and enhances natural areas and open space, retains farmland for and the vitality of the rural economy, and fosters a high quality of life for residents.

~~(A)(C)~~ Limit residential ~~uses allowed development to~~ densities that will protect the land resources for agricultural operations, consistent with the general open space uses and rural ~~character of the rural~~ economy uses.

~~(B)(D)~~ Allow for a broad range of rural economy uses, including (agriculture, horticulture and animal husbandry), agriculture support and services associated with on-going agricultural activities, and other uses that can be developed in ways consistent with the rural character of the AR-1 district through mitigation or other standards.

~~(C)(E)~~ Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to agricultural uses, conference and training center uses, and rural activity and special event uses.

~~(D)(F)~~ Promote consistency between residential development and rural economy uses through lower density residential development or clustering of residential development.

~~(E)(G)~~ Ensure that the rural economy uses are compatible with any existing permitted residential development.

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

(A) **Organization of Use Table.** Table 2-102 organizes the uses in the AR-1 district by Use Classifications, Use Categories and Use Types.

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

(2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

(3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.

(B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-102 are defined in Article VIII (Definitions).

(C) **Permitted and Special Exception Uses.** A “P” in the column identified “AR-1” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-1 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the AR-1 district as a special exception in accordance with the procedures and standards of Section 6-1300. An “M” indicates that a Use Type is allowed in the AR-1 district as a Minor Special Exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section

5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a Special Exception or Minor Special Exception under other conditions. In those instances, it is identified as “P/S” or “P/M,” as appropriate.

(D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Category is defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

(E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-102 (AR-1 District Use Table) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.

(F) **Minimum Lot Size Requirements.** Each principal permitted use shall meet the minimum acreage requirement, where specified in the “Additional Regulations for Specific Uses” in Section 5-600, for that use. Where two or more principal uses are located on one parcel, the parcel size shall be the larger of the two or more uses requirements, and not the sum of all the minimum lot sizes.

**TABLE 2-102:  
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE**

**BDO = BASE DENSITY OPTION      PSO = PRINCIPAL/SUBORDINATE OPTION**  
**RCL = RESIDENTIAL CLUSTER LOT      PFL = PRESERVATION FARM LOT**  
**REL = RURAL ECONOMY CLUSTER LOT      OSL = OPEN SPACE LOTS**

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

| USE CATEGORY   | USE TYPE  | <u>BDO &amp; PSO LOTS</u> | <u>CLUSTER SUBDIVISION OPTION</u> |            |            |            | ADDITIONAL REGULATIONS FOR SPECIFIC USES |
|--|---|---------------------------|-----------------------------------|------------|------------|------------|--|
|  |   |                           | <u>RCL</u>                        | <u>PFL</u> | <u>REL</u> | <u>OSL</u> |  |
| AGRICULTURAL USES  |   |                           |                                   |            |            |            |  |
| Agriculture  | General Use Category  | P                         | P                                 | <u>P</u>   | P          | P          | Section 5-626                            |
| Horticulture   | General Use Category  | P                         | P                                 | <u>P</u>   | P          | P          | Section 5-626                            |
| Animal Husbandry   | General Use Category  | P                         | <u>P</u>                          | <u>P</u>   | P          | P          | Section 5-626                            |
| Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site | Agricultural processing   | P                         | <u>P</u>                          |            | P          | P          | Section 5-627                            |
|  | Agri-education  | P                         | <u>P</u>                          |            | P          | P          | Section 5-627                            |
|  | Animal care business  | P                         | <u>P</u>                          |            | P          |            | Section 5-627                            |
|  | Agritainment  | P                         | <u>P</u>                          |            | P          |            | Section 5-627                            |
|  | Commercial winery with 20,000 square feet or less   | P                         | <u>P</u>                          |            | P          |            | Section 5-625                            |
|  | Commercial winery, over 20,000 square feet  | S                         | <u>S</u>                          |            | S          |            | Section 5-625                            |
|  | Custom operators  | P                         | <u>P</u>                          |            | P          |            | Section 5-627                            |
|  | Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own) | P                         | <u>P</u>                          |            | P          | P          | Section 5-627                            |
|  | Equestrian Event Facility   | P                         | <u>P</u>                          |            | P          |            | Section 5-627                            |
|  | Farm based tourism  | P                         | <u>P</u>                          |            | P          |            | Section 5-628                            |



|  |   |   |              |              |   |                   |               |
|--|---|---|--------------|--------------|---|-------------------|---------------|
|  | Farm co-ops   | P | <del>P</del> | <del>P</del> | P | P                 | Section 5-627 |
|  | Farm machinery repair                                       | P | <del>P</del> |              | P |                   | Section 5-627 |
|  | Farm markets  | P | <del>P</del> |              | P | P<br>(Production) | Section 5-603 |
|  | Feedlot (for on-going, on-site animal husbandry activities) | P | <del>P</del> |              | P |                   | Section 5-627 |
|  | Limited Brewery   | P | <del>P</del> |              | P |                   | Section 5-667 |
|  | Nursery, commercial   | S | <del>S</del> |              | S |                   | Section 5-605 |
|  | Nursery, production   | P | <del>P</del> |              | P | P                 | Section 5-605 |
|  | Pet farms   | P | <del>P</del> |              | P | P                 | Section 5-627 |
|  | Restaurant  | P | <del>P</del> |              | P |                   | Section 5-627 |
|  | Sawmill   | S | <del>S</del> |              | S |                   | Section 5-629 |
|  | Stable, Livery  | P | <del>P</del> |              | P | P/S               | Section 5-627 |
|  | Stable, Private   | P | <del>P</del> |              | P | P                 | Section 5-627 |
|  | Veterinary services   | P | <del>P</del> |              | P |                   |               |
|  | Virginia Farm Winery  | P | <del>P</del> |              | P |                   |               |
|  | Wayside stand   | P | <del>P</del> |              | P | P                 | Section 5-604 |
|  | Wetlands mitigation bank                                    | P | <del>P</del> |              | P |                   | Section 5-627 |
| <b>Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity</b> | Agricultural research facility                              | P | <del>P</del> |              | P |                   | Section 5-644 |
|  | Animal care businesses                                      | P | <del>P</del> |              | P |                   | Section 5-630 |
|  | Central farm distribution hub for agricultural products     | P | <del>P</del> |              | P |                   | Section 5-630 |
|  | Commercial winery with 20,000 square feet or less           | P | <del>P</del> |              | P |                   | Section 5-625 |
|  | Commercial winery, over 20,000 square feet                  | S | <del>S</del> |              | S |                   | Section 5-625 |
|  | Equestrian Event Facility                                   | P | <del>P</del> |              | P |                   | Section 5-630 |

|                                      |   |     |                |              |              |   |   |
|--------------------------------------|---|-----|----------------|--------------|--------------|---|---|
|                                      | Farm machinery repair   | P   | <del>P</del>   |              | P            |   | Section 5-630   |
|                                      | Farm machinery sales, rental and service                          | P   | <del>P</del>   |              | P            |   | Section 5-615   |
|                                      | Feed and Farm Supply Center                                       | P   | <del>P</del>   |              | P            |   | Section 5-630   |
|                                      | Nursery, commercial   | S   | <del>S</del>   |              | S            |   | Section 5-605   |
|                                      | Stable, Livery  | P   | <del>P</del>   |              | P            |   | Section 5-630   |
|                                      | Stable, Private   | P   | <del>P</del>   |              | P            |   | Section 5-630   |
| Animal Services                      | Animal hospital   | P   | <del>P</del>   |              | P            |   | Section 5-631   |
|                                      | Kennel  | S   | <del>S</del>   |              | S            |   | Section 5-606   |
|                                      | Kennel, Indoor  | M   | <del>M</del>   |              | M            |   | Section 5-606   |
| <b>RESIDENTIAL USES</b>              |   |     |                |              |              |   |   |
| Household Living                     | Accessory dwelling (accessory to single family detached dwelling) | P   | P              | <del>P</del> | P            |   | Section 5-613   |
|                                      | Dwelling, single-family detached, including manufactured housing  | P   | P              | <del>P</del> | P            |   | May divide property in accordance with Section 2-103 Development Options. |
|                                      | Portable Dwelling/Trailer Construction                            | P   | P              | <del>P</del> | P            | P |   |
| Group Living                         | Co-housing  | P   | P              |              | P            |   |   |
|                                      | Convent or monastery  | P/S | <del>P/S</del> |              | P/S          |   | Section 5-656   |
|                                      | Dormitory, seasonal labor   | M   | <del>M</del>   |              | M            |   | Section 5-632   |
|                                      | Rooming house   | P   | <del>P</del>   |              | P            |   |   |
| <b>PUBLIC AND INSTITUTIONAL USES</b> |   |     |                |              |              |   |   |
| Aviation                             | Airport/landing strip   | S   | <del>S</del>   |              | <del>S</del> |   | Section 5-633   |
| Day Care Facilities                  | Child care home   | P   | P              | <del>P</del> | P            |   | Section 5-609(A)  |
|                                      | Child or adult day care center                                    | S   | <del>S</del>   |              | <del>S</del> |   | Section 5-609(B)  |
|                                      | Agricultural cultural center                                      | S   | <del>S</del>   |              | S            | P | Section 5-634   |

|   |   |   |   |  |   |          |   |
|---|---|---|---|--|---|----------|---|
| <b>Cultural and Government Facilities</b> | Fairground  | S | § |  | § |          | Section 5-635   |
|   | Structures or uses for local government purposes not otherwise listed in the district   | S | S |  | S |          |   |
| <b>Education</b>                          | Public School (Elementary, Middle, or High) for fifteen (15) or fewer pupils  | S | § |  | S |          | Section 5-655   |
|   | Private School (Elementary, Middle, or High) for more than fifteen (15) pupils  | S | § |  | S |          |   |
|   | Private Vocational school   | S | § |  | S |          |   |
| <b>Park and Open Space</b>                | Arboretum   | P | P |  | P | P        | Section 5-636   |
|   | Botanical garden or nature study area   | P | P |  | P | P        | Section 5-636   |
|   | Cemetery  | S | § |  | § |          | Section 5-637   |
|   | Mausoleum   | S | § |  | § |          | Section 5-637   |
|   | Crematorium   | S | § |  | § |          | Section 5-637   |
|   | Community, neighborhood, or regional park, passive recreational uses  | P | P |  | P | P        | <u>Limited to neighborhood only in REL and OSL of Cluster Subdivision</u> |
|   | Community, neighborhood, or regional park, active recreational uses   | S | § |  | S | <u>P</u> | <u>Limited to neighborhood playgrounds in OSL of Cluster Subdivision</u>  |
| <b>Public Safety</b>                      | Fire and/or rescue station  | P | P |  | P |          | Section 5-638   |
|   | Police station or substation  | P | P |  | P |          | Section 5-638   |
| <b>Religious Assembly</b>                 | Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area                        | P | P |  | P |          | Section 5-639   |
|   | Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day | S | § |  | § |          | Section 5-639   |

|                 |   |   |              |  |              |   |   |
|-----------------|---|---|--------------|--|--------------|---|---|
|                 | care centers with more than <del>30</del> <u>50</u> children, recreational facilities   |   |              |  |              |   |   |
| Utility         | General Use Category  | P | <del>P</del> |  | P            | P<br>Utility Substation, Dedicated Only | Recycling drop-off collection center, public: Section 5-607<br>Utility substation, transmission: Section 5-616(A)<br>Utility substation, distribution: Section 5-616(B) |
|                 | Municipal drinking water supply reservoir   | P | <del>P</del> |  | P            |   |   |
|                 | <u>Stormwater management facilities</u>   |   |              |  |              | P                                       | For the proposed development or for a larger area in compliance with a watershed stormwater management plan   |
|                 | Sewage Treatment Plant  | S | <del>S</del> |  | <del>S</del> |   | Section 5-621   |
|                 | Sewer Pumping Station   | P | <del>P</del> |  | P            | P                                       | Section 5-621   |
|                 | Water Storage Tank  | S | <del>S</del> |  | <del>S</del> |   | Section 5-621   |
|                 | Water Treatment Plant   | S | <del>S</del> |  | <del>S</del> |   | Section 5-621   |
|                 | Water Pumping Station   | P | <del>P</del> |  | P            | P                                       | Section 5-621   |
|                 | Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses) | S | S            |  | S            | P                                       | Unless excepted by Section 1-103(D)   |
|                 | Water Well, Municipal   | P | <del>P</del> |  | P            |   | Section 5-621   |
|                 | <u>Easements and improvements for drainage, access, sewer or water lines, or other public purposes</u>  |   |              |  |              | P                                       |   |
| COMMERCIAL USES |   |   |              |  |              |   |   |

|  |   |     |                |  |                |  |                  |
|--|---|-----|----------------|--|----------------|--|------------------|
| <b>Conference and Training Centers</b> | Conference and training centers   | P/M | <del>P/M</del> |  | <del>P/M</del> |  | Section 5-640    |
|  | Rural Corporate Retreat   | P   | <del>P</del>   |  | P              |  | Section 5-619    |
|  | Rural Resort  | M   | <del>M</del>   |  | M              |  | Section 5-601(D) |
| <b>Food and Beverage</b>               | Teahouse; coffeehouse   | P   | <del>P</del>   |  | <del>P</del>   |  | Section 5-641    |
|  | Banquet/Event Facility  | M   | <del>M</del>   |  | <del>M</del>   |  | Section 5-642    |
|  | Restaurant  | M   | <del>M</del>   |  | <del>M</del>   |  | Section 5-643    |
| <b>Office</b>                          | Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district | M   | <del>M</del>   |  | M              |  | Section 5-644    |
| <b>Recreation and Entertainment</b>    | Camp, day and boarding, with 30 or fewer campers  | P   | <del>P</del>   |  | P              |  | Section 5-645    |
|  | Camp, day and boarding, with more than 30 campers   | M   | <del>M</del>   |  | M              |  | Section 5-645    |
|  | Campground  | M   | <del>M</del>   |  | M              |  | Section 5-646    |
|  | Country Club  | S   | <del>S</del>   |  | <del>S</del>   |  | Section 5-660    |
|  | Cross country ski business  | P   | <del>P</del>   |  | P              |  | Section 5-647    |
|  | Eco-tourism   | P   | <del>P</del>   |  | P              |  | Section 5-647    |
|  | Golf course   | S   | <del>S</del>   |  | S              |  | Section 5-648    |
|  | Outdoor amphitheater  | S   | <del>S</del>   |  | <del>S</del>   |  | Section 5-649    |
|  | Private Club or Lodge   | S   | <del>S</del>   |  | S              |  |                  |
|  | Rural recreational establishment, outdoor   | P   | <del>P</del>   |  | <del>MP</del>  |  |                  |
| <b>Retail Sales and Service</b>        | Antique shop  | P   | <del>P</del>   |  | <del>P</del>   |  | Section 5-650    |
|  | Art gallery or art studio   | P   | <del>P</del>   |  | <del>P</del>   |  | Section 5-650    |
|  | Auction house   | S   | <del>S</del>   |  | <del>S</del>   |  | Section 5-651    |
|  | Craft shop  | P   | <del>P</del>   |  | <del>P</del>   |  | Section 5-650    |

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

2-103

**Development Options.** Land within the AR-1 zoning district may be subdivided under one of the three development options identified below. Nothing in this section shall preclude the opportunity for a property owner to file for a Family Subdivision in accordance with the requirements of the Land Subdivision and Development Ordinance.

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

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

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

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

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

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

(c) **Minimum Yards.** Except where a greater setback is required by Section 5-1403(B), no structure shall be located within 25 feet of any property line or within 35 feet from any other road right-of-way, private access easement, and/or prescriptive easement.

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

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

(4) **Creation of Lots.**

(a) **Request.** Requests for creation of lots by plat of division in the AR-1 District shall be submitted to the Director of the Department of Building and

Development (or designee) for review and approval in accordance with “AR-2 and AR-1 Divisions” of the Land Subdivision and Development Ordinance.

(b) **Public Road Frontage.** No such lot shall be created fronting on a public road unless the publicly dedicated width of the road along the entire frontage of the newly created lot, measured from the centerline of the road to the property line of the lot, satisfies the criteria of the Virginia Department of Transportation (VDOT).

(c) **Utility Requirements.** Each lot shall have an on-site water supply and individual sewage disposal system.

(5) **Lot Access.**

(a) Access to individual lots may be provided by a private access easement that complies with the requirements of the Facilities Standards Manual.

(b) A private access easement may serve as frontage in-lieu of public road frontage for up to 7 lots.

(c) The plat of division shall contain a note detailing the provisions for the maintenance of the private access easement.

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



density of the Base Density Division Option, while providing for the establishment of rural economy uses as a primary use with single-family detached residential development as a secondary use.

(1) **General Requirements.**

(a) **General.** A landowner may exercise this option on a site consisting of a minimum of 20 acres prior to development.

(b) **Lot Yield.** The maximum lot yield shall be 1 lot per 10 acres.

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

(a) The lot yield of a Principal/Subordinate Subdivision shall be calculated from the Originating Tract of land in existence at the time the first Principal/Subordinate Subdivision is created.

(b) Once a Principal/Subordinate Subdivision is created, the number of lots assigned to the subdivision shall not be altered.

(c) The lot yield of the Originating Tract shall be calculated with each preliminary and/or record plat. At the time of the first subdivision, the number of Subordinate Lots created is subtracted from the number of lots calculated for the Originating Tract and the remaining number of lots is then assigned to the Principal Lot. Each subsequently created Subordinate Lot is subtracted from the number of lots assigned to the Principal Lot and shall reduce the number of lots assigned to the Principal Lot by one (1) for each lot.

(d) A Principal Lot may be further subdivided, provided the minimum requirements of the Zoning Ordinance and Land Subdivision and Development Ordinance (LSDO) are met. Once the number of lots assigned to the Principal Lot is reduced to one, the Principal Lot may no longer be subdivided.

(e) Subordinate Lots shall not be further subdivided. The record plat and initial deed of conveyance after

establishment of a subdivision lot under the Principal/ Subordinate Subdivision Option shall contain a statement to this effect.

(f) A subdivision of one or more lots may occur at one time or in a series of subdivisions up to the maximum lot yield calculated for the Originating Tract.

(g) Any subdivision record plat for a Principal/Subordinate Subdivision shall contain a tabulation of density showing, in addition to all Land Subdivision and Development Ordinance (LSDO) requirements, the lot yield originally calculated for the Originating Tract, all prior subdivisions from the Originating Tract and each resulting Principal Lot and number of lots created pursuant to such subdivisions.

(h) The Principal Lot shall be clearly labeled on each record plat.

(i) Each Principal/Subordinate Subdivision shall contain at least one Rural Economy Lot of a minimum of 15 acres in size.

(3) **Permitted Uses.**

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

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

(a) **Minimum Lot Size.** 80,000 square feet, exclusive of major floodplain. At least one lot in the development shall be a Rural Economy Lot with a minimum of 15 acres.

- 242 (b) **Minimum Lot Width.** 175 feet.
- 243 (c) **Maximum Length/Width Ratio.** 3:1.
- 244 (d) **Minimum Yards.** No structure shall be located  
245 within 25 feet of any property line or within 100 feet  
246 from the right-of-way of any arterial road; 75 feet  
247 from the right-of-way of any collector road; or 35  
248 feet from any other road right-of-way, private access  
249 easement, and/or any prescriptive easement.
- 250 (e) **Maximum Lot Coverage.** 15%.
- 251 (f) **Building Height.** 35 feet maximum, excluding  
252 agricultural, horticultural, and animal husbandry  
253 structures.
- 254 (5) **Landscaping/Buffering.** Notwithstanding the requirements  
255 of Section 5-1400, required buffers may be provided on  
256 either the Principal and/or Subordinate lot.
- 257 (6) **Utility Requirements.**
- 258 (a) **Water.** All lots shall be served by individual water  
259 supply systems located on the lot.
- 260 (b) **Sewer.** All lots shall be served by individual sewage  
261 disposal systems located on the lot.
- 262 (7) **Fire Protection.** The development shall satisfy the fire  
263 protection standards set forth in the Facilities Standards  
264 Manual.
- 265 (8) **Lot Access.**
- 266 (a) Access to individual lots may be provided by a  
267 private access easement that complies with the  
268 requirements of Chapter 4: Transportation, of the  
269 Facilities Standards Manual.
- 270 (b) A private access easement may serve as frontage in  
271 lieu of public road frontage up to 25 lots per  
272 easement.

- (c) The record plat of subdivision shall contain a note detailing the provisions for the maintenance of the private access easement.

(C) **Cluster Subdivision Option.** The Cluster Subdivision Option allows for the subdivision of a tract of land with a more compact residential design ~~plus that may include~~ one or more ~~large~~ lots ~~containing prime farmland soils~~ suitable for ~~rural farming activities;~~ one or more lots suitable for other rural economy uses, and/or ~~common~~-open space. ~~Communal water and sewer systems may be used for such developments.~~

(1) **General Requirements.**

- (a) ~~Minimum Development Acreage~~**General.** ~~A landowner may exercise this. The Cluster Subdivision Option is permitted on for a site tract of land~~ consisting of a minimum of 20 acres prior to development.

- (b) **Lot Yield.** The maximum lot yield shall be 1 lot per 5 acres.

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

- (a) Depending on the ~~tract size~~ and characteristics of the originating tract being subdivided, the cluster subdivision may include one or more ~~Rural Residential~~ Cluster Lots, ~~and at least one Rural Economy Preservation Farm Lot(s), and may include Rural Economy Lots, and/or Common-Open Space Lots.~~

- (b) The lot yield of the cluster subdivision shall be calculated from the gross acreage for the originating tract of land from which the subdivision is created.

- (c) All lots within the cluster subdivision shall be created at one time.

- (d) The lots created by cluster subdivision ~~shall must~~ not be further subdivided. However, boundary line adjustments may be permitted between those lots within the cluster subdivision if all other requirements of the cluster subdivision option are maintained.

(e) A Homeowners' Association is required for any subdivision with common elements as described in Section 2-104.

(f) Each preliminary and record plat for a cluster subdivision shall contain a tabulation of lot yield for the cluster subdivision.

(g) The perimeter setback required in Section 2-103(C)(7) shall be indicated and clearly labeled on each preliminary and record plat.

(h) A minimum of 70% of the gross land area of the development originating tract being subdivided shall be comprised of the following:

(i) at least one (1) One or more Rural Economy Preservation Farm Lot(s), and containing a minimum amount of Prime Farmland Soils of the originating tract as specified in Table 2-103(C)(4) below;

(ii) One or more Rural Economy Cluster Lot(s);

(g)(iii) or a combination of Rural Economy Preservation Farm Lot(s), and Common Open Space.

(3) **Lot standards Requirements for Residential Cluster Lots.** The site layout of the proposed development shall must occur in conjunction with preliminary subdivision plat review. Development of the cluster option shall must comply with all of the following standards, in addition to the LSDO:

(a) **Number of Residential Cluster Lots in Cluster(s) a Group.** Rural Residential Cluster Lots shall must be grouped in clusters consisting of a minimum of 5 lots and a maximum of 215 lots, except that a cluster may consist of fewer than 5 lots if any one of the following applies:

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

(ii) ~~In the AR-1 district, the~~ The area of the site is less than 50 acres.

(iii) It is demonstrated that a cluster of fewer than 5 lots will result in more contiguous land designated for Preservation Farm Lots, and/or more preserved prime farmland soils, or result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.

(b) ~~Number of Clusters~~Grouping of Residential Cluster Lots. Multiple groupings of ~~Rural Residential~~ Cluster Lots ~~shall be~~are required where the total number of lots on a site is greater than 215. A single grouping of ~~Rural Residential~~ Cluster Lots ~~shall~~must contain all the lots where the total number of lots on a site is 215 or fewer, except that multiple ~~clusters-groupings~~ may be allowed where it is demonstrated that multiple ~~clusters-groupings~~ will result in more contiguous land designated for Preservation Farm Lots, and/or more preserved prime farmland soils, or results in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.

(c) Distance Between ~~Clusters~~Groupings of Residential Cluster Lots. If more than one grouping of ~~Rural Residential~~ Cluster Lots is to be created from a parcel, a minimum of 2500 feet ~~shall~~must separate the lot lines of the outer boundaries of each grouping of ~~Rural Residential~~ Cluster lots (exclusive of open space and lots 15 acres or greater).

~~(e)~~(d) Minimum Lot Size.

(i) **On-site Water and Wastewater.** 40,000 sq. ft., exclusive of major floodplain.

(ii) **Off-site Wastewater, On-site Water.** 20,000 sq. ft., exclusive of major floodplain.

- (iii) **Off-site Water and Off-Site Wastewater.**  
No minimum lot size.

~~(d)~~(e) **Maximum Lot Size.** 34 acres.

~~(e)~~(f) **Maximum Lot Coverage.** 15%

(i) — Lots less than 40,000 sq. ft.: 8%

(ii) — Lots 40,000 sq. ft. — 4 acres: 15%

~~(f)~~(g) **Permitted Uses on Lots.** The uses allowed on lots are identified in Table 2-102 and are subject to the Additional Regulations for Specific Uses in Section 5-600.

(4) **Requirements For Preservation Farm Lots.** Each cluster subdivision that contains 5 or more acres of prime farmland soils must contain at least one (1) Preservation Farm Lot.

~~(g)~~(a) **Delineation of Prime Farmland Soils.** The original basis for delineation of the prime farmland soils is the “Interpretive Guide to Soils Maps, Loudoun County, Virginia” and must be as shown on the Loudoun County Geographical Information System (WebLOGIS). The prime farmland soils must be further delineated based on the results of a Preliminary Soils Review, as follows:

(i) A Preliminary Soils Review must be submitted to the Department of Building and Development for review and approval with any application submission using the Cluster Subdivision Option in accordance with Chapter 6.130 of the FSM.

(ii) The Preliminary Soils Review must indicate that the primary purpose is to identify the prime farmland soils for the originating tract of land from which the subdivision is created.

(iii) The Zoning Administrator, in consultation with the Director of the Department of Building and Development, may require additional information from the applicant, if needed, to supplement the review to



determine locations of the prime farmland soils for the tract of land from which the subdivision is created.

(iv) Until the Preliminary Soils Review is approved, the development application must include a Soils Map Certification in accordance with Chapter 6.120 of the FSM.

~~(i)~~(v) The applicant may appeal the determination resulting from the Preliminary Soils Review to the Board of Zoning Appeals in accordance with the provisions of Section 6-1700, "Appeals", of the Zoning Ordinance.

~~(h)~~(b) **Minimum Amount of Prime Farmland Soils to be Preserved on a Preservation Farm Lot.** The minimum amount of prime farmland soils required to be located on a ~~Farm~~ Preservation Farm Lot is 50% of the originating tract being subdivided, or the area of the tract of land being subdivided containing prime farmland soils, whichever is less. The minimum amount of prime farmland soils on the ~~Farm~~ Preservation Farm Lot excludes areas of prime farmland soil used for a dwelling, driveway, drainfield and well.

(d) **Minimum Lot Size.** 10 acres. In the case where an area of non-contiguous prime farmland soils is less than 10 acres, then the minimum lot size must equal the area of non-contiguous prime farmland soils.

(e) **Contiguous Lots.** All Preservation Farm Lots must be contiguous unless the location of the prime farmland soils are not contiguous.

(f) **Maximum Lot Coverage.** 15%.

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

(h) **Permitted Uses.** The uses allowed on lots are identified in Table 2-102 and are subject to the Additional Regulations for Specific Uses in Section 5-600.



- (i) **Private Agreements Limiting Permitted Uses Prohibited.** Preservation Farm Lots must not be subject to any Homeowners Association (HOA) covenant or any other private agreement that prohibits the uses permitted on the Preservation Farm Lot.

**(5) ~~Lot standards for~~ Requirements for Rural Economy Cluster Lots.**

- (a) Each cluster subdivision ~~shall~~**must** contain at least ~~one (1)~~ Rural Economy Cluster Lot ~~of a minimum of 15 acres that shall meet the following standards in the following circumstances:~~

(i) When the originating tract being subdivided is 100 acres or more in size; or

~~(i)~~(ii) When the originating tract being subdivided is less than 100 acres in size and where the originating tract contains less than 5 acres of prime farmland soils that does not require a ~~Farm~~ Preservation Farm Lot.

~~(b)~~(b) **Minimum Lot Size.** 15 acres, excluding areas within the Major Floodplain portion of the Floodplain Overlay District (FOD), areas of very steep slopes, and the highly sensitive areas of the Mountainside Development Overlay District (MDOD).

~~(c)~~(c) **Maximum Lot Coverage.** 8%.

~~(d)~~(d) **Minimum Lot Width.** 175 feet.

~~(m)~~ **Maximum Length/Width Ratio.** 3:1.

(e) **Permitted Uses on Lots.** ~~The u~~Uses allowed that are permitted or permissible with the approval of a Minor Special Exception or Special Exception application on a Rural Economy lots are identified in Table 2-102, subject to the Additional Regulations for Specific Uses in Section 5-600.

~~(n)~~(f) **Private Agreements Limiting Permitted Uses Prohibited.** Rural Economy Lots must not be subject

496 to any Homeowners Association (HOA) covenant or  
497 any other private agreement that prohibits the uses  
498 permitted under the Agriculture, Horticulture or  
499 Animal Husbandry Use Category permitted in Table  
500 2-102.

502 ~~(4)(6)~~ **Common Requirements for Open Space.** Land that is  
503 neither part of a building lot, ~~nor~~ a road right-of-way, a  
504 Preservation Farm Lot or Rural Economy Cluster Lot shall  
505 must be placed in ~~common~~ open space and ~~shall~~ must be  
506 maintained by a Homeowner's Association as described in  
507 Section 2-104. ~~Common~~ Open Space ~~shall~~ must be designed  
508 to constitute a contiguous and cohesive unit of land which  
509 may be used as described ~~below~~ in Table 2-102 above.  
510 ~~Common~~ Open Space has no minimum or maximum lot size  
511 and no lot width regulations. Further, ~~Common~~ Open Space  
512 does not count against the lot yield allotted to the  
513 subdivision.

514 ~~(a)~~ **Permitted Uses.** ~~The following uses shall be~~  
515 ~~permitted in common open space. Uses that are~~  
516 ~~permitted in Open Space are identified in Table 2-~~  
517 ~~102, subject to the Additional Regulations for~~  
518 ~~Specific Uses in Section 5-600.~~

519 ~~(a)~~ —

520 ~~(i) — Bona fide agriculture, horticulture, animal~~  
521 ~~husbandry and structures accessory to such~~  
522 ~~use, including, but not limited to barns and~~  
523 ~~run-in sheds to house livestock or farm~~  
524 ~~equipment, pursuant to Section 5-626.~~

525 ~~(ii) — Construction and/or sales trailer, during~~  
526 ~~period of construction activity.~~

527 ~~(iii) — Easements and improvements for drainage,~~  
528 ~~access, sewer or water lines, or other public~~  
529 ~~purposes.~~

530 ~~— Passive open space or passive recreation,~~  
531 ~~including but not limited to trails, picnic~~  
532 ~~areas, community gardens.~~

533 ~~(iv) — Playgrounds or tot lots.~~

- 534 (v) ~~Sewage disposal system, communal.~~
- 535 (vi) ~~Sewer pumping station.~~
- 536 (vii) ~~RESERVED.~~
- 537 (viii) ~~Stormwater management facilities for the~~  
538 ~~proposed development or for a larger area in~~  
539 ~~compliance with a watershed stormwater~~  
540 ~~management plan.~~
- 541 (ix) ~~Telecommunications antenna, pursuant to~~  
542 ~~Section 5-618(A).~~
- 543 (x) ~~Telecommunications monopole, pursuant to~~  
544 ~~Section 5-618(B)(1).~~
- 545 (xi) ~~Telecommunications monopole, pursuant to~~  
546 ~~Section 5-618(B)(2).~~
- 547 (xii) ~~Utility substation, dedicated.~~
- 548 (xiii) ~~Utility transmission lines, overhead~~  
549 ~~(excluding connections of lines from existing~~  
550 ~~overhead public utility transmission lines to~~  
551 ~~individual uses).~~
- 552 (xiv) ~~Water pumping station.~~
- 553 (xv) ~~Water supply system, communal.~~
- 554 (xvi) ~~Uses permitted from the Agricultural Support~~  
555 ~~and Services Directly Related to On-going~~  
556 ~~Agriculture, Horticulture and Animal~~  
557 ~~Husbandry Activity, On Site, Use Category,~~  
558 ~~as follows:~~
- 559 a. ~~Agricultural cultural center, pursuant~~  
560 ~~to Section 5-634.~~
- 561 b. ~~Agri-education, pursuant to Section~~  
562 ~~5-627~~
- 563 c. ~~Agricultural Processing, pursuant to~~  
564 ~~Section 5-627.~~

d. ~~Arboretum, pursuant to Section 5-636.~~

e. ~~Botanical garden or Nature Study Area, pursuant to Section 5-636.~~

f. ~~Direct market business for sale of products produced on-site including but not limited to PYO (pick-your-own), pursuant to Section 5-627.~~

g. ~~Farm co-op, pursuant to Section 5-627.~~

h. ~~Farm Market, on-site production, pursuant to Section 5-603.~~

i. ~~Nursery, production, pursuant to Section 5-605.~~

j. ~~Pet farm, pursuant to Section 5-627.~~

k. ~~Stable, Livery, with frontage on a state maintained road, pursuant to Section 5-627.~~

l. ~~Stable, Private, pursuant to Section 5-627.~~

m. ~~Wayside Stand, pursuant to Section 5-604.~~

(b) **Special Exception Uses.** ~~The following u~~Uses that may be approved in ~~common~~-open space by the Board of Supervisors are identified in Table 2-102, subject to the Additional Regulations for Specific Uses in Section 5-600, and if approved, may be subject to certain conditions pursuant to Section 6-1300.

(i) ~~Active recreation space other than playgrounds or tot lots.~~

(ii) ~~Telecommunications tower, pursuant to Section 5-618(C)(2).~~

(iii) ~~Stables, Livery, without frontage on a state maintained road, pursuant to Section 5-627.~~

(e) **Private Agreements Limiting Permitted Uses Prohibited.** Open space must not be subject to any Homeowners Association (HOA) covenant or any other private agreement that prohibits the uses permitted under the Agriculture, Horticulture or Animal Husbandry Use Category permitted in Table 2-102.

~~(5)~~(7) **Setback.**

(a) **Setbacks From Road Rights of Way and Private Access Easements.** ~~No s~~Structures ~~shall must not~~ be located within one hundred (100) feet from the right of way of any arterial road; seventy five (75) feet from the right of way of any collector road; or ~~thirty~~ twenty five (~~35~~25) feet from any other road right of way, private access easement, and/or prescriptive easement.

(b) **Residential Perimeter Setback.** All Rresidential dwellings within the ~~subdivision~~Residential Cluster Lots; shall must be set back a minimum of 100 feet from any lot line adjoining parcels not located within the cluster subdivision.

~~(6)~~(8) **Yards.**

(a) **Front.** ~~25~~35 feet minimum.

(b) **Side.** 15 feet minimum.

(c) **Rear.** ~~20~~35 feet minimum.

~~(7)~~(9) **Building Requirements.**

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

~~(8)~~(10) **Utility Requirements.**

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

(i) Individual water systems, located on the lot served, or

(ii) Communal water system, located within ~~Common~~ Open Space, with maintenance to be provided pursuant to Section 2-103(C)(1~~10~~).

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

(i) Individual sewage disposal systems, located on the lot served or in ~~Common~~ Open Space owned by an HOA. A maximum of ~~seventy percent (70%)~~ of the lots may have primary and/or reserve septic fields within ~~common~~ open space. The record plat shall identify the location of all septic fields and shall assign them to lots, or

(ii) Communal sewage disposal system that ~~shall~~ must be located within ~~Common~~ Open Space with maintenance to be provided pursuant to Section 2-103(C)(1~~10~~).

~~(9)(11)~~ **Maintenance of Water and/or Sewage Disposal Systems.**

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

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

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~~(10)~~(12) **Lot Access.**

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(a) Access to individual lots or ~~common~~ open space may be provided by a private access easement which shall comply with the requirements of the Facilities Standards Manual.

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(b) Private access easements may serve as frontage in lieu of public road frontage for up to 25 lots per easement.

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(c) The plat of subdivision ~~shall~~must contain a note detailing the maintenance provisions of the private access easement.

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

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(14) **Pre-Submission Meeting.** Prior to any application submission for a Cluster Subdivision, the applicant must request and attend a pre-submission meeting with County agencies to discuss the proposed development. The applicant must submit the following information as part of the meeting request, in addition to other required information needed to process the pre-submission meeting request:

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(a) **Site Analysis Map.** The applicant must prepare a site analysis map that provides information about existing site conditions and context to include prime farmland soils, environmental features, and that comprehensively analyzes existing conditions on the proposed development site. It is the intent of this section that the information required to be presented in the site analysis map be produced primarily from existing sources, maps, and data.

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(b) **Preservation and Development Areas Map.** The applicant must prepare a map to identify primary preservation farm areas, open space areas, and development areas.

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15. **Advisory Cluster Subdivision Siting and Design Guidelines.** Loudoun County recognizes that every cluster subdivision design will be a custom response to the unique assets and constraints of each tract. However, the County

707 does wish to encourage design consistent with Loudoun's  
708 past in rural Loudoun and appends the following general  
709 design guidelines as a suggestion to cluster subdivision  
710 designers.

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712 (a) Cluster subdivisions should be sited so as to nestle,  
713 or blend in a subordinate way, into the existing  
714 landscape.

715 (b) Lots and the location of building sites should be  
716 designed to minimize development on, and the  
717 disturbance of prime farmland soils.

718 (c) Existing views from public thoroughfares should be  
719 preserved to the maximum extent practicable.

720 (d) In those circumstances where natural contours,  
721 subsurface conditions and tract boundaries prevent  
722 discreet cluster subdivision placement, designers  
723 should seek to reduce the development's apparent  
724 presence by locating earth berms near adjacent  
725 roadways and/or planting screens of trees adjacent to  
726 existing roads and tract boundaries.

727 (e) Lots should be designed to minimize necessary  
728 grading or filling, and to take advantage of the  
729 existing topography and landforms to the extent  
730 practicable.

731 (f) Existing stands of trees and hedgerows should be  
732 incorporated in the new cluster subdivision  
733 whenever possible. New plantings of evergreen and  
734 deciduous trees should be native to the northern  
735 Piedmont, such as yellow poplar, northern red and  
736 white oak, hickory, white ash, black gum, hemlock,  
737 spruce and eastern red cedar among others.

738 **2-104 Homeowners' Association and Responsibilities.**

- 739 (A) If the subdivision contains any of the common areas or  
740 improvements listed below, the development ~~shall~~must have an  
741 incorporated Homeowners' Association ("HOA"). The HOA shall  
742 have the responsibility to maintain the following areas or  
743 improvements:



- |
- 744 (1) Common open space areas within the development that are  
745 not part of an individual lot.
- 746 (2) Lot(s), if owned by the HOA;
- 747 (3) Private roads, if any, within or serving the development,  
748 except as provided in Section 2-104(C);
- 749 (4) Communal water and/or sewage disposal systems, except as  
750 provided in Section 2-104(D);
- 751 (5) Any stormwater management facilities or areas;
- 752 (6) Fire protection pond(s), dry mains, or other improvements;
- 753 (7) Such other common facilities or improvements as may be  
754 designated in the bylaws of the HOA.
- 755 (B) Membership in the HOA ~~shall~~must be required for all purchasers of  
756 lots in the subdivision and their successors in title.
- 757 (C) Notwithstanding the requirements of Section 2-104(A) above, if the  
758 only common element is the private roads or easements, then such  
759 private roads or easements ~~shall~~must either be maintained by an  
760 HOA or pursuant to a private road maintenance agreement. If such  
761 roads are to be maintained pursuant to a private road maintenance  
762 agreement, then the terms thereof shall be included on each record  
763 plat of subdivision for the development.
- 764 (D) Notwithstanding the requirements of Section 2-104(A) above,  
765 communal water or sewage disposal systems ~~may~~must be  
766 maintained by ~~LCSA-Loudoun Water~~ or a public water or sewer  
767 (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of  
768 the Code of Virginia.
- 769 (E) Prior to approval of a record plat of subdivision for the cluster:
- 770 (1) If an HOA is to be established, the landowner ~~shall~~must  
771 submit documents for the creation of the HOA to the County  
772 for review and approval, including its bylaws, and all  
773 documents governing ownership, maintenance, and use  
774 restrictions for common areas, including a legal description  
775 of such areas and a description of restrictions placed upon  
776 the use and enjoyment of the land. HOA bylaws shall not restrict bona fide agricultural, horticultural, animal  
777 husbandry uses or those agricultural support uses directly or  
778

not directly related to ongoing bona fide agricultural, horticultural, or animal husbandry uses on the Preservation Farm Lots and/or Common Open Space parcels and shall enjoy the protection of the Right to Farm Act (Va. Code Section 3.2-300 et seq.).

(2) If a communal water and/or sewage disposal system is to be maintained by a third party, a minimum two year maintenance contract ~~is to~~must be submitted for review by the County.

(3) If the subdivision is served by private roads and there is no HOA for the subdivision, the developer ~~shall~~must submit a private road maintenance agreement to the County for review and approval.

#### **2-105**

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

#### **2-106**

##### **Existing Lots of Record.**

(A) Lots existing as of December 6, 2006 shall be permitted the uses identified in Table 2-102: AR-1 Agricultural Rural-1 District Use Table and shall follow the lot and building requirements for the Base Density Division option as identified in Section 2-103(A).

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

807

808 **Section 2-200**

**AR-2 Agricultural Rural-2**

809 **2-201**

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

810 (A) Preserve and protect prime farmland and agricultural soils  
811 recognizing their importance to the overall economic health of the  
812 rural economy.

813 (A)(B) Support the use of land that protects, preserves, and enhances natural  
814 areas and open space, retains farmland for and the vitality of the rural  
815 economy uses consistent with the pattern of rural and agricultural  
816 land uses in the district, including sustaining and nurturing the  
817 economically significant equine industry, while fostering a high  
818 quality of life for residents.-

819 (B)(C) Allow Limit residential uses at development to densities that will  
820 protect the land resources for agricultural operations, consistent with  
821 the general open space uses and rural character of the rural economy  
822 uses, and consistent with the land use patterns in the district, which  
823 are marked by low density and large parcels relative to the other  
824 portions of the County.

825 (C)(D) Allow for a broad range of rural economy uses, including traditional  
826 and new agricultural uses (agriculture, horticulture and animal  
827 husbandry), agriculture support and basic services directly  
828 associated with on-going agricultural activities, and other uses that  
829 can be developed in ways that are consistent with the rural character  
830 of the AR-2 District through mitigation or other standards.

831 (D)(E) Recognize the County's tourism industry is interconnected with the  
832 rural economy and rural economy uses in the district by allowing for  
833 tourism uses related to agricultural uses, conference and training  
834 center uses, and rural activity and special event uses for tourists.

835 (E)(F) Promote consistency between residential development and rural  
836 economy uses through lower density residential development or the  
837 clustering of residential development.

838 (F)(G) Ensure that the rural economy uses are compatible with any existing  
839 permitted residential development.

840 **2-202**

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

(A) **Organization of Use Table.** Table 2-202 organizes the uses in the AR-2 district by Use Classifications, Use Categories and Use Types.

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

(2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

(3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.

(B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-202 are defined in Article VIII (Definitions).

(C) **Permitted and Special Exception Uses.** A “P” in the column identified “AR-2” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-2 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the AR-2 district as a special exception in accordance with the procedures and standards of Section 6-1300. An “M” indicates that a Use Type is allowed in

the AR-2 district as a Minor Special Exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a Special Exception or Minor Special Exception under other conditions. In those instances, it is identified as “P/S” or “P/M,” as appropriate.

(D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column mean all of the uses in the Use Category are allowed. The Use Category is defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

(E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-202 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.

(F) **Minimum Lot Size Requirements.** Each principal permitted use shall meet the minimum acreage requirement, where specified in the “Additional Regulations for Specific Uses” in Section 5-600, for that use. Where two or more principal uses are located on one parcel, the parcel size shall be the larger of the two or more uses requirements, and not the sum of all minimum lot sizes.

**TABLE 2-202:**  
**AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE**

**BDO = BASE DENSITY OPTION      PSO = PRINCIPAL/SUBORDINATE OPTION**  
**RCL = RESIDENTIAL CLUSTER LOT      PFL = PRESERVATION FARM LOT**  
**REL = RURAL ECONOMY CLUSTER LOT      OSL = OPEN SPACE LOTS**

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

| USE CATEGORY   | USE TYPE  | BDO & PSO LOTS | CLUSTER SUBDIVISION OPTION |     |     |     | ADDITIONAL REGULATIONS FOR SPECIFIC USES |
|--|---|----------------|----------------------------|-----|-----|-----|--|
|  |   |                | RCL                        | PFL | REL | OSL |  |
| AGRICULTURAL USES  |   |                |                            |     |     |     |  |
| Agriculture  | General Use Category  | P              | P                          | P   | P   | P   | Section 5-626                            |
| Horticulture   | General Use Category  | P              | P                          | P   | P   | P   | Section 5-626                            |
| Animal Husbandry   | General Use Category  | P              |                            | P   | P   | P   | Section 5-626                            |
| Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site | Agricultural processing   | P              |                            |     | P   | P   | Section 5-627                            |
|  | Agri-education  | P              |                            |     | P   | P   | Section 5-627                            |
|  | Animal care business  | P              |                            |     | P   |     | Section 5-627                            |
|  | Agritainment  | P              |                            |     | P   |     | Section 5-627                            |
|  | Commercial winery with 20,000 square feet or less   | P              |                            |     | P   |     | Section 5-625                            |
|  | Commercial winery, over 20,000 square feet  | S              |                            |     | S   |     | Section 5-625                            |
|  | Custom operators  | P              |                            |     | P   |     | Section 5-627                            |
|  | Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own) | P              |                            |     | P   | P   | Section 5-627                            |
|  | Equestrian Event Facility   | P              |                            |     | P   |     | Section 5-627                            |
|  | Farm based tourism  | P              |                            |     | P   |     | Section 5-628                            |

|   |   |                   |  |                   |                   |                                   |                               |
|---|---|-------------------|--|-------------------|-------------------|-----------------------------------|-------------------------------|
|   | <a href="#">Farm co-ops</a>   | <a href="#">P</a> |  | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a>                 | <a href="#">Section 5-627</a> |
|   | <a href="#">Farm machinery repair</a>                                       | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-627</a> |
|   | <a href="#">Farm markets</a>  | <a href="#">P</a> |  |                   | <a href="#">P</a> | <a href="#">P</a><br>(Production) | <a href="#">Section 5-603</a> |
|   | <a href="#">Feedlot (for on-going, on-site animal husbandry activities)</a> | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-627</a> |
|   | <a href="#">Limited Brewery</a>   | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-667</a> |
|   | <a href="#">Nursery, commercial</a>   | <a href="#">S</a> |  |                   | <a href="#">S</a> |                                   | <a href="#">Section 5-605</a> |
|   | <a href="#">Nursery, production</a>   | <a href="#">P</a> |  |                   | <a href="#">P</a> | <a href="#">P</a>                 | <a href="#">Section 5-605</a> |
|   | <a href="#">Pet farms</a>   | <a href="#">P</a> |  |                   | <a href="#">P</a> | <a href="#">P</a>                 | <a href="#">Section 5-627</a> |
|   | <a href="#">Restaurant</a>  | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-627</a> |
|   | <a href="#">Sawmill</a>   | <a href="#">S</a> |  |                   | <a href="#">S</a> |                                   | <a href="#">Section 5-629</a> |
|   | <a href="#">Stable, Livery</a>  | <a href="#">P</a> |  |                   | <a href="#">P</a> | <a href="#">P/S</a>               | <a href="#">Section 5-627</a> |
|   | <a href="#">Stable, Private</a>   | <a href="#">P</a> |  |                   | <a href="#">P</a> | <a href="#">P</a>                 | <a href="#">Section 5-627</a> |
|   | <a href="#">Veterinary services</a>   | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   |                               |
|   | <a href="#">Virginia Farm Winery</a>  | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   |                               |
|   | <a href="#">Wayside stand</a>   | <a href="#">P</a> |  |                   | <a href="#">P</a> | <a href="#">P</a>                 | <a href="#">Section 5-604</a> |
|   | <a href="#">Wetlands mitigation bank</a>                                    | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-627</a> |
| <a href="#">Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity</a> | <a href="#">Agricultural research facility</a>                              | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-644</a> |
|   | <a href="#">Animal care businesses</a>                                      | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-630</a> |
|   | <a href="#">Central farm distribution hub for agricultural products</a>     | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-630</a> |
|   | <a href="#">Commercial winery with 20,000 square feet or less</a>           | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-625</a> |
|   | <a href="#">Commercial winery, over 20,000 square feet</a>                  | <a href="#">S</a> |  |                   | <a href="#">S</a> |                                   | <a href="#">Section 5-625</a> |
|   | <a href="#">Equestrian Event Facility</a>                                   | <a href="#">P</a> |  |                   | <a href="#">P</a> |                                   | <a href="#">Section 5-630</a> |

|   |  |   |            |          |          |            |          |   |
|---|--|---|------------|----------|----------|------------|----------|---|
|   |  | <a href="#">Farm machinery repair</a>   | <u>P</u>   |          |          | <u>P</u>   |          | <a href="#">Section 5-630</a>   |
|   |  | <a href="#">Farm machinery sales, rental and service</a>                          | <u>P</u>   |          |          | <u>P</u>   |          | <a href="#">Section 5-615</a>   |
|   |  | <a href="#">Feed and Farm Supply Center</a>                                       | <u>P</u>   |          |          | <u>P</u>   |          | <a href="#">Section 5-630</a>   |
|   |  | <a href="#">Nursery, commercial</a>   | <u>S</u>   |          |          | <u>S</u>   |          | <a href="#">Section 5-605</a>   |
|   |  | <a href="#">Stable, Livery</a>  | <u>P</u>   |          |          | <u>P</u>   |          | <a href="#">Section 5-630</a>   |
|   |  | <a href="#">Stable, Private</a>   | <u>P</u>   |          |          | <u>P</u>   |          | <a href="#">Section 5-630</a>   |
| <a href="#">Animal Services</a>             |  | <a href="#">Animal hospital</a>   | <u>P</u>   |          |          | <u>P</u>   |          | <a href="#">Section 5-631</a>   |
|   |  | <a href="#">Kennel</a>  | <u>S</u>   |          |          | <u>S</u>   |          | <a href="#">Section 5-606</a>   |
|   |  | <a href="#">Kennel, Indoor</a>  | <u>M</u>   |          |          | <u>M</u>   |          | <a href="#">Section 5-606</a>   |
| <b><u>RESIDENTIAL USES</u></b>              |  |   |            |          |          |            |          |   |
| <a href="#">Household Living</a>            |  | <a href="#">Accessory dwelling (accessory to single family detached dwelling)</a> | <u>P</u>   | <u>P</u> | <u>P</u> | <u>P</u>   |          | <a href="#">Section 5-613</a>   |
|   |  | <a href="#">Dwelling, single-family detached, including manufactured housing</a>  | <u>P</u>   | <u>P</u> | <u>P</u> | <u>P</u>   |          | <a href="#">May divide property in accordance with Section 2-103 Development Options.</a> |
|   |  | <a href="#">Portable Dwelling/Trailer Construction</a>                            | <u>P</u>   | <u>P</u> | <u>P</u> | <u>P</u>   | <u>P</u> |   |
| <a href="#">Group Living</a>                |  | <a href="#">Co-housing</a>  | <u>P</u>   | <u>P</u> |          | <u>P</u>   |          |   |
|   |  | <a href="#">Convent or monastery</a>  | <u>P/S</u> |          |          | <u>P/S</u> |          | <a href="#">Section 5-656</a>   |
|   |  | <a href="#">Dormitory, seasonal labor</a>   | <u>M</u>   |          |          | <u>M</u>   |          | <a href="#">Section 5-632</a>   |
|   |  | <a href="#">Rooming house</a>   | <u>P</u>   |          |          | <u>P</u>   |          |   |
| <b><u>PUBLIC AND INSTITUTIONAL USES</u></b> |  |   |            |          |          |            |          |   |
| <a href="#">Aviation</a>                    |  | <a href="#">Airport/landing strip</a>   | <u>S</u>   |          |          |            |          | <a href="#">Section 5-633</a>   |
| <a href="#">Day Care Facilities</a>         |  | <a href="#">Child care home</a>   | <u>P</u>   | <u>P</u> | <u>P</u> | <u>P</u>   |          | <a href="#">Section 5-609(A)</a>  |
|   |  | <a href="#">Child or adult day care center</a>                                    | <u>S</u>   |          |          |            |          | <a href="#">Section 5-609(B)</a>  |
|   |  | <a href="#">Agricultural cultural center</a>                                      | <u>S</u>   |          |          | <u>S</u>   | <u>P</u> | <a href="#">Section 5-634</a>   |



|   |  |          |          |  |          |          |  |
|---|--|----------|----------|--|----------|----------|--|
| <u>Cultural and Government Facilities</u> | <u>Fairground</u>  | <u>S</u> |          |  |          |          | <a href="#">Section 5-635</a>  |
|   | <u>Structures or uses for local government purposes not otherwise listed in the district</u>   | <u>S</u> | <u>S</u> |  | <u>S</u> |          |  |
| <u>Education</u>                          | <u>Public School (Elementary, Middle, or High) for fifteen (15) or fewer pupils</u>  | <u>S</u> |          |  | <u>S</u> |          | <a href="#">Section 5-655</a>  |
|   | <u>Private School (Elementary, Middle, or High) for more than fifteen (15) pupils</u>  | <u>S</u> |          |  | <u>S</u> |          |  |
|   | <u>Private Vocational school</u>   | <u>S</u> |          |  | <u>S</u> |          |  |
| <u>Park and Open Space</u>                | <u>Arboretum</u>   | <u>P</u> |          |  | <u>P</u> | <u>P</u> | <a href="#">Section 5-636</a>  |
|   | <u>Botanical garden or nature study area</u>   | <u>P</u> |          |  | <u>P</u> | <u>P</u> | <a href="#">Section 5-636</a>  |
|   | <u>Cemetery</u>  | <u>S</u> |          |  |          |          | <a href="#">Section 5-637</a>  |
|   | <u>Mausoleum</u>   | <u>S</u> |          |  |          |          | <a href="#">Section 5-637</a>  |
|   | <u>Crematorium</u>   | <u>S</u> |          |  |          |          | <a href="#">Section 5-637</a>  |
|   | <u>Community, neighborhood, or regional park, passive recreational uses</u>  | <u>P</u> |          |  | <u>P</u> | <u>P</u> | <a href="#">Limited to neighborhood only in REL and OSL of Cluster Subdivision</a> |
|   | <u>Community, neighborhood, or regional park, active recreational uses</u>   | <u>S</u> |          |  | <u>S</u> | <u>P</u> | <a href="#">Limited to neighborhood playgrounds in OSL of Cluster Subdivision</a>  |
| <u>Public Safety</u>                      | <u>Fire and/or rescue station</u>  | <u>P</u> |          |  |          |          | <a href="#">Section 5-638</a>  |
|   | <u>Police station or substation</u>  | <u>P</u> |          |  |          |          | <a href="#">Section 5-638</a>  |
| <u>Religious Assembly</u>                 | <u>Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area</u>                        | <u>P</u> |          |  |          |          | <a href="#">Section 5-639</a>  |
|   | <u>Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day</u> | <u>S</u> |          |  |          |          | <a href="#">Section 5-639</a>  |

|                                 |  |   |                   |                   |  |                   |   |   |
|---------------------------------|--|---|-------------------|-------------------|--|-------------------|---|---|
|                                 |  | <a href="#">care centers with more than 30 50 children, recreational facilities</a>   |                   |                   |  |                   |   |   |
|                                 |  | <a href="#">General Use Category</a>  | <a href="#">P</a> |                   |  | <a href="#">P</a> | <a href="#">P</a><br><a href="#">Utility Substation, Dedicated Only</a> | <a href="#">Recycling drop-off collection center, public: Section 5-607</a><br><a href="#">Utility substation, transmission: Section 5-616(A)</a><br><a href="#">Utility substation, distribution: Section 5-616(B)</a> |
|                                 |  | <a href="#">Municipal drinking water supply reservoir</a>   | <a href="#">P</a> |                   |  | <a href="#">P</a> |   |   |
|                                 |  | <a href="#">Stormwater management facilities</a>  |                   |                   |  |                   | <a href="#">P</a>   | <a href="#">For the proposed development or for a larger area in compliance with a watershed stormwater management plan</a>   |
|                                 |  | <a href="#">Sewage Treatment Plant</a>  | <a href="#">S</a> |                   |  |                   |   | <a href="#">Section 5-621</a>   |
|                                 |  | <a href="#">Sewer Pumping Station</a>   | <a href="#">P</a> |                   |  | <a href="#">P</a> | <a href="#">P</a>   | <a href="#">Section 5-621</a>   |
|                                 |  | <a href="#">Water Storage Tank</a>  | <a href="#">S</a> |                   |  |                   |   | <a href="#">Section 5-621</a>   |
|                                 |  | <a href="#">Water Treatment Plant</a>   | <a href="#">S</a> |                   |  |                   |   | <a href="#">Section 5-621</a>   |
|                                 |  | <a href="#">Water Pumping Station</a>   | <a href="#">P</a> |                   |  | <a href="#">P</a> | <a href="#">P</a>   | <a href="#">Section 5-621</a>   |
|                                 |  | <a href="#">Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses)</a> | <a href="#">S</a> | <a href="#">S</a> |  | <a href="#">S</a> | <a href="#">P</a>   | <a href="#">Unless excepted by Section 1-103(D)</a>   |
|                                 |  | <a href="#">Water Well, Municipal</a>   | <a href="#">P</a> |                   |  | <a href="#">P</a> |   | <a href="#">Section 5-621</a>   |
|                                 |  | <a href="#">Easements and improvements for drainage, access, sewer or water lines, or other public purposes</a>   |                   |                   |  |                   | <a href="#">P</a>   |   |
| <a href="#">COMMERCIAL USES</a> |  |   |                   |                   |  |                   |   |   |

[Utility](#)

|   |   |                     |  |  |                   |                                  |
|---|---|---------------------|--|--|-------------------|----------------------------------|
| <b><u>Conference and Training Centers</u></b> | <a href="#">Conference and training centers</a>   | <a href="#">P/M</a> |  |  |                   | <a href="#">Section 5-640</a>    |
|   | <a href="#">Rural Corporate Retreat</a>   | <a href="#">P</a>   |  |  | <a href="#">P</a> | <a href="#">Section 5-619</a>    |
|   | <a href="#">Rural Resort</a>  | <a href="#">M</a>   |  |  | <a href="#">M</a> | <a href="#">Section 5-601(D)</a> |
| <b><u>Food and Beverage</u></b>               | <a href="#">Teahouse; coffeehouse</a>   | <a href="#">P</a>   |  |  |                   | <a href="#">Section 5-641</a>    |
|   | <a href="#">Banquet/Event Facility</a>  | <a href="#">M</a>   |  |  |                   | <a href="#">Section 5-642</a>    |
|   | <a href="#">Restaurant</a>  | <a href="#">M</a>   |  |  |                   | <a href="#">Section 5-643</a>    |
| <b><u>Office</u></b>                          | <a href="#">Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district</a> | <a href="#">M</a>   |  |  | <a href="#">M</a> | <a href="#">Section 5-644</a>    |
| <b><u>Recreation and Entertainment</u></b>    | <a href="#">Camp, day and boarding, with 30 or fewer campers</a>  | <a href="#">P</a>   |  |  | <a href="#">P</a> | <a href="#">Section 5-645</a>    |
|   | <a href="#">Camp, day and boarding, with more than 30 campers</a>   | <a href="#">M</a>   |  |  | <a href="#">M</a> | <a href="#">Section 5-645</a>    |
|   | <a href="#">Campground</a>  | <a href="#">M</a>   |  |  | <a href="#">M</a> | <a href="#">Section 5-646</a>    |
|   | <a href="#">Country Club</a>  | <a href="#">S</a>   |  |  |                   | <a href="#">Section 5-660</a>    |
|   | <a href="#">Cross country ski business</a>  | <a href="#">P</a>   |  |  | <a href="#">P</a> | <a href="#">Section 5-647</a>    |
|   | <a href="#">Eco-tourism</a>   | <a href="#">P</a>   |  |  | <a href="#">P</a> | <a href="#">Section 5-647</a>    |
|   | <a href="#">Golf course</a>   | <a href="#">S</a>   |  |  | <a href="#">S</a> | <a href="#">Section 5-648</a>    |
|   | <a href="#">Outdoor amphitheater</a>  | <a href="#">S</a>   |  |  |                   | <a href="#">Section 5-649</a>    |
|   | <a href="#">Private Club or Lodge</a>   | <a href="#">S</a>   |  |  | <a href="#">S</a> |                                  |
|   | <a href="#">Rural recreational establishment, outdoor</a>   | <a href="#">P</a>   |  |  | <a href="#">M</a> |                                  |
| <b><u>Retail Sales and Service</u></b>        | <a href="#">Antique shop</a>  | <a href="#">P</a>   |  |  |                   | <a href="#">Section 5-650</a>    |
|   | <a href="#">Art gallery or art studio</a>   | <a href="#">P</a>   |  |  |                   | <a href="#">Section 5-650</a>    |
|   | <a href="#">Auction house</a>   | <a href="#">S</a>   |  |  |                   | <a href="#">Section 5-651</a>    |
|   | <a href="#">Craft shop</a>  | <a href="#">P</a>   |  |  |                   | <a href="#">Section 5-650</a>    |

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

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

| USE CATEGORY  | USE TYPE  | AR-2 DISTRICT | ADDITIONAL — REGULATIONS — FOR SPECIFIC USES |
|---|---|---------------|--|
| <b>AGRICULTURAL USES</b>  |   |               |  |
| <b>Agriculture</b>  | General Use Category  | P             | Section 5-626                                |
| <b>Horticulture</b>   | General Use Category  | P             | Section 5-626                                |
| <b>Animal Husbandry</b>   | General Use Category  | P             | Section 5-626                                |
| <b>Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site</b> | Agricultural processing   | P             | Section 5-627                                |
|   | Agri-education  | P             | Section 5-627                                |
|   | Animal care business  | P             | Section 5-627                                |
|   | Agritainment  | P             | Section 5-627                                |
|   | Commercial winery with 20,000 square feet or less   | P             | Section 5-625                                |
|   | Commercial winery, over 20,000 square feet  | S             | Section 5-625                                |
|   | Custom operators  | P             | Section 5-627                                |
|   | Direct market business for sale of products produced on-site—including but not limited to PYO (pick your own) | P             | Section 5-627                                |
|   | Equestrian Event Facility   | P             | Section 5-627                                |
|   | Farm based tourism  | P             | Section 5-628                                |
|   | Farm co-ops   | P             | Section 5-627                                |
|   | Farm machinery repair   | P             | Section 5-627                                |
|   | Farm markets  | P             | Section 5-603                                |
|   | Feedlot (for on-going, on-site animal husbandry activities)   | P             | Section 5-627                                |
|   | Limited Brewery   | P             | Section 5-667                                |

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

| USE CATEGORY   | USE TYPE  | AR-2 DISTRICT | ADDITIONAL REGULATIONS FOR SPECIFIC USES |
|--|---|---------------|--|
|  | Nursery, commercial                                     | S             | Section 5-605                            |
|  | Nursery, production                                     | P             | Section 5-605                            |
|  | Pet farms   | P             | Section 5-627                            |
|  | Restaurant  | P             | Section 5-627                            |
|  | Sawmill   | S             | Section 5-629                            |
|  | Stable, Livery  | P             | Section 5-627                            |
|  | Stable, Private   | P             | Section 5-627                            |
|  | Veterinary services                                     | P             |  |
|  | Virginia Farm Winery                                    | P             |  |
|  | Wayside stand   | P             | Section 5-604                            |
|  | Wetlands mitigation bank                                | P             | Section 5-627                            |
| <b>Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity</b> | Agricultural research facility                          | P             | Section 5-644                            |
|  | Animal care businesses                                  | P             | Section 5-630                            |
|  | Central farm distribution hub for agricultural products | P             | Section 5-630                            |
|  | Commercial winery, with 20,000 square feet or less      | P             | Section 5-625                            |
|  | Commercial winery, over 20,000 square feet              | S             | Section 5-625                            |
|  | Equestrian Event Facility                               | P             | Section 5-630                            |
|  | Farm machinery repair                                   | P             | Section 5-630                            |
|  | Farm machinery sales, rental and service                | P             | Section 5-615                            |
|  | Feed and Farm Supply Center                             | P             | Section 5-630                            |

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

| USE CATEGORY                              | USE TYPE  | AR-2 DISTRICT | ADDITIONAL REGULATIONS FOR SPECIFIC USES                                     |
|---|---|---------------|--|
|   | Nursery, commercial   | S             | Section 5-605  |
|   | Stable, Livery  | P             | Section 5-630  |
|   | Stable, Private   | P             | Section 5-630  |
| <b>Animal Services</b>                    | Animal hospital   | P             | Section 5-631  |
|   | Kennel  | S             | Section 5-606  |
|   | Kennel, Indoor  | M             | Section 5-606  |
| <b>Household Living</b>                   | Accessory dwelling (accessory to single family detached dwelling)     | P             | Section 5-613  |
|   | Dwelling, single family detached, including manufactured housing      | P             | May subdivide property in accordance with Section 2-203 Development Options. |
|   | Portable Dwelling/Trailer Construction                                | P             |  |
| <b>Group Living</b>                       | Co-housing  | P             |  |
|   | Convent or monastery  | P/S           | Section 5-656  |
|   | Dormitory, seasonal labor   | M             | Section 5-632  |
|   | Rooming house   | P             |  |
| <b>PUBLIC AND INSTITUTIONAL USES</b>      |   |               |  |
| <b>Aviation</b>                           | Airport/landing strip   | S             | Section 5-633  |
| <b>Day Care Facilities</b>                | Child care home   | P             | Section 5-609(A)   |
|   | Child or adult day care center  | S             | Section 5-609(B)   |
| <b>Cultural and Government Facilities</b> | Agricultural cultural center  | S             | Section 5-634  |
|   | Fairground  | S             | Section 5-635  |
|   | Structures or uses for local government purposes not otherwise listed | S             |  |

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

| USE CATEGORY               | USE TYPE   | AR-2 DISTRICT | ADDITIONAL REGULATIONS FOR SPECIFIC USES |
|----------------------------|--|---------------|--|
| <b>Education</b>           | Public School (Elementary, Middle, or High)  | S             |  |
|                            | Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils  | S             | Section 5-655                            |
|                            | Private School (Elementary, Middle, or High) for more than fifteen (15) pupils   | S             |  |
|                            | Private Vocational school  | S             |  |
| <b>Park and Open Space</b> | Arboretum  | P             | Section 5-636                            |
|                            | Botanical garden or nature study area  | P             | Section 5-636                            |
|                            | Cemetery   | S             | Section 5-637                            |
|                            | Mausoleum  | S             | Section 5-637                            |
|                            | Crematorium  | S             | Section 5-637                            |
|                            | Community, neighborhood, or regional park, passive recreational uses   | P             |  |
|                            | Community, neighborhood, or regional park, active recreational uses  | S             |  |
| <b>Public Safety</b>       | Fire and/or rescue station   | P             | Section 5-638                            |
|                            | Police station or substation   | P             | Section 5-638                            |
| <b>Religious Assembly</b>  | Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area   | P             | Section 5-639                            |
|                            | Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children, recreational facilities | S             | Section 5-639                            |



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

| USE CATEGORY                    | USE TYPE   | AR-2 DISTRICT | ADDITIONAL REGULATIONS FOR SPECIFIC USES  |
|---------------------------------|--|---------------|---|
| Utility                         | General Use Category   | P             | Recycling drop-off collection center, public: Section 5-607<br>Utility substation, transmission: Section 5-616(A)<br>Utility substation, distribution: Section 5-616(B) |
|                                 | Municipal drinking water supply reservoir  | P             |   |
|                                 | Sewage Treatment Plant   | S             | Section 5-621   |
|                                 | Sewer Pumping Station  | P             | Section 5-621   |
|                                 | Water Storage Tank   | S             | Section 5-621   |
|                                 | Water Treatment Plant  | S             | Section 5-621   |
|                                 | Water Pumping Station  | P             | Section 5-621   |
|                                 | Utility transmission lines, overhead (excluding connections of lines from public utility transmission lines to individual development sites) | S             | Unless excepted by Section 1-103(D)   |
|                                 | Water Well, Municipal  | P             | Section 5-621   |
| <b>COMMERCIAL USES</b>          |  |               |   |
| Conference and Training Centers | Conference and training centers  | M             | Section 5-640   |
|                                 | Rural corporate retreat  | P             | Section 5-619   |
|                                 | Rural Resort   | M             | Section 5-601(D)  |
| Food and Beverage               | Teahouse; coffeehouse  | P             | Section 5-641   |
|                                 | Banquet/Event Facility   | M             | Section 5-642   |
|                                 | Restaurant   | M             | Section 5-643   |
| Office                          | Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district                    | M             | Section 5-644   |

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

| USE CATEGORY                        | USE TYPE  | AR-2 DISTRICT | ADDITIONAL REGULATIONS FOR SPECIFIC USES |
|-------------------------------------|---|---------------|--|
| <b>Recreation and Entertainment</b> | Camp, day and boarding, with 30 or fewer campers                  | P             | Section 5-645                            |
|                                     | Camp, day and boarding, with more than 30 campers                 | M             | Section 5-645                            |
|                                     | Campground  | M             | Section 5-646                            |
|                                     | Country Club  | S             | Section 5-660                            |
|                                     | Cross country ski business  | P             | Section 5-647                            |
|                                     | Eco-tourism   | P             | Section 5-647                            |
|                                     | Golf course   | S             | Section 5-648                            |
|                                     | Outdoor amphitheater  | S             | Section 5-649                            |
|                                     | Private Club or Lodge   | S             |  |
|                                     | Rural recreational establishment, outdoor                         | P             |  |
| <b>Retail Sales and Service</b>     | Antique shop  | P             | Section 5-650                            |
|                                     | Art gallery or art studio   | P             | Section 5-650                            |
|                                     | Auction house   | S             | Section 5-651                            |
|                                     | Craft shop  | S             | Section 5-650                            |
|                                     | Small business  | P/M           | Section 5-614                            |
| <b>Visitor Accommodation</b>        | Bed and Breakfast Homestay  | P             | Section 5-601(A)                         |
|                                     | Bed and Breakfast Inn   | P             | Section 5-601(B)                         |
|                                     | Country Inn   | P             | Section 5-601(C)                         |
|                                     | Country Inn with Restaurant with an occupancy of no more than 100 | P             | Section 5-601(C)                         |
|                                     | Country Inn with Restaurant with an occupancy of more than 100    | M             | Section 5-601(C)                         |

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

| USE CATEGORY                                  | USE TYPE   | AR-2 DISTRICT | ADDITIONAL REGULATIONS FOR SPECIFIC USES  |
|---|--|---------------|---|
|   | Guest farm or ranch leasing up to 20 guest rooms | P             |   |
| <b>INDUSTRIAL USES</b>                        |  |               |   |
| <b>Telecommunication Use and/or Structure</b> | Radio and/or television tower                    | S             | Section 5-618   |
|   | Telecommunications antenna                       | P             | Section 5-618(A)  |
|   | Telecommunications monopole                      | P             | Section 5-618(B)(1)   |
|   | Telecommunications monopole                      | S             | Section 5-618(B)(2)   |
|   | Telecommunications transmission tower            | S             | Section 5-618(C)(2)   |
| <b>Waste-Related Uses</b>                     | Vegetative waste management facility             | S             | (Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.) |
|   | Yard waste composting facility                   | S             | (Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.) |
|   | Stockpiling of dirt                              | S             | Section 5-657   |

2-203

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

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

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

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

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

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

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

(c) **Minimum Yards.** Except where a greater setback is required by Section 5-1403(B), no structure shall be located within 25 feet of any property line or within 35 feet from any other road right-of-way, private access easement, and/or prescriptive easement.

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

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

(4) **Creation of Lots.**

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

(b) **Public Road Frontage.** No such lot shall be created fronting on a public road unless the publicly dedicated width of such road along the entire frontage of the newly created lot, measured from the centerline of the road to the property line of the lot, satisfies the criteria of the Virginia Department of Transportation (VDOT).

(c) **Utility Requirements.** Each lot shall have an on-site water supply and individual sewage disposal.

- |  
955
- (5) **Lot Access.**
- 956 (a) Access to individual lots may be provided by a  
957 private access easement that complies with the  
958 requirements of the Facilities Standards Manual.
- 959 (b) A private access easement may serve as frontage in-  
960 lieu of public road frontage for up to 7 lots.
- 961 (c) The plat of division shall contain a note detailing the  
962 provisions for the maintenance of the private access  
963 easement.
- 964 (B) **Principal/Subordinate Subdivision Option:** The  
965 Principal/Subordinate Subdivision Option is a subdivision of land in  
966 which a maximum lot yield is calculated for an Originating Tract  
967 based on the gross acreage of such tract. The maximum lot yield  
968 shall be as set forth in Subsection 2-203(B)(1)(b) below. The  
969 Principal/Subordinate Subdivision Option results in the creation of  
970 one Principal Lot, and one or more Subordinate Lots. The number  
971 of Subordinate Lots created is subtracted from the maximum lot  
972 yield and the resulting number establishes the remaining number of  
973 lots, which is assigned to the Principal Lot. The creation of  
974 subsequent Subordinate Lots from the Principal Lot is permitted,  
975 with the number of lots assigned to the Principal Lot reduced by one  
976 for each Subordinate Lot created. Once the number of lots assigned  
977 to the Principal Lot is reduced to one, no more Subordinate Lots can  
978 be created. The Principal/Subordinate Subdivision Option typically  
979 allows the landowner to achieve a greater lot yield than the base  
980 density of the Base Density Division Option, while providing for the  
981 establishment of rural economy uses as a primary use with single-  
982 family detached residential development as a secondary use.
- 983 (1) **General Requirements.**
- 984 (a) **General.** A landowner may exercise this option on  
985 a site consisting of a minimum of 40 acres prior to  
986 development.
- 987 (b) **Lot Yield.** The maximum lot yield shall be 1 lot per  
988 20 acres.
- 989 (2) **Characteristics of Principal/Subordinate Subdivision**  
990 **Option.**

- |
- 991 (a) The lot yield of a Principal/Subordinate Subdivision
- 992 shall be calculated from the Originating Tract of land
- 993 in existence at the time the first
- 994 Principal/Subordinate Subdivision is created.
- 995 (b) Once a Principal/Subordinate Subdivision is created,
- 996 the number of lots assigned to the subdivision shall
- 997 not be altered.
- 998 (c) The lot yield of the Originating Tract shall be
- 999 calculated with each preliminary and/or record plat.
- 1000 At the time of the first subdivision, the number of
- 1001 Subordinate Lots created is subtracted from the
- 1002 number of lots calculated for the Originating Tract
- 1003 and the remaining number of lots is then assigned to
- 1004 the Principal Lot. Each subsequently created
- 1005 Subordinate Lot is subtracted from the number of lots
- 1006 assigned to the Principal Lot and shall reduce the
- 1007 number of lots assigned to the Principal Lot by one
- 1008 (1) for each lot.
- 1009 (d) A Principal Lot may be further subdivided, provided
- 1010 the minimum requirements of the Zoning Ordinance
- 1011 and Land Subdivision and Development Ordinance
- 1012 (LSDO) are met. Once the number of lots assigned
- 1013 to the Principal Lot is reduced to one, the Principal
- 1014 Lot may no longer be subdivided.
- 1015 (e) Subordinate Lots shall not be further subdivided.
- 1016 The record plat and initial deed of conveyance after
- 1017 establishment of a subdivision lot under the
- 1018 Principal/ Subordinate Subdivision Option shall
- 1019 contain a statement to this effect.
- 1020 (f) A subdivision of one or more lots may occur at one
- 1021 time or in a series of subdivisions up to the maximum
- 1022 lot yield calculated for the Originating Tract.
- 1023 (g) Any subdivision record plat for a
- 1024 Principal/Subordinate Subdivision shall contain a
- 1025 tabulation of density showing, in addition to all Land
- 1026 Subdivision and Development Ordinance (LSDO)
- 1027 requirements, the lot yield originally calculated for
- 1028 the Originating Tract, all prior subdivisions from the
- 1029 Originating Tract and each resulting Principal Lot

- 1030 and number of lots created pursuant to such  
1031 subdivisions.
- 1032 (h) The Principal Lot shall be clearly labeled on each  
1033 record plat.
- 1034 (i) Each Principal/Subordinate Subdivision shall  
1035 contain at least one Rural Economy Lot of a  
1036 minimum of 25 acres in size.
- 1037 (3) **Permitted Uses.**
- 1038 (a) **Principal and Subordinate Lots.** The uses  
1039 permitted on lots developed in accordance with the  
1040 Principal/Subordinate Development Option are  
1041 identified in Table 2-202 and are subject to the  
1042 Additional Regulations for Specific Uses of Section  
1043 5-600.
- 1044 (4) **Lot and Building Requirements.** The Lot and Building  
1045 Requirements for development under the  
1046 Principal/Subordinate Subdivision Option are identified  
1047 below, except where the performance standards in Section  
1048 5-600 (Additional Regulations for Specific Uses) specify  
1049 different requirements for a particular use.
- 1050 (a) **Minimum Lot Size.** 80,000 square feet, exclusive  
1051 of major floodplain. At least one lot in the  
1052 development shall be a Rural Economy Lot with a  
1053 minimum of 25 acres.
- 1054 (b) **Minimum Lot Width.** 175 feet.
- 1055 (c) **Maximum Length/Width Ratio.** 3:1.
- 1056 (d) **Minimum Yards.** No structure shall be located  
1057 within 25 feet of any property line or within 100 feet  
1058 from the right-of-way of any arterial road, 75 feet  
1059 from the right-of-way of any collector road, and 35  
1060 feet from any other road right-of-way, private access  
1061 easement, and/or any prescriptive easement.
- 1062 (e) **Maximum Lot Coverage.** 15% maximum.

(f) **Building Height.** 35 feet maximum, excluding agricultural, horticultural, and animal husbandry structures.

(5) **Landscaping/Buffering.** Notwithstanding the requirements of Section 5-1400, required buffers may be provided on either the Principal and/or Subordinate lots.

(6) **Utility Requirements.**

(a) **Water.** All lots shall be served by individual water supply systems located on the lot.

(b) **Sewer.** All lots shall be served by individual sewage disposal systems located on the lot.

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

(8) **Lot Access.**

(a) Access to individual lots may be provided by a private access easement that complies with the requirements of Chapter 4: Transportation, of the Facilities Standards Manual.

(b) A private access easement may serve as frontage in lieu of public road frontage up to 25 lots per easement.

(c) The record plat of subdivision shall contain a note detailing the provisions for the maintenance of the private access easement.

(C) **Cluster Subdivision Option.** The Cluster Subdivision Option allows for the subdivision of a tract of land with a more compact residential design plus-that may include one or more ~~large~~ lots containing prime farmland soils suitable for ~~rural farming activities,~~ and may include one or more lots suitable for other rural economy uses, and/or ~~common~~ open space. ~~Communal water and sewer systems may be used for such developments.~~

(1) **General Requirements.**



(a) **Minimum Development Acreage**~~General.~~ A landowner may exercise this The Cluster Subdivision Option is permitted on for a sitetract of land consisting of a minimum of 40 acres prior to development.

(b) **Lot Yield.** The maximum lot yield shall be 1 lot per 15 acres.

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

(a) Depending on the ~~tract-size~~ and characteristics of the tract being subdivided, the cluster subdivision may include one or more Rural Cluster Lots, ~~and~~ at least one ~~Rural Economy Preservation Farm~~ Lot(s) and may include one or more Rural Economy Lot(s) and/or Common-Open Space Lots(s).

(b) The lot yield of the cluster subdivision shall be calculated from the gross acreage for the originating tract of land from which the subdivision is created.

(c) All lots within the cluster subdivision shall be created at one time.

(d) The lots created by cluster subdivision ~~shall~~must not be further subdivided. However, boundary line adjustments may be permitted between those lots within the cluster subdivision if all other requirements of the cluster subdivision option are maintained.

(e) A Homeowners' Association is required for any subdivision with common elements as described in Section 2-204.

(f) Each preliminary and record plat for a cluster subdivision shall contain a tabulation of lot yield for the cluster subdivision.

(g) The perimeter setback required in Section 2-203(C)(6) shall be indicated and clearly labeled on each preliminary and record plat.

(h) A minimum of 70% of the gross land area of ~~the development~~originating tract being subdivided shall ~~may~~ be comprised of the following:

(i) ~~a~~One or more ~~Rural Economy~~Preservation Farm Lot(s) containing a minimum amount of Prime Farmland Soils of the originating tract as specified in Table 2-203(C)(4) below;

(ii) One or more Rural Economy Lots(s);

~~(i)(iii)~~ or a combination of a Rural Economy Lot(s) and common Open Space.

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

(a) Number of Residential Cluster Lots in a Group~~Cluster(s)~~. Residential Cluster Lots shall ~~shall~~ must be grouped in clusters consisting of a minimum of 5 lots and a maximum of ~~2~~15 lots, except that a cluster may consist of fewer than 5 lots if any one of the following applies:

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

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

(iii) It is demonstrated that a cluster of fewer than 5 lots will result in more contiguous land designated for Preservation Farm Lots, and/or more preserved prime farmland soils, or result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.

(b) ~~Number of Clusters~~Grouping of Residential Cluster Lots. Multiple groupings of ~~Rural~~

Residential Cluster Lots ~~shall be~~ are required where the total number of lots on a site is greater than 215. A single grouping of ~~Rural-Residential~~ Cluster Lots ~~shall~~ must contain all the lots where the total number of lots on a site is 215 or fewer, except that multiple ~~clusters~~ groupings may be allowed where it is demonstrated that multiple ~~clusters~~ groupings will result in more contiguous land designated for Preservation Farm Lots, and/or more preserved prime farmland soils, or results in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.

- (c) **Distance Between Clusters Groupings of Residential Cluster Lots.** If more than one grouping of Residential ~~e~~Cluster Lots is to be created from a parcel, a minimum of 2500 feet ~~shall~~ must separate the lot lines of the outer boundaries of each grouping of Residential ~~e~~Cluster Lots (exclusive of common open space and lots 25 acres or greater).

(d) **Minimum Lot Size.**

- (i) **On-site Water and Wastewater.** 40,000 sq. ft., exclusive of major floodplain.
- (ii) **Off-site Wastewater, On-site Water.** 20,000 sq. ft., exclusive of major floodplain.
- (iii) **Off-site Water and Off-Site Wastewater.** No minimum lot size.

- (e) **Maximum Lot Size.** 43 acres.

- (f) **Maximum Lot Coverage.** 15%

~~(i) — Lots less than 40,000 sq. ft.: 8%.~~

~~(ii) — Lots 40,000 sq. ft. — 4 acres: 15%.~~

- (g) **Permitted Uses on Lots.** The uses allowed on lots are identified in Table 2-202 and are subject to the

Additional Regulations for Specific Uses in Section  
5-600.

**(4) Requirements For Preservation Farm Lots.** Each cluster subdivision that contains five (5) acres or more of prime farmland soils must contain at least one (1) Preservation Farm Lot.

**(a) Delineation of Prime Farmland Soils.** The original basis for delineation of the prime farmland soils is the “Interpretive Guide to Soils Maps, Loudoun County, Virginia” and must be as shown on the Loudoun County Geographical Information System (WebLOGIS). The prime farmland soils must be further delineated based on the results of a Preliminary Soils Review, as follows:

**(i)** A Preliminary Soils Review must be submitted to the Department of Building and Development for review and approval with any application submission using the Cluster Subdivision Option in accordance with Chapter 6.130 of the FSM.

**(ii)** The Preliminary Soils Review must indicate that the primary purpose is to identify the prime farmland soils for the originating tract of land from which the subdivision is created.

**(iii)** The Zoning Administrator, in consultation with the Director of the Department of Building and Development, may require additional information from the applicant, if needed, to supplement the review to determine locations of the prime farmland soils for the tract of land from which the subdivision is created.

**(iv)** Until the Preliminary Soils Review is approved, the development application must include a Soils Map Certification in accordance with Chapter 6.120 of the FSM.

**(v)** The applicant may appeal the determination resulting from the Preliminary Soils Review

to the Board of Zoning Appeals in accordance with the provisions of Section 6-1700, "Appeals", of the Zoning Ordinance.

(b) **Minimum Amount of Prime Farmland Soils to be Preserved on a Preservation Farm Lot.** The minimum amount of prime farmland soils required to be located on a Preservation Farm Lot is 50% of the originating tract being subdivided, or the area of the tract of land being subdivided containing prime farmland soils, whichever is less. The minimum amount of prime farmland soils on the Preservation Farm Lot excludes areas of prime farmland soil used for a dwelling, driveway, drainfield and well.

(c) **Minimum Lot Size.** 10 acres. In the case where an area of non-contiguous prime farmland soils is less than 10 acres, then the minimum lot size must equal the area of non-contiguous prime farmland soils.

(d) **Contiguous Lots.** All Preservation Farm Lots must be contiguous unless the location of the prime farmland soils are not contiguous.

(e) **Prime Farmland Soils.** A minimum of 90% of a Preservation Farm Lot shall contain prime farmland soils.

(f) **Maximum Lot Coverage.** 15%.

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

(h) **Permitted Uses.** The uses allowed on lots are identified in Table 2-202 and are subject to the Additional Regulations for Specific Uses in Section 5-600.

(i) **Private Agreements Limiting Permitted Uses Prohibited.** Preservation Farm Lots must not be subject to any Homeowners Association (HOA) covenant or any other private agreement that prohibits the uses permitted on the Preservation Farm Lot.

(5) Lot standards for Requirements for Rural Economy Cluster Lots.

(a) Each cluster subdivision ~~must shall~~ contain at least ~~one(1)~~ Rural Economy Cluster Lot ~~that shall meet the following standards in the following circumstances:~~

(i) When the originating tract being subdivided is 100 acres or more in size; or

~~(i)(ii)~~ When the originating tract being subdivided is less than 100 acres in size and where the originating tract contains less than 5 acres of prime farmland soils that does not require a Preservation Farm Lot.

~~(h)(b)~~ **Minimum Lot Size.** 25 acres, excluding areas within the Major Floodplain portion of the Floodplain Overlay District (FOD), areas of very steep slopes, and the highly sensitive areas of the Mountainside Development Overlay District (MDOD).

~~(i)(c)~~ **Maximum Lot Coverage.** 8%.

~~(i)(d)~~ **Minimum Lot Width.** 175 feet.

~~(k)~~ **Maximum Length/Width Ratio.** 3:1.

(e) ~~Permitted Uses on Lots.~~ The ~~u~~Uses ~~allowed that are permitted or permissible with the approval of a Minor Special Exception or Special Exception application on a Rural Economy lots are identified in Table 2-202, subject to the Additional Regulations for Specific Uses in Section 5-600.~~

~~(f)~~ **Private Agreements Limiting Permitted Uses Prohibited.** Rural Economy Lots must not be subject to any Homeowners Association (HOA) covenant or any other private agreement that prohibits the uses permitted under the Agriculture, Horticulture or Animal Husbandry Use Category permitted in Table 2-202.

~~(4)(6)~~ **Common Requirements for Open Space.** Land that is neither part of a building lot, ~~nor~~ a road right-of-way, a

1313 Preservation Farm Lot or Rural Economy Cluster Lot  
1314 shall be placed in ~~common~~ open space and shall be  
1315 maintained by a Homeowner's Association as described in  
1316 Section 2-204. ~~Common~~ Open Space shall be designed  
1317 to constitute a contiguous and cohesive unit of land which  
1318 may be used as described ~~below~~ in Table 2-202 above.  
1319 ~~Common~~ Open Space has no minimum or maximum lot size  
1320 and no lot width regulations. Further, ~~Common~~ Open Space  
1321 does not count against the lot yield allotted to the  
1322 subdivision.

1323 (a) **Permitted Uses.** Uses that are permitted in Open  
1324 Space are identified in Table 2-202, subject to the  
1325 Additional Regulations for Specific Uses in Section 5-  
1326 600. ~~The following uses shall be permitted in common~~  
1327 ~~open space.~~

1328 (i) ~~Agriculture, horticulture, animal husbandry~~  
1329 ~~and structures accessory to such use,~~  
1330 ~~including, but not limited to barns and run-in~~  
1331 ~~sheds to house livestock or farm equipment,~~  
1332 ~~pursuant to Section 5-626.~~

1333 (ii) ~~Construction and/or sales trailer, during~~  
1334 ~~period of construction activity.~~

1335 (iii) ~~Easements and improvements for drainage,~~  
1336 ~~access, sewer or water lines, or other public~~  
1337 ~~purposes.~~

1338 (iv) ~~Passive open space or passive recreation,~~  
1339 ~~including but not limited to trails, picnic~~  
1340 ~~areas, community gardens.~~

1341 (v) ~~Sewage disposal system, communal.~~

1342 (vi) ~~Sewer pumping station.~~

1343 (vii) ~~RESERVED.~~

1344 (viii) ~~Stormwater management facilities for the~~  
1345 ~~proposed development or for a larger area in~~  
1346 ~~compliance with a watershed stormwater~~  
1347 ~~management plan.~~

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



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

(b) **Special Exception Uses.** ~~The following~~ Uses that may be approved in ~~common~~-open space by the Board of Supervisors, are identified in Table 2-202, subject to the Additional Regulations for Specific Uses in Section 5-600, and if approved, may be subject to certain conditions pursuant to Section 6-1300.

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

**(c) Private Agreements Limiting Permitted Uses**  
**Prohibited.** Open Space must not be subject to any Homeowners Association (HOA) covenant or any other private agreement that prohibits the uses permitted under the Agriculture, Horticulture or Animal Husbandry Use Category permitted in Table 2-202.

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~~(5)~~(7) **Setback.**

- (a) **Setbacks From Road Rights of Way and Private Access Easements.** ~~No s~~Structures ~~shall must not~~ be located within one hundred (100) feet from the right of way of any arterial road; seventy five (75) feet from the right of way of any collector road; or ~~twenty thirty-five~~ (325) feet from any other road right of way, private access easement, and/or prescriptive easement.
- (b) **Residential Perimeter Setback.** ~~All R~~residential dwellings within the subdivision; ~~including the Rural Economy Lot, shall must~~ be set back a minimum of 100 feet from any lot line adjoining parcels not located within the cluster subdivision.

~~(6)~~(8) **Yards.**

- (a) **Front.** ~~32~~5 feet minimum.
- (b) **Side.** 15 feet minimum.
- (c) **Rear.** ~~35~~20 feet minimum.

~~(7)~~(9) **Building Requirements.**

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

~~(8)~~(10) **Utility Requirements.**

- (a) **Water.** All lots shall be served by either:
  - (i) Individual water systems, located on the lot served; or
  - (ii) Communal water system, located within ~~an Common~~ Open Space, with maintenance to be provided pursuant to Section 2-203(C)(~~101~~).
- (b) **Sewer.** All lots shall be served by either:

- 1445 (i) Individual sewage disposal systems. Such  
1446 system shall be located on the lot served or in  
1447 ~~common~~ Open Space owned by an HOA.  
1448 A maximum of ~~seventy percent (70%)~~ of the  
1449 lots may have primary and/or reserve septic  
1450 fields within ~~common~~ open space. The  
1451 record plat shall identify the location of all  
1452 septic fields and shall assign them to lots, or
- 1453 (ii) Communal sewage disposal system that  
1454 shall must be located within ~~Common~~ Open  
1455 Space with maintenance to be provided  
1456 pursuant to Section 2-203(C)(110).

1457 ~~(9)~~(11) **Maintenance of Water and/or Sewage Disposal Systems.**

- 1458 (a) **Individual Systems.** Maintenance of Individual  
1459 Water and Individual Sewage Disposal Systems  
1460 shall must be the responsibility of the owner of the lot  
1461 the system serves.
- 1462 (b) **Communal.** If the development is served by a  
1463 communal water and/or sewage disposal system,  
1464 such systems shall must be operated and maintained  
1465 by LCSALoudoun Water, in accord with all  
1466 LCSALoudoun Water adopted policies. If  
1467 LCSALoudoun Water policies preclude maintenance  
1468 by LCSALoudoun Water, then the HOA shall must  
1469 contract with a public water or sewer (wastewater)  
1470 utility as defined in Chapter 10.1 or 10.2 of Title 56  
1471 of the Code of Virginia. An access easement  
1472 shall must be provided for the entity maintaining the  
1473 system. All costs of operation and maintenance of  
1474 such communal systems shall must be borne as a  
1475 common expense by the owners of the lots served.

1476 ~~(10)~~(12) **Lot Access.**

- 1477 (a) Access to individual lots or ~~common~~ open space may  
1478 be provided by a private access easement which shall  
1479 comply with the requirements of the Facilities  
1480 Standards Manual.

(b) Private access easements may serve as frontage in lieu of public road frontage for up to 25 lots per easement.

(c) The plat of subdivision ~~shall~~must contain a note detailing the maintenance provisions for the private access easement.

(13) Fire Protection. The development ~~shall~~must satisfy the fire protection standards set forth in the Facilities Standards Manual.

(14) Pres-Submission Meeting. Prior to any application submission for a Cluster Subdivision, the applicant shall request and attend a pre-submission meeting with County agencies to discuss the proposed development. The applicant shall submit the following information as part of the meeting request, in addition to other required information needed to process the pre-submission meeting request:

(a) Site Analysis Map. The applicant shall prepare a site analysis map that provides information about existing site conditions and context to include prime farmland soils, environmental features, and that comprehensively analyzes existing conditions both on the proposed development site and on adjacent properties. It is the intent of this section that the information required to be presented in the site analysis map be produced primarily from existing sources, maps, and data.

(b) Preservation and Development Areas Map. The applicant shall prepare a map to identify primary preservation farm areas, common open space areas, and development areas.

(15) Advisory Cluster Subdivision Siting and Design Guidelines. Loudoun County recognizes that every cluster subdivision design will be a custom response to the unique assets and constraints of each tract. However, the County does wish to encourage design consistent with Loudoun's past in rural Loudoun and appends the following general design guidelines as a suggestion to cluster subdivision designers.

- (a) Cluster subdivisions should be sited so as to nestle, or blend in a subordinate way, into the existing landscape.
- (b) Lots and the location of building sites should be designed to minimize development on, and the disturbance of prime farmland soils.
- (c) Existing views from public thoroughfares should be preserved to the maximum extent practicable.
- (d) In those circumstances where natural contours, subsurface conditions and tract boundaries prevent discreet cluster subdivision placement, designers should seek to reduce the development's apparent presence by locating earth berms near adjacent roadways and/or planting screens of trees adjacent to existing roads and tract boundaries.
- (e) Lots should be designed to minimize necessary grading or filling, and to take advantage of the existing topography and landforms to the extent practicable.
- (f) Existing stands of trees and hedgerows should be incorporated in the new cluster subdivision whenever possible. New plantings of evergreen and deciduous trees should be native to the northern Piedmont, such as yellow poplar, northern red and white oak, hickory, white ash, black gum, hemlock, spruce and eastern red cedar among others.

## **2-204 Homeowners' Association and Responsibilities.**

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

- 1556 (3) Private roads, if any, within or serving the development,  
1557 except at provided in Section 2-204(C);
- 1558 (4) Communal water and/or sewage disposal systems, except as  
1559 provided in Section 2-204(D);
- 1560 (5) Any stormwater management facilities or areas;
- 1561 (6) Fire protection pond(s), dry mains, or other improvements;
- 1562 (7) Such other common facilities or improvements as may be  
1563 designated in the bylaws of the HOA.
- 1564 (B) Membership in the HOA ~~shall~~must be required for all purchasers of  
1565 lots in the subdivision and their successors in title.
- 1566 (C) Notwithstanding the requirements of Section 2-204(A) above, if the  
1567 only common element is private roads or easements, then they  
1568 ~~shall~~must either be maintained by an HOA or pursuant to a private  
1569 road maintenance agreement. If such roads are to be maintained  
1570 pursuant to a private road maintenance agreement, then the terms  
1571 thereof shall be included on each record plat of subdivision for the  
1572 development.
- 1573 (D) Notwithstanding the requirements of Section 2-204(A) above,  
1574 communal water or sewage disposal systems ~~may~~must be  
1575 maintained by LCSA Loudoun Water or a public water or sewer  
1576 (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of  
1577 the Code of Virginia.
- 1578 (E) Prior to approval of a record plat of subdivision for the cluster:
- 1579 (1) If a Homeowner's Association is to be established, the  
1580 landowner ~~shall~~must submit documents for the creation of  
1581 the HOA to the County for review and approval, including  
1582 its bylaws, and all documents governing ownership,  
1583 maintenance, and use restrictions for common areas,  
1584 including a legal description of such areas and a description  
1585 of restrictions placed upon the use and enjoyment of the  
1586 land. HOA bylaws must not restrict bona fide agricultural,  
1587 horticultural, animal husbandry uses or those agricultural  
1588 support uses directly or not directly related to ongoing bona  
1589 fide agricultural, horticultural, or animal husbandry uses on  
1590 the Preservation Farm Lots and/or Common Open Space  
1591 parcels and shall enjoy the protection of the Right to Farm  
1592 Act (Va. Code Section 3.2-300 et seq.).

1593 (2) If a communal water and/or sewage disposal system ~~is~~  
1594 ~~to~~must be maintained by a third-party, a minimum two year  
1595 maintenance contract is to be submitted for review by the  
1596 County.

1597 (3) If the subdivision is served by private roads and there is no  
1598 HOA for the subdivision, the developer ~~shall~~must submit a  
1599 private road maintenance agreement to the County for  
1600 review and approval.

1601 **2-205 Recognizing Protection by Right to Farm Act.** Record plats and deeds  
1602 authorized pursuant to this section ~~shall~~must include a statement that  
1603 agricultural operations enjoy the protection of the Right to Farm Act (Va.  
1604 Code Section 3.2-300 et seq.).

1605 **2-206 Existing Lots of Record.**  
1606 (A) Lots existing as of December 6, 2006 shall be permitted the uses  
1607 identified in Table 2-202: AR-2 Agricultural Rural-2 District Use  
1608 Table and shall follow the lot and building requirements for the Base  
1609 Density Division option as identified in Section 2-203(A).

1610 (B) **Hamlet Lots.** For lots recorded prior to December 6, 2006 and  
1611 developed under a hamlet subdivision, in accordance with the  
1612 zoning ordinance in effect at the time of subdivision, such lots shall  
1613 follow the Rural Hamlet requirements, including uses, as set forth  
1614 in this Ordinance.

DRAFT



## ARTICLE 8 - DEFINITIONS

**Cluster ~~Development Subdivision Option~~ (AR Districts Only):** A type of development design that allows for the subdivision of a tract of land with a more compact residential design plus one or more large lots suitable for agricultural and/or horticultural uses, rural economy uses or ~~common~~-open space. Land not included within lots or required for public or private streets shall be maintained as ~~common~~-open space. Communal water and/or sewer systems are permitted under this development type within the ~~common~~-open space.

**Preservation Farm Lot:** A type of lot located within an AR-1 or AR-2 District cluster subdivision. Each cluster subdivision that contains one acre or more of prime farmland soils must contain at least one (1) Preservation Farm Lot that consists of a minimum of 90% prime farmland soil within any AR-1 or AR-2 cluster subdivision. The primary use of such lot is for agricultural and/or horticultural uses, with residential uses permitted as secondary uses in association with agricultural and/or horticultural uses.

**Prime Farmland Soils:** Prime farmland is land that as defined by the United States Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and that is available for these uses. It has the combination of soil properties, growing season, and moisture supply needed to produce sustained high yields of crops in an economic manner if it is treated and managed according to acceptable farming methods. In general, prime farmland has an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, an acceptable level of acidity or alkalinity, an acceptable content of salt or sodium, and few or no rocks. Its soils are permeable to water and air. Prime farmland is not excessively eroded or saturated with water for long periods of time, and it either does not flood frequently during the growing season or is protected from flooding. The following soil mapping units are identified as Prime Farmland Soils within Loudoun County: 3A, 13B, 17B, 23B, 28B, 31B, 43B, 45B, 55B, 70B, 70C, 71B, 76B, 90B, and 93B.

~~**Rural Economy Conservation Lands:** One of the two required elements of a residential cluster option development within the AR zoning district located outside of the cluster portion and intended to accommodate rural economy and open space uses as permitted in the underlying zoning district.~~

**Rural Economy (Cluster) Lot:** A type of lot located with an AR-1 or AR-2 District ~~cluster~~Cluster subdivision~~Subdivision~~ and Principal/Subordinate Subdivision. ~~A minimum of one Rural Economy Lot is required to be located within any AR 1 or AR 2 cluster subdivision.~~ The primary use of such lot is for rural economy uses, with residential uses permitted in association with a rural economy use.

**Rural Economy Uses:** A collection of traditional and non-traditional rural businesses, including equine enterprises, that are dependent on the rural land base for its agricultural productivity, scenic quality, and rural character to sustain business activities. An array of agricultural and equine

42 enterprises, tourist attractions and services, and commercial businesses that are land-based, depend  
43 on large tracts of open land, and the area's rural atmosphere.  
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