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**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 Soils, recognizing their importance to the agricultural community and 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 uses, and fosters a high quality of life for residents.

~~(A)(C)~~ Limit residential uses allowed development to -at 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~~provides the principal uses ~~regulations off for~~ 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.

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- (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 ~~8VIII~~ (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

76 certain conditions or allowed as a Special Exception or Minor  
77 Special Exception under other conditions. In those instances, it is  
78 identified as “P/S” or “P/M,” as appropriate.

79 (D) **Reference to General Use Category.** References to “General Use  
80 Category” under the Use Type column, means all of the uses ~~in~~under  
81 the Use Category are allowed. The Use Category is defined in  
82 Article ~~8VHH~~. Where specific Use Types are listed in the Use Type  
83 column, only the listed Use Types in the Use Category are allowed.  
84 The Use Types are defined in article ~~8VHH~~.

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

90 (F) **Minimum Lot Size Requirements.** Each principal permitted use  
91 shall meet the minimum acreage requirement, where specified in the  
92 “Additional Regulations for Specific Uses” in Section 5-600, for  
93 that use. Where two or more principal uses are located on one  
94 parcel, the parcel size shall be the larger of the two or more uses  
95 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 = COMMON OPEN SPACE LOT**

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

USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
<b>AGRICULTURAL USES</b>							
<b>Agriculture</b>	General Use Category	P	P	<u>P</u>	P	P	Section 5-626
<b>Horticulture</b>	General Use Category	P	P	<u>P</u>	P	P	Section 5-626
<b>Animal Husbandry</b>	General Use Category	P	<u>P</u>	<u>P</u>	P	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	<u>P</u>	<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>		<u>P</u>		Section 5-627
	Commercial winery with 20,000 square feet or less	P	<u>P</u>		<u>S</u>		Section 5-625
	Commercial winery, over 20,000 square feet	S	<u>P</u>		<u>S</u>		Section 5-625
	Custom operators	P	<u>P</u>	<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>	<u>P</u>	P	P	Section 5-627
	Equestrian Event Facility	P	<u>P</u>	<u>PM</u>	<u>PM</u>		Section 5-627
	Farm based tourism	P	<u>P</u>		<u>P</u>		Section 5-628
Farm co-ops	P	<u>P</u>	<u>P</u>	<u>P</u>	P	Section 5-627	

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		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	Farm machinery repair	P	<del>P</del>		<del>P</del>		Section 5-627
	Farm markets	P	<del>P</del>		P	P	Section 5-603 <u>No off-site production permitted for REL and OSL</u>
	Feedlot (for on-going, on-site animal husbandry activities)	P	<del>P</del>	<del>P</del>	P		Section 5-627
	Limited Brewery	P	<del>P</del>		<del>P</del>		Section 5-667
	Nursery, commercial	S	<del>S</del>		<del>S</del>		Section 5-605
	Nursery, production	P	<del>P</del>		<del>PM</del>	<del>P</del>	Section 5-605
	Pet farms	P	<del>P</del>		<del>P</del>	<del>P</del>	Section 5-627
	Restaurant	P	<del>P</del>		<del>P</del>		Section 5-627
	Sawmill	S	<del>S</del>		<del>S</del>		Section 5-629
	Stable, Livery	P	<del>P</del>	<del>M</del>	<del>PM</del>	<del>P/SM</del>	Section 5-627
	Stable, Private	P	<del>P</del>	<del>P</del>	P	P	Section 5-627
	Veterinary services	P	<del>P</del>		P		
	Virginia Farm Winery	P	<del>P</del>		<del>P</del>		
	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</b>	Agricultural research facility	P	<del>P</del>		<del>P</del>		Section 5-644

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USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
<b>Services not Directly Associated with On-Site Agricultural Activity</b>	Animal care businesses	P	<del>P</del>		<del>P</del>		Section 5-630
	Central farm distribution hub for agricultural products	P	<del>P</del>		<del>P</del>		Section 5-630
	Commercial winery with 20,000 square feet or less	P	<del>P</del>		<del>P</del>		Section 5-625
	Commercial winery, over 20,000 square feet	S	<del>S</del>		<del>S</del>		Section 5-625
	Equestrian Event Facility	P	<del>P</del>		<del>P</del>		Section 5-630
	Farm machinery repair	P	<del>P</del>		<del>P</del>		Section 5-630
	Farm machinery sales, rental and service	P	<del>P</del>		<del>P</del>		Section 5-615
	Feed and Farm Supply Center	P	<del>P</del>		<del>P</del>		Section 5-630
	Nursery, commercial	S	<del>S</del>		<del>S</del>		Section 5-605
	Stable, Livery	P	<del>P</del>		<del>P</del>		Section 5-630
	Stable, Private	P	<del>P</del>		<del>P</del>		Section 5-630
<b>Animal Services</b>	Animal hospital	P	<del>P</del>		<del>P</del>		Section 5-631
	Kennel	S	<del>S</del>		<del>S</del>		Section 5-606
	Kennel, Indoor	M	<del>M</del>		<del>M</del>		Section 5-606
<b>RESIDENTIAL USES</b>							
<b>Household Living</b>	Accessory dwelling (accessory to single family detached dwelling)	P	P	<del>P</del>	P		Section 5-613

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		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	Dwelling, single-family detached, including manufactured housing	P	P	<u>P</u>	P		May subdivide property in accordance with Section 2-103 Development Options.
	Portable Dwelling/Trailer Construction	P	P	<u>P</u>	P	P	
Group Living	Co-housing	P	P		P		
	Convent or monastery	P/S	<u>P/S</u>		<u>P/S</u>		Section 5-656
	Dormitory, seasonal labor	M	<u>M</u>	<u>M</u>	M		Section 5-632
	Rooming house	P	<u>P</u>		<u>P</u>		
<b>PUBLIC AND INSTITUTIONAL USES</b>							
Aviation	Airport/landing strip	S	<u>S</u>		<u>S</u>		Section 5-633
Day Care Facilities	Child care home	P	P	<u>P</u>	P		Section 5-609(A)
	Child or adult day care center	S	<u>S</u>		<u>S</u>		Section 5-609(B)
Cultural and Government Facilities	Agricultural cultural center	S	<u>S</u>		S	<u>PS</u>	Section 5-634
	Fairground	S	<u>S</u>		<u>S</u>		Section 5-635
	Structures or uses for local government purposes not otherwise listed in the district	S	<u>S</u>		<u>S</u>		
Education	Public School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	S	<u>S</u>		<u>S</u>		Section 5-655
	Private School (Elementary, Middle,	S	<u>S</u>		<u>S</u>		

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		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	or High) for more than fifteen (15) pupils						
	Private Vocational school	S	<del>S</del>		<del>S</del>		
Park and Open Space	Arboretum	P	<del>P</del>		P	P	Section 5-636
	Botanical garden or nature study area	P	<del>P</del>		P	P	Section 5-636
	Cemetery	S	<del>S</del>		<del>S</del>		Section 5-637
	Mausoleum	S	<del>S</del>		<del>S</del>		Section 5-637
	Crematorium	S	<del>S</del>		<del>S</del>		Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	<del>P</del>		P	P	<u>Limited to neighborhood park only for REL and OSL</u>
	Community, neighborhood, or regional park, active recreational uses	S	<del>S</del>		<del>SP</del>	<del>P</del>	<u>Limited to playgrounds only for REL and OSL</u>
Public Safety	Fire and/or rescue station	P	<del>P</del>		<del>P</del>		Section 5-638
	Police station or substation	P	<del>P</del>		<del>P</del>		Section 5-638
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	<del>P</del>		<del>P</del>		Section 5-639
	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or	S	<del>S</del>		<del>S</del>		Section 5-639



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USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	accessory schools, day care centers with more than 30 50 children, recreational facilities						
Utility	General Use Category	P	P		P	P Utility Substation, Dedicated Only	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
	Municipal drinking water supply reservoir	P	P		P		
	Sewage Treatment Plant	S	S		S		Section 5-621
	Sewer Pumping Station	P	P		P	P	Section 5-621
	Water Storage Tank	S	S		S		Section 5-621
	Water Treatment Plant	S	S		S		Section 5-621
	Water Pumping Station	P	P		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	PS	Unless excepted by Section 1-103(D)
Water Well, Municipal	P	P		P		Section 5-621	

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USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
<b>COMMERCIAL USES</b>							
<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>		<del>P</del>		Section 5-619
	Rural Resort	M	<del>M</del>		<del>M</del>		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>		<del>P</del>		Section 5-645
	Camp, day and boarding, with more than 30 campers	M	<del>M</del>		<del>M</del>		Section 5-645
	Campground	M	<del>M</del>		<del>M</del>		Section 5-646
	Country Club	S	<del>S</del>		<del>S</del>		Section 5-660
	Cross country ski business	P	<del>P</del>		<del>P</del>		Section 5-647
	Eco-tourism	P	<del>P</del>		<del>P</del>		Section 5-647
	Golf course	S	<del>S</del>		<del>S</del>		Section 5-648

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		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	Outdoor amphitheater	S	<del>S</del>		<del>S</del>		Section 5-649
	Private Club or Lodge	S	<del>S</del>		<del>S</del>		
	Rural recreational establishment, outdoor	P	<del>P</del>		<del>P</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>		<del>P</del>		Section 5-601(B)
	Country Inn	P	<del>P</del>		<del>P</del>		Section 5-601©
	Country Inn with Restaurant with an occupancy of no more than 100	P	<del>P</del>		<del>P</del>		Section 5-601©
	Country Inn with Restaurant with an occupancy of more than 100	M	<del>M</del>		<del>M</del>		Section 5-601©
	Guest farm or ranch leasing up to 20 guest rooms	P	<del>P</del>		<del>P</del>		
<b>INDUSTRIAL USES</b>							

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		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
Telecommunication Use and/or Structure	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>	<del>P</del>	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©(2)
Waste-Related Uses	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

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97                    2-103            **Development Options.** Land within the AR-1 zoning district may be  
 98 subdivided under one of the three development options identified below.  
 99 Nothing in this section shall preclude the opportunity for a property owner

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

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

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

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

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

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

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

115 (c) **Minimum Yards.** Except where a greater setback is  
116 required by Section 5-1403(B), no structure shall be  
117 located within 25 feet of any property line or within  
118 35 feet from any other road right-of-way, private  
119 access easement, and/or prescriptive easement.

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

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

127 (4) **Creation of Lots.**

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

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

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

144 (5) **Lot Access.**

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

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

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

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

172 (1) **General Requirements.**

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- (a) **General.** A landowner may exercise this option on a site consisting of a minimum of 20 acres prior to development.
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- (b) **Lot Yield.** The maximum lot yield shall be 1 lot per 10 acres.
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- (2) **Characteristics of Principal/Subordinate Subdivision Option.**
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- (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.
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- (b) Once a Principal/Subordinate Subdivision is created, the number of lots assigned to the subdivision shall not be altered.
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- (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.
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- (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.
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- (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.

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

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

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

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

226 (3) **Permitted Uses.**

227 (a) **Principal and Subordinate Lots.** The uses  
228 permitted on lots developed in accordance with the  
229 Principal/Subordinate Development Option are  
230 identified in Table 2-102 and are subject to the  
231 Additional Regulations for Specific Uses of Section  
232 5-600.

233 (4) **Lot and Building Requirements.** The Lot and Building  
234 Requirements for development under the  
235 Principal/Subordinate Subdivision Option are identified  
236 below, except where the performance standards in Section  
237 5-600 (Additional Regulations for Specific Uses) specify  
238 different requirements for a particular use.

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

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

244 (c) **Maximum Length/Width Ratio.** 3:1.



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

277 (C) **Cluster Subdivision Option.** The Cluster Subdivision Option  
 278 allows for ~~the subdivision of a tract of land~~ the subdivision of an  
 279 Originating Tract with a more compact residential design ~~plus one~~

280 or more large lots suitable for rural economy uses. The Cluster  
281 Subdivision Option results in the creation of Residential Cluster  
282 Lots and one or more Preservation Farm Lots and/or Rural Economy  
283 Cluster Lots depending on the characteristics of the Originating  
284 Tract, and/or also may include eCommon eOpen sSpace Lots.  
285 Communal water and sewer systems may be used for such  
286 developments.

287 ~~(9)~~(1) General Requirements.

288 (a) ~~General.~~ A landowner may exercise this **Minimum**  
289 **Size of Originating Tract:** ~~The Cluster Subdivision~~  
290 ~~Option is permitted on for an Originating Tract site~~  
291 consisting of a minimum of 20 acres prior to  
292 development.

293 (b) **Lot Yield.** The maximum lot yield shall be 1 lot per  
294 5 acres. ~~The maximum lot yield of the cluster~~  
295 ~~subdivision is calculated using the total acreage of~~  
296 ~~the Originating Tract from which the subdivision is~~  
297 ~~created.~~

298 ~~(10)~~ **Characteristics of Cluster Subdivision Option.**

299 ~~(a)~~ ~~Depending on the tract size, the cluster subdivision~~  
300 ~~may include one or more Rural Cluster Lots and at~~  
301 ~~least one Rural Economy Lot and may include~~  
302 ~~Common Open Space.~~

303 \_\_\_\_\_  
304 ~~(b)~~ ~~The lot yield of the cluster subdivision shall be~~  
305 ~~calculated from the gross acreage of for the~~  
306 ~~Originating Tract of land from which the subdivision~~  
307 ~~is created.~~

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

310 **(c) Further Subdivision and Boundary Line**  
311 **Adjustments:**

312 ~~(i)~~ ~~All lots within the cluster subdivision shall be~~  
313 ~~created at one time. Further subdivision of~~  
314 ~~the lots created by cluster subdivision is not~~  
315 ~~permitted shall not be further subdivided.~~

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~~(i) — Boundary line adjustments may be permitted only between lots within the same cluster subdivision.~~

~~(ii) \_\_\_\_\_~~

~~(d) — **Minimum Percentage of Originating Tract Required for Non-Residential Cluster Lots:** A Homeowners' Association is required for any subdivision with common elements as described in Section 2-104.~~

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

~~(f) — The perimeter setback required in Section 2-103(C)(6) shall be indicated and clearly labeled on each preliminary and record plat.~~

~~(g)(d) A minimum of 70% of the gross land areatotal acreage of the developmentOriginating Tract must be composed of shall be comprised of Preservation Farm Lot(s), and/or Rural Economy Cluster Lot(s), and/or Common Open Space Lot(s)a Rural Economy Lot(s) or a combination of Rural Economy Lot(s) and Common Open Space.~~

~~(h) — Variation of Lot Sizes: In all new residential subdivisions containing seven (7) or more lots, a mixture of lot sizes and dimensions shall be provided in order for a variety of housing opportunities and avoid monotonous streetscapes. No more than 25 percent of all lots shall be similar in total area. For purposes of this subsection, "similar" lot areas shall be defined as within 1,500 square feet of each other.~~

~~(11)(2) **Lot standardsRequirements for Residential Cluster**~~

~~**Lots.** The site layout of the proposed development shall occur in conjunction with preliminary subdivision plat review. Development of the cluster option shall comply with all of the following standards, in addition to the LSDO:~~

~~(a) — **Number of Lots in Cluster(s).** Rural Cluster Lots shall be grouped in clusters consisting of a minimum of 5 lots and a maximum of 25 lots, except that a~~

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cluster may consist of fewer than 5 lots if any one of the following applies:

- (i) ~~There will be fewer than 5 lots in the entire subdivision.~~
- (ii) ~~In the AR-1 district, the area of the site is less than 50 acres.~~
- (iii) ~~It is demonstrated that a cluster of fewer than 5 lots will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep slopes and/or wetlands.~~

~~(b)(a) **Number of Clusters** **Number of Residential Cluster Lots in a Grouping.** Multiple groupings More than one grouping of Rural Residential Cluster Lots shall be required where when the total number of such lots on a site in a cluster subdivision is greater than 25. A single grouping of Rural Residential Cluster Lots shall contain all the lots is required where when the total number of such lots on a site in a cluster subdivision is 25 or fewer, except that multiple clusters The grouping requirement may be allowed adjusted by the Zoning Administrator, where it is if the applicant demonstrates that multiple clusters the such adjustment will result in the location of more connected areas of Prime Farmland Soils within the Preservation Farm Lot(s), and/or will result in less land disturbing activities of land within the Mountainside Development Overlay District (MDOD), the Floodplain Overlay District (FOD) lands, Limestone Overlay District (LOD), steep slope areas, and/or land containing steep slopes and/or wetlands.~~

~~(e) **Distance Between Clusters** **Groupings of Residential Cluster Lots.** If more than one grouping of Rural Residential eCluster H Lots is to be created from a parcel in a cluster subdivision, a minimum of 500-200 feet shall separate the lot lines of that form the outer boundaries of each grouping of Residential eCluster H Lots. The Zoning~~

395 Administrator may reduce this separation  
396 requirement to a minimum of 100 feet if the applicant  
397 demonstrates that such reduction will result in the  
398 location of more connected Prime Farmland Soils  
399 within the Preservation Farm Lot(s), and/or will  
400 result in less land disturbing activities within the  
401 Mountainside Development Overlay District  
402 (MDOD), the Floodplain Overlay District (FOD),  
403 Limestone Overlay District (LOD), steep slope  
404 areas, and/or land containing wetlands. (exclusive of  
405 open space and lots 15 acres or greater).

406 (b)

407 (d)(c) Minimum Lot Size.

- 408 (i) **On-site Water and Wastewater.** 40,000 sq.  
409 ft., exclusive of FOD (~~Major~~ Floodplain).
- 410 (ii) **Off-site Wastewater, On-site Water.**  
411 20,000 sq. ft., exclusive of FOD (~~Major~~  
412 Floodplain).
- 413 (iii) **Off-site Water and Off-Site Wastewater.**  
414 No minimum lot size.

415 (e)(d) Maximum Lot Size. 24 acres.

416 (f)(e) Maximum Lot Coverage. 15%.

- 417 (i) ~~— Lots less than 40,000 sq. ft.: 8%~~
- 418 (ii) ~~— Lots 40,000 sq. ft. 4 acres: 15%~~

419 (g) ~~Permitted Uses on Lots.~~ The uses allowed on lots  
420 are identified in Table 2-102 and are subject to the  
421 Additional Regulations for Specific Uses in Section  
422 5-600.

423 (3) Requirements for Preservation Farm Lots.

424 (a) Minimum Number of Preservation Farm Lots  
425 and Percentage of Prime Farmland Soils to be  
426 Located Within Preservation Farm Lot(s). Each  
427 Originating Tract that contains 5 acres or more of  
428 Prime Farmland Soils must provide one or more

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Preservation Farm Lots within which a minimum of 70% of such Prime Farmland Soils are located.

(b) **Permanent Open Space Easement.** All areas of the Preservation Farm Lot must be subjected to a permanent open space easement and must be dedicated in a manner acceptable to the County. The uses listed for the Preservation Farm Lot within Table 2-102 shall be permitted within the permanent open space easement.

(c) **Delineation of Prime Farmland Soils.** If 5 acres or more of Prime Farmland Soils are identified within the Originating Tract, the specific location of such soils must be further delineated as follows:

(i) A Preliminary Soils Review in accordance with Section 6.130 of the FSM must be submitted to the Department of Building and Development for review and approval with the initial submission of any plat or plan application for the cluster subdivision (unless previously provided for such Originating Tract).

(ii) The Preliminary Soils Review must indicate that its primary purpose is to delineate the specific location of Prime Farmland Soils located within the Originating Tract.

(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 Preliminary Soils Review and assist in delineating the specific location of Prime Farmland Soils within the Originating Tract.

(iv) Once the Preliminary Soils Review has been approved by the Department of Building and Development, the Soils Map Certification for the plat and plan applications associated with the cluster subdivision must be updated accordingly.

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(v) The design of the cluster subdivision must account for the location(s) of the Prime Farmland Soils as delineated by the Preliminary Soils Review.

(d) Minimum Lot Size of a Preservation Farm Lot:

<u>Originating Tract Size</u>	<u>Minimum Lot Size</u>
<u>20 to 30 acres</u>	<u>10 acres</u>
<u>Greater than 30 acres</u>	<u>20 acres</u>

(e) Maximum Lot Coverage. 15%.

(4) Lot standards for Requirements for Rural Economy Cluster Lots:-

(a) Each cluster subdivision shall contain at least one (1) one Rural Economy Cluster Lot of a minimum of 15 acres that shall meet the following standards:- Originating Tract that contains less than 5 acres of Prime Farmland Soils must provide a minimum of one Rural Economy Cluster Lot.

(b) Minimum Lot Size of a Rural Economy Cluster Lot:- 15 acres.

<u>Originating Tract Size</u>	<u>Minimum Lot Size</u>
<u>20 to 30 acres</u>	<u>10 acres</u>
<u>Greater than 30 acres</u>	<u>15 acres</u>

(h)(c) Maximum Lot Coverage. 815%.

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

(j) Maximum Length/Width Ratio. 3:1.

(k) Permitted Uses on Lots. The uses allowed on lots are identified in Table 2-102, subject to the

498 Additional Regulations for Specific Uses in Section  
499 5-600.

500 (5) **Common Requirements for Common Open Space Lots.**

501 Land that is ~~neither~~not part of a ~~building lot~~Residential  
502 Cluster Lot, nor a roadpublic street right-of-way, a  
503 Preservation Farm Lot, nor a Rural Economy Cluster Lot  
504 ~~shall~~must be ~~placed~~located within a ~~e~~Common ~~e~~Open  
505 sSpace Lot and shall bethat is owned and maintained by ~~the~~  
506 Homeowner's Association ~~as described~~in required by  
507 Section 2-104. Common Open Space Lots shallmust be  
508 designed to constitute a contiguous and cohesive unit of  
509 land, the uses for which ~~may be used as described~~are listed  
510 in Table 2-102 abovebelow. ~~Common~~

511 (a) **Lot Characteristics.** Common Open Space Lots  
512 has no minimum or maximum lot size and no lot  
513 width regulations. ~~Further,~~ Common Open Space  
514 Lots does not count against the lot yield allotted to  
515 the subdivision.

516 (b) **Permitted Accessory Uses:** In addition to uses that  
517 are accessory to the uses listed in Table 2-102 for  
518 Common Open Space Lots, the following accessory  
519 uses are permitted for Common Open Space Lots:

520 (i) **Infrastructure.** Easements and improvements  
521 for drainage, access, and sewer or water lines  
522 that serve the cluster subdivision, or that serve  
523 other public purposes.

524 (i)(ii) **Stormwater Management Facilities.**  
525 Easements and improvements for storm water  
526 management facilities that serve the cluster  
527 subdivision or a larger area in compliance with  
528 a watershed stormwater management plan  
529 approved by the County.

530 ~~(1) **Permitted Uses.** The following uses shall be~~  
531 ~~permitted in common open space.~~

532 ~~(i) **Bona fide agriculture, horticulture, animal**~~  
533 ~~husbandry and structures accessory to such~~  
534 ~~use, including, but not limited to barns and~~  
535 ~~run-in sheds to house livestock or farm~~  
536 ~~equipment, pursuant to Section 5-626.~~



- 537 ~~(ii) Construction and/or sales trailer, during~~  
538 ~~period of construction activity.~~
- 539 ~~(iii) Easements and improvements for drainage,~~  
540 ~~access, sewer or water lines, or other public~~  
541 ~~purposes.~~
- 542 ~~(iv) Passive open space or passive recreation,~~  
543 ~~including but not limited to trails, picnic~~  
544 ~~areas, community gardens.~~
- 545 ~~(v) Sewage disposal system, communal.~~
- 546 ~~(vi) Sewer pumping station.~~
- 547 ~~(vii) RESERVED.~~
- 548 ~~(viii) Stormwater management facilities for the~~  
549 ~~proposed development or for a larger area in~~  
550 ~~compliance with a watershed stormwater~~  
551 ~~management plan.~~
- 552 ~~(ix) Telecommunications antenna, pursuant to~~  
553 ~~Section 5-618(A).~~
- 554 ~~(x) Telecommunications monopole, pursuant to~~  
555 ~~Section 5-618(B)(1).~~
- 556 ~~(xi) Telecommunications monopole, pursuant to~~  
557 ~~Section 5-618(B)(2).~~
- 558 ~~(xii) Utility substation, dedicated.~~
- 559 ~~(xiii) Utility transmission lines, overhead~~  
560 ~~(excluding connections of lines from existing~~  
561 ~~overhead public utility transmission lines to~~  
562 ~~individual uses).~~
- 563 ~~(xiv) Water pumping station.~~
- 564 ~~(xv) Water supply system, communal.~~
- 565 ~~(xvi) Uses permitted from the Agricultural Support~~  
566 ~~and Services Directly Related to On-going~~  
567 ~~Agriculture, Horticulture and Animal~~  
568 ~~Husbandry Activity, On-Site, Use Category,~~  
569 ~~as follows:~~

- a. ~~Agricultural cultural center, pursuant to Section 5-634.~~
- b. ~~Agri education, pursuant to Section 5-627~~
- c. ~~Agricultural Processing, pursuant to Section 5-627.~~
- d. ~~Arboretum, pursuant to Section 5-636.~~
- e. ~~Botanical garden or Nature Study Area, pursuant to Section 5-636.~~
- f. ~~Direct market business for sale of products produced on site including but not limited to PYO (pick your own), pursuant to Section 5-627.~~
- g. ~~Farm co op, pursuant to Section 5-627.~~
- h. ~~Farm Market, on-site production, pursuant to Section 5-603.~~
- i. ~~Nursery, production, pursuant to Section 5-605~~
- j. ~~Pet farm, pursuant to Section 5-627.~~
- k. ~~Stable, Livery, with frontage on a state maintained road, pursuant to Section 5-627.~~
- l. ~~Stable, Private, pursuant to Section 5-627.~~
- m. ~~Wayside Stand, pursuant to Section 5-604.~~

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

~~(i) **Active recreation space.**~~

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~~(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.~~

~~(12)(6) Setback.~~

~~(a) **Setbacks From Public and Private Road Right-of-Ways.** No 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 public or private road right of ways, private access easement, and/or prescriptive easement.~~

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

~~(13)(7) Yards.~~

- ~~(a) **Front.** 325 feet minimum.~~
- ~~(b) **Side.** 15 feet minimum.~~
- ~~(c) **Rear.** 2035 feet minimum.~~

~~(14)(8) Building Requirements.~~

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

~~(15)(9) Utility Requirements.~~

- ~~(a) **Water.** All lots shall must be served by either:
  - ~~(i) Individual water supply systems, located on the lot served, or~~
  - ~~(ii) Communal water supply system, located within Common Open Space Lots, with~~~~

635 maintenance to be provided in accordance  
636 with ~~pursuant to~~ Section 2-103(C)(10).

637 ~~(ii)~~(iii) Central water supply system, only for lots  
638 located within the Landfill Water Service  
639 District.

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

641 (i) Individual sewage disposal systems, located  
642 on the lot served or within ~~e~~Common ~~o~~Open  
643 ~~s~~Space Lots. A maximum of ~~seventy percent~~  
644 ~~(70%)~~ of the lots may have primary and/or  
645 reserve septic fields located within ~~e~~Common  
646 ~~o~~Open ~~s~~Space Lots. The ~~subdivision record~~  
647 plat shall identify the location of all septic  
648 fields and shall assign them to lots, or

649 (ii) Communal sewage disposal systems ~~that~~  
650 ~~shall be~~ located within Common Open Space  
651 Lots with maintenance to be provided in  
652 accordance with ~~pursuant to~~ Section 2-  
653 103(C)(10).

654 ~~(16)~~(10) **Maintenance of Water and/or Sewage Disposal**  
655 **Systems.**

656 (a) **Individual Systems.** Maintenance of ~~I~~Individual  
657 ~~W~~water supply and ~~I~~Individual ~~S~~sewage ~~D~~disposal  
658 ~~S~~systems ~~must~~shall be the responsibility of the  
659 owner of the lot that the system serves.

660 (b) **Communal.** If the development is served by a  
661 communal water supply and/or sewage disposal  
662 system, such systems ~~shall~~must be operated and  
663 maintained by LCSA, ~~in accord with all LCSA~~  
664 ~~adopted policies.~~ ~~If LCSA policies preclude~~  
665 ~~maintenance by LCSA, then the HOA shall contract~~  
666 ~~with a public water or sewer (wastewater) utility as~~  
667 ~~defined in Chapter 10.1 or 10.2 of Title 56 of the~~  
668 ~~Code of Virginia.~~ An access easement ~~must~~shall be  
669 provided to LCSA for ~~the entity maintaining~~  
670 operation and maintenance of the system. ~~All costs~~  
671 ~~of operation and maintenance of such communal~~  
672 ~~systems shall be borne as a common expense by the~~  
673 ~~owners of the lots served.~~

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~~(17)~~(11) **Lot Access.**

- (a) Access to individual lots or common open space may be provided by a private access easement or network of private access easements. ~~which shall comply with the requirements of the Facilities Standards Manual.~~
- (b) ~~Private access easements may serve as frontage in lieu of public road frontage for~~ Pursuant to Section 1-205(A), up to 25 lots are per easement permitted to have their sole frontage on a private access easement or network of private access easements per every separate entrance to such private access easement or network of private access easements from a Class I or Class II Road.
- (c) The ~~plat of~~ subdivision plat must ~~shall~~ contain a note detailing the maintenance ~~provisions for~~ of any provided ~~the~~ private access easement(s).

~~(18)~~(12) **Fire Protection.** The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.

(13) Pre-Submission Meeting. Prior to the submission of the first application associated with a subdivision pursuant to the Cluster Subdivision Option, the applicant may request a pre-submission meeting with the Department of Building and Development to discuss the proposed subdivision and applicable requirements and advisory siting and design guidelines. In addition to the information required by Chapter 8.000 of the FSM, the Applicant is encouraged to submit the following information to further facilitate the discussion:

- (a) Site Analysis Map. A map of existing site conditions and context that includes information about the location of Prime Farmland Soils and environmental features on the proposed development site. The information to be presented in the site analysis map may be produced primarily from existing sources, maps, and data, if available.
- (b) Preservation and Development Areas Map. A map that identifies the general locations of Preservation

Farm Lots, Residential Cluster Lots, Rural Economy Cluster Lots, and Common Open Space Lots.

(14) Advisory Cluster Subdivision Siting and Design Guidelines. The following design guidelines should be followed to the greatest extent feasible:

(a) Cluster subdivisions should be sited within the existing landscape in a manner that does not require extensive alterations.

(b) Lots and the location of building sites should be designed to minimize the development and disturbance of the existing topography, landforms, and Prime Farmland Soils, and minimize overall grading and filling.

(c) Existing views from public roads should be preserved to the greatest extent practicable.

(d) In those circumstances where natural contours, subsurface conditions, and/or the Originating Tract's boundaries prevent discreet cluster subdivision placement, designers should seek to reduce the subdivision's apparent presence by installing landscape screening adjacent to public and private roads in a manner that is consistent with the area's rural character.

(e) Existing vegetation and manmade features (stands of trees, hedgerows, stone walls, etc.) related to the area's past rural and agricultural use, if present, should be incorporated in to the cluster subdivision's design.

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

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

(1) ~~Common~~ Open sSpace Lots; ~~areas within the development that are not part of an individual lot;~~

- 748 (2) Any other ~~Lot(s), if~~ owned by the HOA;
- 749 (3) Private roads and private access easements, if any, within or  
750 serving the development subdivision, except as provided in  
751 Section 2-104(C);
- 752 ~~(4) Communal water and/or sewage disposal systems, except as~~  
753 ~~provided in Section 2-104(D);~~
- 754 ~~(5)(4) Any~~ Stormwater infrastructure, management facilities or  
755 areas, to the extent such infrastructure is not maintained by  
756 the County;
- 757 ~~(6)(5) Fire~~ lane identification and protection pond(s), dry mains, or  
758 other improvements for fire protection;
- 759 ~~(6) Such~~ Any other common areas, facilities, or improvements  
760 as may be designated as an HOA maintenance responsibility  
761 under the HOA's declaration, articles of incorporation,  
762 and/or bylaws, or that are not included in the list above but  
763 are available to members of the HOA. of the HOA.;
- 764 (7) Any other common facility or area not included in the list  
765 above, that is available to all members of the HOA.
- 766 (B) Membership in the HOA ~~shall be~~ is required for all purchasers of  
767 lots in the subdivision and their successors in title.
- 768 (C) Notwithstanding the requirements of Section 2-104(A) above, if the  
769 only common area, facility, or improvement ~~element~~ is the private  
770 roads or private access easements, then such private roads or private  
771 access easements ~~shall must either~~ be maintained either by an HOA  
772 or pursuant to a private road maintenance agreement. If such private  
773 roads and private access easements are to be maintained pursuant to  
774 a private road maintenance agreement, then the terms thereof shall  
775 be included on each recorded plat ~~of~~ subdivision plat for the  
776 development.
- 777 ~~(D) Notwithstanding the requirements of Section 2-104(A) above,~~  
778 ~~communal water or sewage disposal systems may be maintained by~~  
779 ~~LCSA or a public water or sewer (wastewater) utility as defined in~~  
780 ~~Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia.~~
- 781 ~~(E) Prior to approval of a record plat of subdivision for the cluster:~~
- 782 ~~If an HOA is to be established, the landowner shall submit~~  
783 ~~documents for the creation of the HOA to the County for review and~~

784 approval, including its bylaws, and all documents governing  
785 ownership, maintenance, and use restrictions for common areas,  
786 including a legal description of such areas and a description of  
787 restrictions placed upon the use and enjoyment of the land;

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

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

796 **2-105 Recognizing Protection by Right to Farm Act.** ~~Record~~Subdivision plats  
797 and deeds ~~authorized~~ pursuant to this section ~~shall~~must include a statement  
798 that agricultural operations enjoy the protection of the Right to Farm Act  
799 (Va. Code Section 3.2-300 et seq.).

800 **2-106 Existing Lots of Record.**

801 (A) Lots existing as of December 6, 2006, ~~are~~shall be permitted the uses  
802 identified in Table 2-102: AR-1 Agricultural Rural-1 District Use  
803 Table and ~~shall must be administered in accordance with the follow~~  
804 ~~the lot and building requirements for the~~ regulations of requirements  
805 for the Base Density Division option ~~as identified in~~under Section  
806 2-103(A).

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



1 **Section 2-200**

**AR-2 Agricultural Rural-2**

2 **2-201**

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

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

6 ~~(A)~~(B) Support the use of land that protects, preserves, and enhances natural  
7 areas and open space, retains farmland for and the vitality of the rural  
8 economy uses consistent with the pattern of rural and agricultural  
9 land uses in the district, including sustaining and nurturing the  
10 economically significant equine industry, while fostering high  
11 quality of life for residents.

12 ~~(B)~~(C) ~~Allow~~Limit residential ~~uses at~~development to densities that will  
13 protect the land resources for agricultural operations, consistent with  
14 the general common open space uses and ~~rural character of the~~ rural  
15 economy uses, and consistent with the land use patterns in the  
16 district, which are marked by low density and large parcels relative  
17 to the other portions of the County.

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

24 ~~(D)~~(E) Recognize the County’s tourism industry is interconnected with the  
25 rural economy and rural economy uses in the district by allowing for  
26 tourism uses related to agricultural uses, conference and training  
27 center uses, and rural activity and special event uses for tourists.

28 ~~(E)~~(F) Promote consistency between residential development and rural  
29 economy uses through lower density residential development or the  
30 clustering of residential development.

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

33 **2-202**

**Use Regulations.** Table 2-202 ~~summarizes~~provides the principal uses  
34 ~~regulations of for~~ the AR-2 district.

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

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- (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 ~~8VIII~~ (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

79 certain conditions or allowed as a Special Exception or Minor  
80 Special Exception under other conditions. In those instances, it is  
81 identified as “P/S” or “P/M,” as appropriate.

82 (D) **Reference to General Use Category.** References to “General Use  
83 Category” under the Use Type column mean all of the uses ~~in~~under  
84 the Use Category are allowed. The Use Category is defined in  
85 Article ~~8V~~8V. Where specific Use Types are listed in the Use Type  
86 column, only the listed Use Types in the Use Category are allowed.  
87 The Use Types are defined in Article ~~8V~~8V.

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

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

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**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 = COMMON OPEN SPACE LOT**

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

USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
<b>AGRICULTURAL USES</b>							
<b>Agriculture</b>	General Use Category	P	P	<u>P</u>	P	P	Section 5-626
<b>Horticulture</b>	General Use Category	P	P	<u>P</u>	P	P	Section 5-626
<b>Animal Husbandry</b>	General Use Category	P	<u>P</u>	<u>P</u>	P	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	<u>P</u>	<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>		<u>P</u>		Section 5-627
	Commercial winery with 20,000 square feet or less	P	<u>P</u>		<u>S</u>		Section 5-625
	Commercial winery, over 20,000 square feet	S	<u>P</u>		<u>S</u>		Section 5-625
	Custom operators	P	<u>P</u>	<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>	<u>P</u>	P	P	Section 5-627
	Equestrian Event Facility	P	<u>P</u>	<u>PM</u>	<u>PM</u>		Section 5-627
	Farm based tourism	P	<u>P</u>		<u>P</u>		Section 5-628
Farm co-ops	P	<u>P</u>	<u>P</u>	<u>P</u>	P	Section 5-627	

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USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	Farm machinery repair	P	<del>P</del>		<del>P</del>		Section 5-627
	Farm markets	P	<del>P</del>		P	P	Section 5-603 <u>No off-site production permitted for REL and OSL</u>
	Feedlot (for on-going, on-site animal husbandry activities)	P	<del>P</del>	<del>P</del>	P		Section 5-627
	Limited Brewery	P	<del>P</del>		<del>P</del>		Section 5-667
	Nursery, commercial	S	<del>S</del>		<del>S</del>		Section 5-605
	Nursery, production	P	<del>P</del>		<del>PM</del>	<del>P</del>	Section 5-605
	Pet farms	P	<del>P</del>		<del>P</del>	<del>P</del>	Section 5-627
	Restaurant	P	<del>P</del>		<del>P</del>		Section 5-627
	Sawmill	S	<del>S</del>		<del>S</del>		Section 5-629
	Stable, Livery	P	<del>P</del>	<del>M</del>	<del>PM</del>	<del>P/SM</del>	Section 5-627
	Stable, Private	P	<del>P</del>	<del>P</del>	P	P	Section 5-627
	Veterinary services	P	<del>P</del>		P		
	Virginia Farm Winery	P	<del>P</del>		<del>P</del>		
	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</b>	Agricultural research facility	P	<del>P</del>		<del>P</del>		Section 5-644

**TABLE 2-202:  
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USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
<b>Services Not Directly Associated with On-Site Agricultural Activity</b>	Animal care businesses	P	<del>P</del>		<del>P</del>		Section 5-630
	Central farm distribution hub for agricultural products	P	<del>P</del>		<del>P</del>		Section 5-630
	Commercial winery with 20,000 square feet or less	P	<del>P</del>		<del>P</del>		Section 5-625
	Commercial winery, over 20,000 square feet	S	<del>S</del>		<del>S</del>		Section 5-625
	Equestrian Event Facility	P	<del>P</del>		<del>P</del>		Section 5-630
	Farm machinery repair	P	<del>P</del>		<del>P</del>		Section 5-630
	Farm machinery sales, rental and service	P	<del>P</del>		<del>P</del>		Section 5-615
	Feed and Farm Supply Center	P	<del>P</del>		<del>P</del>		Section 5-630
	Nursery, commercial	S	<del>S</del>		<del>S</del>		Section 5-605
	Stable, Livery	P	<del>P</del>		<del>P</del>		Section 5-630
	Stable, Private	P	<del>P</del>		<del>P</del>		Section 5-630
<b>Animal Services</b>	Animal hospital	P	<del>P</del>		<del>P</del>		Section 5-631
	Kennel	S	<del>S</del>		<del>S</del>		Section 5-606
	Kennel, Indoor	M	<del>M</del>		<del>M</del>		Section 5-606
<b>RESIDENTIAL USES</b>							
<b>Household Living</b>	Accessory dwelling (accessory to single family detached dwelling)	P	P	<del>P</del>	P		Section 5-613

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USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	Dwelling, single-family detached, including manufactured housing	P	P	<u>P</u>	P		May <u>sub</u> divide property in accordance with Section 2-103 Development Options.
	Portable Dwelling/Trailer Construction	P	P	<u>P</u>	P	P	
<b>Group Living</b>	Co-housing	P	P		P		
	Convent or monastery	P/S	<u>P/S</u>		<u>P/S</u>		Section 5-656
	Dormitory, seasonal labor	M	<u>M</u>	<u>M</u>	M		Section 5-632
	Rooming house	P	<u>P</u>		<u>P</u>		
<b>PUBLIC AND INSTITUTIONAL USES</b>							
<b>Aviation</b>	Airport/landing strip	S	<u>S</u>		<u>S</u>		Section 5-633
<b>Day Care Facilities</b>	Child care home	P	P	<u>P</u>	P		Section 5-609(A)
	Child or adult day care center	S	<u>S</u>		<u>S</u>		Section 5-609(B)
<b>Cultural and Government Facilities</b>	Agricultural cultural center	S	<u>S</u>		S	<u>PS</u>	Section 5-634
	Fairground	S	<u>S</u>		<u>S</u>		Section 5-635
	Structures or uses for local government purposes not otherwise listed in the district	S	<u>S</u>		<u>S</u>		
<b>Education</b>	Public School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	S	<u>S</u>		<u>S</u>		Section 5-655
	Private School (Elementary, Middle,	S	<u>S</u>		<u>S</u>		

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USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	or High) for more than fifteen (15) pupils						
	Private Vocational school	S	<del>S</del>		<del>S</del>		
Park and Open Space	Arboretum	P	<del>P</del>		P	P	Section 5-636
	Botanical garden or nature study area	P	<del>P</del>		P	P	Section 5-636
	Cemetery	S	<del>S</del>		<del>S</del>		Section 5-637
	Mausoleum	S	<del>S</del>		<del>S</del>		Section 5-637
	Crematorium	S	<del>S</del>		<del>S</del>		Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	<del>P</del>		P	P	<u>Limited to neighborhood park only for REL and OSL</u>
	Community, neighborhood, or regional park, active recreational uses	S	<del>S</del>		<del>SP</del>	<del>P</del>	<u>Limited to playgrounds only for REL and OSL</u>
Public Safety	Fire and/or rescue station	P	<del>P</del>		<del>P</del>		Section 5-638
	Police station or substation	P	<del>P</del>		<del>P</del>		Section 5-638
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	<del>P</del>		<del>P</del>		Section 5-639
	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or	S	<del>S</del>		<del>S</del>		Section 5-639



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

USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	accessory schools, day care centers with more than 30 50 children, recreational facilities						
Utility	General Use Category	P	P		P	P Utility Substation, Dedicated Only	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
	Municipal drinking water supply reservoir	P	P		P		
	Sewage Treatment Plant	S	S		S		Section 5-621
	Sewer Pumping Station	P	P		P	P	Section 5-621
	Water Storage Tank	S	S		S		Section 5-621
	Water Treatment Plant	S	S		S		Section 5-621
	Water Pumping Station	P	P		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	PS	Unless excepted by Section 1-103(D)
Water Well, Municipal	P	P		P		Section 5-621	

**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 = COMMON OPEN SPACE LOT**

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

USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
<b>COMMERCIAL USES</b>							
<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>		<del>P</del>		Section 5-619
	Rural Resort	M	<del>M</del>		<del>M</del>		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>		<del>P</del>		Section 5-645
	Camp, day and boarding, with more than 30 campers	M	<del>M</del>		<del>M</del>		Section 5-645
	Campground	M	<del>M</del>		<del>M</del>		Section 5-646
	Country Club	S	<del>S</del>		<del>S</del>		Section 5-660
	Cross country ski business	P	<del>P</del>		<del>P</del>		Section 5-647
	Eco-tourism	P	<del>P</del>		<del>P</del>		Section 5-647
	Golf course	S	<del>S</del>		<del>S</del>		Section 5-648

**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 = COMMON OPEN SPACE LOT**

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

USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
	Outdoor amphitheater	S	<del>S</del>		<del>S</del>		Section 5-649
	Private Club or Lodge	S	<del>S</del>		<del>S</del>		
	Rural recreational establishment, outdoor	P	<del>P</del>		<del>P</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>		<del>P</del>		Section 5-601(B)
	Country Inn	P	<del>P</del>		<del>P</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>		<del>P</del>		
<b>INDUSTRIAL USES</b>							

**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 = COMMON OPEN SPACE LOT**

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

USE CATEGORY	USE TYPE	<u>CLUSTER SUBDIVISION OPTION</u>					<u>USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES</u>
		<u>BDO &amp; PSO LOTS</u>	<u>RCL</u>	<u>PFL</u>	<u>REL</u>	<u>OSL</u>	
Telecommunication Use and/or Structure	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>	<del>P</del>	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)
Waste-Related Uses	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

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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.

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

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

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

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

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

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

120 (c) **Minimum Yards.** Except where a greater setback is  
121 required by Section 5-1403(B), no structure shall be  
122 located within 25 feet of any property line or within  
123 35 feet from any other road right-of-way, private  
124 access easement, and/or prescriptive easement.

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

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

132 (4) **Creation of Lots.**

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

139 (b) **Public Road Frontage.** No such lot shall be created  
140 fronting on a public road unless the publicly  
141 dedicated width of such road along the entire  
142 frontage of the newly created lot, measured from the

143 centerline of the road to the property line of the lot,  
144 satisfies the criteria of the Virginia Department of  
145 Transportation (VDOT).

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

148 (5) **Lot Access.**

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

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

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

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

176 (1) **General Requirements.**

177 (a) **General.** A landowner may exercise this option on  
178 a site consisting of a minimum of 40 acres prior to  
179 development.

180 (b) **Lot Yield.** The maximum lot yield shall be 1 lot per  
181 20 acres.

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

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

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

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

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

208 (e) Subordinate Lots shall not be further subdivided.  
209 The record plat and initial deed of conveyance after  
210 establishment of a subdivision lot under the  
211 Principal/ Subordinate Subdivision Option shall  
212 contain a statement to this effect.

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

216 (g) Any subdivision record plat for a  
217 Principal/Subordinate Subdivision shall contain a

218 tabulation of density showing, in addition to all Land  
219 Subdivision and Development Ordinance (LSDO)  
220 requirements, the lot yield originally calculated for  
221 the Originating Tract, all prior subdivisions from the  
222 Originating Tract and each resulting Principal Lot  
223 and number of lots created pursuant to such  
224 subdivisions.

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

227 (i) Each Principal/Subordinate Subdivision shall  
228 contain at least one Rural Economy Lot of a  
229 minimum of 25 acres in size.

230 (3) **Permitted Uses.**

231 (a) **Principal and Subordinate Lots.** The uses  
232 permitted on lots developed in accordance with the  
233 Principal/Subordinate Development Option are  
234 identified in Table 2-202 and are subject to the  
235 Additional Regulations for Specific Uses of Section  
236 5-600.

237 (4) **Lot and Building Requirements.** The Lot and Building  
238 Requirements for development under the  
239 Principal/Subordinate Subdivision Option are identified  
240 below, except where the performance standards in Section  
241 5-600 (Additional Regulations for Specific Uses) specify  
242 different requirements for a particular use.

243 (a) **Minimum Lot Size.** 80,000 square feet, exclusive  
244 of major floodplain. At least one lot in the  
245 development shall be a Rural Economy Lot with a  
246 minimum of 25 acres.

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

248 (c) **Maximum Length/Width Ratio.** 3:1.

249 (d) **Minimum Yards.** No structure shall be located  
250 within 25 feet of any property line or within 100 feet  
251 from the right-of-way of any arterial road, 75 feet  
252 from the right-of-way of any collector road, and 35  
253 feet from any other road right-of-way, private access  
254 easement, and/or any prescriptive easement.



- 255 (e) **Maximum Lot Coverage.** 15% maximum.
- 256 (f) **Building Height.** 35 feet maximum, excluding  
257 agricultural, horticultural, and animal husbandry  
258 structures.
- 259 (5) **Landscaping/Buffering.** Notwithstanding the requirements  
260 of Section 5-1400, required buffers may be provided on  
261 either the Principal and/or Subordinate lots.
- 262 (6) **Utility Requirements.**
- 263 (a) **Water.** All lots shall be served by individual water  
264 supply systems located on the lot.
- 265 (b) **Sewer.** All lots shall be served by individual sewage  
266 disposal systems located on the lot.
- 267 (7) **Fire Protection.** The development shall satisfy the fire  
268 protection standards set forth in the Facilities Standards  
269 Manual.
- 270 (8) **Lot Access.**
- 271 (a) Access to individual lots may be provided by a  
272 private access easement that complies with the  
273 requirements of Chapter 4: Transportation, of the  
274 Facilities Standards Manual.
- 275 (b) A private access easement may serve as frontage in  
276 lieu of public road frontage up to 25 lots per  
277 easement.
- 278 (c) The record plat of subdivision shall contain a note  
279 detailing the provisions for the maintenance of the  
280 private access easement.
- 281 (C) **Cluster Subdivision Option.** The Cluster Subdivision Option  
282 allows for ~~the subdivision of a tract of land~~ the subdivision of an  
283 Originating Tract with a more compact residential design. The  
284 Cluster Subdivision Option results in the creation of Residential  
285 Cluster Lots and one or more Preservation Farm Lots plus one or  
286 more large lots suitable for and/or Rural Economy Cluster Lots rural  
287 economy uses depending on the characteristics of the Originating  
288 Tract, and/or also may include Common Open Space Lots.  
289 Communal water and sewer systems may be used for such  
290 developments.

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(1) **General Requirements.**

(a) ~~General.~~ **General.** A landowner may exercise ~~this~~ **Minimum Size of Originating Tract:** The Cluster Subdivision ~~Option is permitted on~~ **for an site** Originating Tract consisting of a minimum of 40 acres prior to development.

(b) **Lot Yield.** The maximum lot yield shall be 1 lot per 15 acres. The maximum lot yield of the cluster subdivision is calculated using the total acreage of the Originating Tract from which the subdivision is created.

~~(c) **Characteristics of Cluster Subdivision Option.**~~

~~Depending on the tract size the cluster subdivision may include one or more Rural Cluster Lots and at least one Rural Economy Lot and may include Common Open Space.~~

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

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

**(c) Further Subdivision and Boundary Line Adjustments:**

(i) All lots within the cluster subdivision shall be created at one time. Further subdivision of the lots created by cluster subdivision is not permitted shall not be further subdivided.

(+)(ii) Boundary line adjustments may be permitted only between lots within the same cluster subdivision.

~~(f) **Minimum Percentage of Originating Tract Required for Non-Residential Cluster Lots:** A Homeowners' Association is required for any subdivision with common elements as described in Section 2-204.~~

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

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

~~(i)(d) A minimum of 70% of the total acreage gross land area of the development Originating Tract must be composed of ~~shall be comprised of~~ Preservation Farm Lot(s), and/or a Rural Economy Cluster Lot(s), and/or Common Open Space Lot(s). ~~or a combination of a Rural Economy Lot(s) and common open space.~~~~

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

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

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

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

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

~~(b)(a) Number of Residential Clusters~~ **Lots in a Grouping.** ~~Multiple groupings~~ More than one grouping of ~~Rural~~Residential Cluster Lots shall ~~bear~~ be required ~~wherewhen~~ when the total number of such lots ~~on a site~~ in a cluster subdivision is greater than

364 25. A single grouping of ~~Rural~~Residential Cluster  
365 Lots ~~shall contain all the lots~~is required where  
366 the total number of such lots ~~on a site~~in a cluster  
367 subdivision is 25 or fewer, ~~except that multiple~~  
368 ~~clusters~~The grouping requirements may be  
369 ~~allowed~~adjusted by the Zoning Administrator, where  
370 ~~it is~~if the applicant demonstrates that ~~multiple~~  
371 ~~clusters~~such adjustment will result in the location of  
372 more connected areas of Prime Farmland Soils  
373 within the Preservation Farm Lot(s), and/or less land  
374 ~~disturbance of land~~within the Mountainside  
375 Development Overlay District (MDOD), the  
376 Floodplain Overlay District (FOD) lands, Limestone  
377 Overlay District (LOD), steep slopes areas, and/or  
378 land containing steep slopes and/or wetlands.

379 ~~(e)~~(b) **Distance Between ~~Clusters~~Groupings of**  
380 **Residential Cluster Lots**. If more than one grouping  
381 of Residential eCluster Lots is to be created ~~from a~~  
382 ~~parcel~~in a cluster subdivision, a minimum of ~~500~~200  
383 feet shall separate the lot lines ~~of that form~~  
384 the outer boundaries of each grouping of Residential eCluster  
385 Lots. The Zoning Administrator may reduce this  
386 separation requirement to a minimum of 100 feet if  
387 the applicant demonstrates that such reduction will  
388 result in the location of more connected Prime  
389 Farmland Soils within the Preservation Farm Lot(s),  
390 and/or will result in less land disturbance within the  
391 Mountainside Development Overlay District  
392 (MDOD), the Floodplain Overlay District (FOD),  
393 Limestone Overlay District (LOD), steep slope  
394 areas, and/or land containing wetlands. (exclusive of  
395 common open space and lots 25 acres or greater).

396 ~~(d)~~(c) **Minimum Lot Size.**

- 397 (i) **On-site Water and Wastewater.** 40,000 sq.  
398 ft., exclusive of FOD (~~m~~Major ~~f~~Floodplain).
- 399 (ii) **Off-site Wastewater, On-site Water.**  
400 20,000 sq. ft., exclusive of FOD (~~m~~Major  
401 floodplain).
- 402 (iii) **Off-site Water and Off-Site Wastewater.**  
403 No minimum lot size.

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~~(e)(d)~~ **Maximum Lot Size.** 24 acres.

~~(f)(e)~~ **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.

(3) Requirements for Preservation Farm Lots.

(a) Minimum Number of Preservation Farm Lots and Percentage of Prime Farmland Soils to be Located within Preservation Farm Lot(s). Each Originating Tract that contains 5 acres or more of Prime Farmland Soils must provide one or more Preservation Farm Lots within which a minimum of 70% of such Prime Farmland Soils are located.

(b) Permanent Open Space Easement. All areas of the Preservation Farm Lot must be subject to a permanent open space easement and must be dedicated in a manner acceptable to the County. The uses listed for the Preservation Farm Lot within Table 2-202 shall be permitted within the permanent open space easement.

(c) Delineation of Prime Farmland Soils. If 5 acres or more of Prime Farmland Soils are identified within the Originating Tract, the specific location of such soils must be further delineated as follows:

(i) A Preliminary Soils Review in accordance with Section 6.130 of the Facilities Standards Manual (FSM) must be submitted to the Department of Building and Development for review and approval with the initial submission of any plat or plan application for the cluster subdivision (unless previously provided for such Originating Tract).

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(ii) The Preliminary Soils Review must indicate that its primary purpose is to delineate the specific location of Prime Farmland Soils located within the Originating Tract.

(iii) The Zoning Administrator, in consultation with the Director of Building and Development, may require additional information from the applicant, if needed, to supplement the Preliminary Soils Review and assist in delineating the specific location of the Prime Farmland Soils within the Originating Tract.

(iv) Once the Preliminary Soils Review has been approved by the Department of Building and Development, the Soils Map Certification for the plat and plan applications associated with the cluster subdivision must be updated accordingly.

(v) The design of the cluster subdivision must account for the location(s) of the Prime Farmland Soils as delineated by the Preliminary Soils Review.

**(d) Minimum Lot Size of a Preservation Farm Lot (PFL):**

<u>Originating Tract Size</u>	<u>Minimum Lot Size</u>
<u>40 to 50 acres</u>	<u>20 acres</u>
<u>Greater than 50 acres</u>	<u>40 acres</u>

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

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

~~(h)(a) Each cluster subdivision shall contain at least one Rural Economy Lot that shall meet the following standards: Originating Tract that contains less than 5 acres of Prime Farmland Soils must provide a minimum of one Rural Economy Cluster Lot.~~

**(b) Minimum Lot Size of a Rural Economy Cluster Lot: 25 acres.**

<u>Originating Tract Size</u>	<u>Minimum Lot Size</u>
<u>40 to 50 acres</u>	<u>20 acres</u>
<u>Greater than 50 acres</u>	<u>25 acres</u>

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~~(i)(c)~~ **Maximum Lot Coverage.** 815%.

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

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

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

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**(5) Common Requirements for Common Open Space Lots.**

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Land that is ~~neither~~not part of a ~~building lot~~Residential Cluster Lot, ~~nor a road~~public street right-of-way, a Preservation Farm Lot, nor Rural Economy Cluster Lot ~~shall~~must be ~~placed~~located within a ~~e~~Common ~~o~~Open sSpace Lot ~~and shall be~~that is owned and maintained by ~~at~~the Homeowner's Association ~~as described in~~required by Section 2-204. Common Open Space Lots shallmust be designed to constitute a contiguous and cohesive unit of land, the uses for which may be used as described are listed in Table 2-202 abovebelow.

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**(a) Lot Characteristics.** Common Open Space Lots havehas no minimum or maximum lot size and no lot width regulations. ~~Further,~~Common Open Space Lots doesdo not count against the lot yield allotted to the subdivision.

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**(b) Permitted Accessory Uses:** In addition to the uses that are accessory to the uses listed in Table 2-202 for Common Open Space Lots, the following accessory uses are permitted for Common Open Space Lots:

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**(i) Infrastructure.** Easements and improvements for drainage, access, and sewer or water lines that serve the cluster subdivision, or that serve other public purposes.

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**(i)(ii) Stormwater Management Facilities.** Easements and improvement for storm water

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507 management facilities that serve the cluster  
508 subdivision or a larger area in compliance with  
509 a watershed stormwater management plan as  
510 approved by the County.

511 ~~(m) **Permitted Uses.** The following uses shall be~~  
512 ~~permitted in common open space.~~

513 ~~(i) Agriculture, horticulture, animal husbandry~~  
514 ~~and structures accessory to such use,~~  
515 ~~including, but not limited to barns and run-in~~  
516 ~~sheds to house livestock or farm equipment,~~  
517 ~~pursuant to Section 5-626.~~

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

520 ~~(iii) Easements and improvements for drainage,~~  
521 ~~access, sewer or water lines, or other public~~  
522 ~~purposes.~~

523 ~~(iv) Passive open space or passive recreation,~~  
524 ~~including but not limited to trails, picnic~~  
525 ~~areas, community gardens.~~

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

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

528 ~~(vii) RESERVED.~~

529 ~~(viii) Stormwater management facilities for the~~  
530 ~~proposed development or for a larger area in~~  
531 ~~compliance with a watershed stormwater~~  
532 ~~management plan.~~

533 ~~(ix) Telecommunications antenna, pursuant to~~  
534 ~~Section 5-618(A).~~

535 ~~(x) Telecommunications monopole, pursuant to~~  
536 ~~Section 5-618(B)(1).~~

537 ~~(xi) Telecommunications monopole, pursuant to~~  
538 ~~Section 5-618(B)(2).~~

539 ~~(xii) Utility substation, dedicated.~~



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

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

575 l. ~~Stable, Private, pursuant to Section 5-~~  
576 ~~627.~~

577 m. ~~Wayside Stand, pursuant to Section~~  
578 ~~5-604.~~

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

583 (i) ~~Active recreation space.~~

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

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

588 ~~(3)(6)~~ **Setback.**

589 (a) **Setbacks From Public and Private Road Right-of-**  
590 **Ways.** ~~No s~~Structure ~~shall~~must not be located within  
591 one hundred (100) feet from the right of way of any  
592 arterial road; seventy five (75) feet from the right-of-  
593 way of any collector road; or ~~twenty thirty five (325)~~  
594 feet from any other public or private other road right  
595 of way~~s~~, ~~private access easement, and/or prescriptive~~  
596 ~~easement.~~

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

602 ~~(4)(7)~~ **Yards.**

603 (a) **Front.** ~~325~~ feet minimum.

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

605 (c) **Rear.** ~~3520~~ feet minimum.

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~~(5)~~(8) **Building Requirements.**

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

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~~(6)~~(9) **Utility Requirements.**

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

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

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- ~~(ii)~~ (ii) Communal water supply system, located within Common Open Space Lots, with maintenance to be provided in accordance with ~~pursuant to~~ Section 2-203(C)(10).

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- ~~(ii)(iii)~~ (ii)(iii) Central water supply system, only for lots located within the Landfill Water Service District.

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

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- (i) Individual sewage disposal systems. Such system shall be located on the lot served or within eCommon eOpen sSpace Lots. A maximum of ~~seventy percent (70%)~~ of the lots may have primary and/or reserve septic fields located within eCommon eOpen sSpace Lots. The ~~subdivision record~~ plat shall identify the location of all septic fields and shall assign them to lots, or

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- (ii) Communal sewage disposal systems ~~that shall be~~ located within Common Open Space Lots with maintenance to be provided in accordance with ~~pursuant to~~ Section 2-203(C)(10).

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~~(7)~~(10) **Maintenance of Water and/or Sewage Disposal Systems.**

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- (a) **Individual Systems.** Maintenance of ~~I~~Individual ~~W~~water supply and ~~I~~Individual ~~S~~sewage ~~D~~disposal ~~s~~Systems ~~shall~~must be the responsibility of the owner of the lot that the system serves.

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

~~(8)~~(11) **Lot Access.**

- (a) Access to individual lots or common open space may be provided by a private access easement or network of private access easements which shall comply with the requirements of the Facilities Standards Manual.
- (b) ~~Private access easements may serve as frontage in lieu of public road frontage for~~ Pursuant to Section 1-205(A) up to 25 lots are permitted to have their sole frontage on a private access easement or network of private access easements per every separate entrance to such private access easement or network of private access easements from a Class I or Class II Road~~per~~ easement.
- (c) The ~~plat of~~ subdivision plat must~~shall~~ contain a note detailing the maintenance provisions of any provided ~~for the~~ private access easement(s).

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

(13) **Pre-Submission Meeting.** Prior to the submission of the first application associated with a subdivision pursuant to the Cluster Subdivision Option, the applicant may request a pre-submission meeting with the Department of Building and Development to discuss the proposed subdivision and applicable requirements and advisory siting and design guidelines. In addition to the information required by

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Chapter 8.000 of the FSM, the Applicant is encouraged to submit the following information to further facilitate the discussion:

(a) Site Analysis Map. A map of existing site conditions and context that includes information about location of Prime Farmland Soils and environmental features on the proposed development site. The information to be presented in the site analysis map may be produced primarily from existing sources, maps, and data, if available.

(b) Preservation and Development Areas Map. A map that identifies the general locations of Preservation Farm Lots, Residential Cluster Lots, Rural Economy Cluster Lots, and Common Open Space Lots.

(14) Advisory Cluster Subdivision Siting and Design Guidelines. The following design guidelines should be followed to the greatest extent feasible:

(a) Cluster subdivisions should be sited within the existing landscape in a manner that does not require extensive alterations.

(b) Lots and the location of building sites should be designed to minimize the development and disturbance of the existing topography, landforms, and Prime Farmland Soils, and minimize overall grading and filling.

(c) Existing views from public roads should be preserved to the greatest extent practicable.

(d) In those circumstances where natural contours, subsurface conditions, and/or the Originating Tract's boundaries prevent discreet cluster subdivision placement, designers should seek to reduce the subdivision's apparent presence by installing landscape screening adjacent to public and private roads in a manner that is consistent with the area's rural character.

(e) Existing vegetation and manmade features (stands of trees, hedgerows, stone walls, etc.) related to the area's past rural and agricultural use, if present,

719 should be incorporated in to the cluster subdivision  
720 design.

721  
722 **2-204 Homeowners' Association and Responsibilities.**

723 (A) If the subdivision contains any of the common areas, facilities, or  
724 improvements listed below, the ~~development subdivision shall~~must  
725 have ~~an~~ single incorporated Homeowners' Association ("HOA").  
726 The HOA shall have the right and responsibility to maintain the  
727 following: ~~areas or improvements:~~

728 (1) Common ~~Open~~ Space ~~Lots~~ areas within the development  
729 that are not part of an individual lot;

730 (2) Any other ~~Lot(s), if~~ owned by the HOA;

731 (3) Private roads and private access easements, if any, within or  
732 serving the ~~development~~subdivision, except as provided in  
733 Section 2-204(C);

734 ~~(4) Communal water and/or sewage disposal systems, except as~~  
735 ~~provided in Section 2-204(D);~~

736 ~~(5)~~(4) Any ~~s~~Stormwater infrastructure management facilities or  
737 areas; to the extent such infrastructure is not maintained by  
738 the County;

739 ~~(6)~~(5) Fire lane identification and protection pond(s), dry mains, or  
740 other improvements for fire protection;

741 ~~(6)~~ Such~~Any~~ other ~~common~~areas, facilities, or improvements as  
742 may be designated as an HOA maintenance responsibility  
743 under in the HOA's declaration, articles of incorporation,  
744 and/or bylaws, or that are not included in the list above but  
745 are available to members of the ~~of the~~ HOA;:-

746 ~~(7)~~ —

747 (B) Membership in the HOA ~~shall be~~is required for all purchasers of lots  
748 in the subdivision and their successors in title.

749 (C) Notwithstanding the requirements of Section 2-204(A) above, if the  
750 only common area, facility, or improvement~~element~~ is the private  
751 roads or private access easements, then such ~~they~~ private roads or  
752 private access easements shall~~must either~~ be maintained either by an

753 HOA or pursuant to a private road maintenance agreement. If such  
754 private roads and private access easements are to be maintained  
755 pursuant to a private road maintenance agreement, then the terms  
756 thereof shall be included on each recorded plat of subdivision plat  
757 for the development.

758 ~~(D) Notwithstanding the requirements of Section 2-204(A) above,~~  
759 ~~communal water or sewage disposal systems may be maintained by~~  
760 ~~LCSEA or a public water or sewer (wastewater) utility as defined in~~  
761 ~~Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia.~~

762 ~~(E) Prior to approval of a record plat of subdivision for the cluster:~~

763 ~~If a Homeowner's Association is to be established, the~~  
764 ~~landowner shall submit documents for the creation of the~~  
765 ~~HOA to the County for review and approval, including its~~  
766 ~~bylaws, and all documents governing ownership,~~  
767 ~~maintenance, and use restrictions for common areas,~~  
768 ~~including a legal description of such areas and a description~~  
769 ~~of restrictions placed upon the use and enjoyment of the~~  
770 ~~land.~~

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

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

779 **2-205 Recognizing Protection by Right to Farm Act.** ~~Record~~Subdivision plats  
780 and deeds ~~authorized~~ pursuant to this section ~~shall~~must include a statement  
781 that agricultural operations enjoy the protection of the Right to Farm Act  
782 (Va. Code Section 3.2-300 et seq.).

783 **2-206 Existing Lots of Record.**

784 (A) Lots existing as of December 6, 2006 ~~are~~ shall be permitted the uses  
785 identified in Table 2-202: AR-2 Agricultural Rural-2 District Use  
786 Table and ~~shall administered in accordance with the follow the lot~~  
787 ~~and building requirements for the requirements for the~~ Base Density  
788 Division option ~~as identified in~~under Section 2-203(A).

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(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.



