



PLANNING COMMISSION PUBLIC HEARING

SUBJECT: ZOAM 2015-0006, Rural Uses and Structures and Historic Structure Exemption

ELECTION DISTRICT: Countywide

CRITICAL ACTION DATE: At the Pleasure of the Board

STAFF CONTACTS: Mark Depo, Planner, Zoning Administration
Mark Stultz, Zoning Administrator
Ricky Barker, Director, Planning & Zoning

PURPOSE: The purpose of Zoning Ordinance Amendment (ZOAM) 2015-0006 is to amend the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”) Articles 2, 4, 5 and 8 in regard to rural districts, rural uses, historic structures, and various text errors or “quick-fix” items to further the rural economy and encourage additional economic development opportunities in the County.

RECOMMENDATION: Due to concerns regarding certain aspects of this amendment, staff recommends the Planning Commission forward ZOAM 2015-0006 to a work session for further review.

SUGGESTED MOTIONS:

1. I move that the Planning Commission forward ZOAM 2015-0006, Rural Uses and Structures and Historic Structure Exemption, to a work session for further discussion.

OR

2. I move that the Planning Commission forward ZOAM 2015-0006, Rural Uses and Structures and Historic Structure Exemption, to the Board of Supervisors with a recommendation of **approval**.

OR

3. I move an alternate motion.

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I. EXECUTIVE SUMMARY

On October 21, 2015, the Board adopted a Resolution of Intent to Amend (ROIA) [**Attachment 1**] the Revised 1993 Loudoun County Zoning Ordinance (“Zoning Ordinance”) to implement ZOAM 2015-0006. ZOAM 2015-0006 is a continuation of the County’s efforts to encourage additional economic development opportunities and proposes revisions recommended by the public and Department of Planning and Zoning Staff. To implement the adopted Resolution, amendments are proposed to the following sections of the Zoning Ordinance:

Article 2: Non-Suburban District Regulations

- Section 2-100, *AR-1, Agricultural Rural-1*
- Section 2-200, *AR-2, Agricultural Rural-2*
- Section 2-300, *A-10, Agriculture*
- Section 2-400, *A-3, Agricultural Residential*
- Section 2-500, *CR-1, Countryside Residential-1*
- Section 2-900, *RC Rural Commercial District*
- Section 2-1000, *JLMA-1, Joint Land Management Area-1*
- Section 2-1100, *JLMA-2, Joint Land Management Area-2*
- Section 2-1200, *JLMA-3, Joint Land Management Area-3*
- Section 2-1300, *JLMA-20, Joint Land Management Area-20*
- Section 2-1400, *TR-10, Transitional Residential-10*
- Section 2-1500, *TR-3, Transitional Residential-3*
- Section 2-1600, *TR-2, Transitional Residential-2*
- Section 2-1700, *TR-1, Transitional Residential-1*

Article 4: Special & Overlay Districts

- Section 4-1200, *PD-RV, Planned Development-Rural Village*

Article 5: Division A: Supplemental District Regulations

- Section 5-600, *Additional Regulations for Specific Uses*
- Section 5-700, *Regulations for Optional Development Types*

Article 8, Definitions

The draft text for ZOAM 2015-0006, as proposed by the Department of Planning and Zoning is included as **Attachment 2**.

Additional amendments proposed by the Zoning Ordinance Action Group are included in **Attachment 3**.

II. BACKGROUND

At the September 3, 2014 Board Business Meeting, the Zoning Ordinance Action Group (ZOAG) presented its 2014-2015 Work Plan Items. A part of this work plan included

amendments to address:

- 1) Rural Issues. The review of rural use classifications in Article 2 and specific uses, like “Equestrian facility”, “Stable”, “Rural recreation establishment, outdoor” and “Rural resort/retreat”;
- 2) Limestone Overlay District (LOD). The review of Section 4-1900 to remove technical requirements associated with boring depths, etc. and place such requirements in the Facilities Standards Manual (FSM) with other like technical studies and associated requirements; and
- 3) Historic Structures. The review of regulations regarding exemptions for individual historic structures or properties similar to the Historic Site District or Historic and Cultural Conservation District exemptions.

On October 1, 2014, ZOAG created the Rural Uses and Historic Structures Sub-Committee that was responsible for working with staff to develop amendments to address the three areas listed above. On October 21, 2015, the Board adopted an Intent to Amend, initiating a Zoning Ordinance Amendment (ZOAM 2015-0006), to consider the ZOAG recommendations related to addressing some of the items included within items 1 and 2 above. Since the adoption of the Intent To Amend, Department of Planning and Zoning and County Attorney Staff have continued to work with ZOAG and the Equine Alliance to finalize the draft text and ZOAG recommendations.

III. SUMMARY OF PROPOSED TEXT CHANGES

The Department of Planning and Zoning and ZOAG worked together to develop amendments to Articles 2, 4, 5 and 8 of the Zoning Ordinance. The proposed amendments have been developed to consistently name uses throughout the Ordinance, to consolidate uses that are similar in nature and to revise various text errors. New uses are proposed as either Permitted, Minor Special Exception or Special Exception uses and revisions to the definitions of certain uses are proposed. Further, amendments are proposed to minimum yard and maximum lot coverage requirements in certain rural districts, to the Additional Regulations of Section 5-600 to exempt historic structures from certain regulations and to apply regulations to restaurants in certain JLMA districts. These amendments are summarized below and the draft text is included as **Attachment 2**.

In addition to the amendments proposed in **Attachment 2**, the ZOAG proposes 36 new Permitted and Special Exception uses within the AR-1 (Agricultural Rural-1) and AR-2 (Agricultural Rural-2) Cluster Subdivision Option Common Open Space; TR (Transitional Residential) Open Space; and Rural Hamlet Option Open Space of A-10 (Agriculture) and A-3 (Agricultural Residential) districts. Further, ZOAG proposes to add “Recreation Establishment, Indoor” as a Special Exception use in certain districts, and to add Virginia Farm Winery as a new Permitted use within the PD-RV (Planned Development-Rural Village) and the RC (Rural Commercial) zoning districts. These amendments are

summarized below and the draft text is included as **Attachment 3**.

Staff is supportive of many of the proposed amendments developed in conjunction with ZOAG, however is concerned with the significant implication of certain uses being allowed within open space areas. The draft text provides for uses that are not consistent with the intent of these areas and provides for more intensive uses that are not compatible with adjacent residential uses. Staff recommends that more discussion occur regarding the proposed amendments in these areas and that, in addition, community outreach be conducted to gain input from the residents of these developments prior to proceeding. It is recommended that ZOAG and staff discuss the proposed uses in more detail and bring this topic back to the Planning Commission in the future.

In addition, additional discussion and the possible drafting of performance standards is recommended for the proposed establishment of "Recreation Establishment, Indoor" in certain district, and the establishment of "Virginia Farm Winery" in the PD-RV and RC zoning districts.

A. DEPARTMENT OF PLANNING AND ZONING PROPOSED AMENDMENTS

The full text as recommended by staff is included in **Attachment 2** and is summarized below:

- Revise existing uses for consistency purposes to include, without limitation, "Equestrian Facility" to "Equestrian Event Facility"; "Mill Feed Farm Supply" to "Feed and Farm Supply Center"; "Rural Agricultural Corporate Retreat" to "Rural Corporate Retreat"; "Rural Resort/Rural Retreat" and "Rural Retreats and Resorts" to "Rural Resort"; "Sewage Pumping Station" to "Sewer Pumping Station"; "Sewer Treatment Plant" to "Sewage Treatment Plant"; "Stable, Neighborhood" to "Stable, Livery".
- Consolidate existing uses "Rural Resort" and "Rural Retreat" into a single use "Rural Resort", and delete existing references to the "Rural Retreat" use.
- Amend various text errors identified as "quick-fix" items.
- Add new, and/or reclassify or delete existing, Permitted, Minor Special Exception, or Special Exception uses, to include, without limitation, the following: "Equestrian Facility" (to be renamed to "Equestrian Event Facility"); "Rural Agricultural Corporate Retreat" (to be renamed to "Rural Corporate Retreat"); "Stable, Neighborhood" (to be renamed to "Stable, Livery"); and "Stable, Private", which may be subject to Additional Regulations, to the AR-1; AR-2; A-10; A-3; CR-1; RC; JLMA-1; JLMA-2; JLMA-3; JLMA-20; TR-10; TR-3; TR-2; TR-1; PD-CV; and PD-RV zoning districts.
- Revise Minimum Yard and Maximum Lot Coverage requirements for the AR-1, AR-2, A-10, A-3, and JLMA-20 zoning districts.

- Exempt new types of historic structures from certain Additional Regulations in Section 5-600 for certain uses.
- Apply Additional Regulations for Restaurants (Section 5-643) to Restaurants in the JLMA-2 and JLMA-3 zoning districts.
- Amend Article 8, Definitions for the following uses: “Agriculture Support and Services Directly Associated with On-going Agricultural Activity, On-Site”; “Agriculture Support and Services Not Directly Associated with On-going Agricultural Activity, On-Site”; “Animal Care Business”; “Animal Hospital”; “Animal Husbandry”; “Animal Services”; “Equestrian Facility” (to be renamed to “Equestrian Event Facility”); “Pet”; “Stable, Neighborhood” (to be renamed to “Stable, Livery”); “Stable, Private”; and “Veterinary Service” in regard to certain equestrian uses.
- Revise Article 8, Definitions for “Agriculture”; “Animal Husbandry”, and “Horticulture” to clarify the distinctions between Use Classifications, Use Categories, and Use Types.
- Consolidate, revise, and clarify the Article 8 definitions for “the ZOAG recommended adding Virginia Farm Winery as a new Permitted use Silviculture”.
- Revise the existing definitions in Article 8 for “Winery, Commercial” and “Winery, Virginia Farm” to include cider manufacturing uses.

B. ZOAG – PROPOSED AMENDMENTS

In addition, ZOAG proposes additional amendments to Articles 2, 4 and 5 of the Zoning Ordinance to permit 36 new Permitted and Special Exception uses within the Open Space of certain zoning districts, the addition of the use “Rural Recreation Establishment, Indoor” to certain zoning districts, and the addition of the use “Virginia Farm Winery” to the RC (Rural Commercial) and PD-RV (Planned Development-Rural Village) Village Conservancy and Satellite Conservancy Subdistricts.

For purposes of discussion, these proposed amendments have been separated from ZOAM 2015-0006 as staff believes that additional discussion and community outreach is needed to determine whether such uses are appropriate in those locations. ***It is recommended that these amendments be tracked separately and that ZOAG and staff continue discussion of the proposed uses in more detail and bring the topics back to the Planning Commission in the future.***

The additional ZOAG amendments are included in **Attachment 3** and are summarized below:

- Add 36 new Permitted, Minor Special Exception, or Special Exception uses within the Open Space of the AR-1 (Agricultural Rural-1) and AR-2 (Agricultural Rural-2) Cluster Subdivision Option; TR (Transitional Residential); and Rural Hamlet Option of the A-10 (Agriculture) and (A-3 Agricultural Residential) zoning districts. “Agricultural Cultural Center”; “Agricultural Processing”; “Agri-

Education”; “Agritainment”; “Animal Care Business”; “Antique shop”; “Arboretum”; “Art Gallery or Art Studio”; “Botanical garden or nature study area”; “Camp, Day and Boarding, with 30 or fewer campers”; “Camp, Day and Boarding, with more than 30 campers”; “Campground”; “Cemetery”; “Community, Neighborhood, or Regional Park, Active Recreational Uses”; “Community, Neighborhood, or Regional Park, Passive Recreational Uses”; “Craft Shop”; “Direct Market Business for Sale of Products Produced On-Site including but not limited to PYO (Pick-Your-Own); “Eco-Tourism”; “Farm Based Tourism”; “Farm Co-Ops”; “Farm Markets”; “Farm Restaurant”; “Limited Brewery”; “Nursery, Production”; “Outdoor Amphitheater”; “Pet Farms”; “Private Club or Lodge”; “Small Business”; “Stable, Neighborhood” (to be renamed to “Stable, Livery”); “Stable, Private”; “Stables”; “Teahouse; Coffeehouse”; “Tenant Dwelling”; “Wayside Stand”; “Wetlands mitigation bank”; and “Virginia Farm Winery”

- Add “Recreation Establishment, Indoor” as a Permitted, Minor Special Exception, or Special Exception use to the AR-1; AR-2; CR-1; JLMA-3; JLMA-20; and TR-10 zoning districts. Such use may be subject to Additional Regulations.
- Add “Virginia Farm Winery” as a Permitted use to the RC zoning district and the PD-RV (Village Conservancy and Satellite Conservancy Subdistricts) zoning district. Such use may be subject to Additional Regulations.

IV. REFERRAL COMMENTS

ZOAM 2015-0006 draft text amendment was sent for review and comments to: Zoning Ordinance Action Group (ZOAG); Building and Development (B&D), Engineering; B&D, Environmental Review Team; B&D, Zoning Permits; County Attorney’s Office; Economic Development; Department of Planning and Zoning, Community Planning; Department of Planning and Zoning, Land Use Review; Department of Transportation and Capital Infrastructure, Transportation; Virginia Department of Transportation; Rural Economic Development Council, Loudoun County Equine Alliance, and Loudoun County Preservation and Conservation Coalition. Outstanding issues and concerns expressed by the agency referrals are included in the “Summary of Outstanding Issues” Section below. Please review **Attachment 4** for full comments of referral agencies.

V. SUMMARY OF OUTSTANDING ISSUES

The outstanding issues raised by the referral comments pertain to, 1) Open Space uses; 2) Rural Recreation Establishment, Indoor use; 3) Virginia Farm Winery use in the PD-RV Zoning District; and 4) Virginia Farm Winery use in the RC Zoning District. The following issues have been identified for Planning Commission consideration:

1. Additional Uses in Open Space

Proposed Text. ZOAG proposes to add 36 new Permitted and Special Exception uses within the AR-1 and AR-2 Cluster Subdivision Option Common Open Space; TR Open Space; and Rural Hamlet Option Open Space.

Recommendation: Additional review and community outreach is needed before additional uses are added to open space parcels. Planning and Zoning does not oppose the inclusion of uses within the open space parcels, however, as discussed previously, some of the proposed uses are not consistent with the intent of these open space areas and provide for more intensive uses that are not compatible with adjacent residential uses.

During the ZOAG's Rural Use Subcommittee meetings regarding ZOAM 2015-0006, representatives of the Telegraph Springs Rural Hamlet requested that ZOAG consider adding additional uses to the Rural Hamlet Open Space lots. The specific request was to allow a landscape contractor business to use an existing barn structure located on a common open space parcel. The intent was to allow the Telegraph Springs Rural Hamlet the ability to maintain the existing barn structure and common open space parcel. The ZOAG revisions, although well intended, go beyond the original request by the Telegraph Springs Rural Hamlet.

The rural hamlet and rural cluster development options allow for a more compact residential design with residential lots, as small as a quarter ($\frac{1}{4}$) acre, grouped together in a cluster pattern so that a substantial amount of the remaining land is maintained for traditional agriculture, rural economy uses and/or open space to preserve the rural character of the landscape. Many of the proposed uses contradict the purpose and intent of the required open space, consume large areas of land for parking, require significant infrastructure, may adversely impact health, safety, and welfare of adjacent residential properties and uses, and may generate substantial traffic and noise in comparison to existing uses permitted in the open space land which are agricultural based and preserve the open rural character of the land. The Department of Transportation and Capital Infrastructure (DTCI) has concerns with the increase in commercial traffic and the potential scale and intensity of these uses on unpaved roads accessing open space parcels. DTCI notes that the intensity and resulting higher traffic volumes generated by such uses, including delivery and service vehicles, may need to be accommodated on paved roadways, which may be contrary to the purpose and intent of open space.

2. Rural Recreation Establishment, Indoor

Proposed Text. ZOAG proposes to add "Recreation Establishment, Indoor" as a Special Exception use in the AR-1; AR-2; CR-1; JLMA-3; JLMA-20 and TR-10 zoning districts.

Recommendation: Additional review is needed, including the establishment of performance standards, prior to considering the addition of the "Recreation Establishment, Indoor" use to the above zoning districts. Performance standards and design guidelines to regulate the size, scale, and design of the facilities to ensure

their compatibility with the character of the area, to minimize their impact on adjacent properties and to provide all prospective operators with a clear and consistent expectation of requirements is recommended by staff.

During the ZOAG's Rural Use Subcommittee meetings regarding ZOAM 2015-0006, representatives of the Evergreen Sports Complex requested that ZOAG consider adding "Recreation Establishment, Indoor" as a Permitted use in the AR-1 zoning district. Indoor recreation facilities in the County are typically associated within indoor sport complexes for soccer, lacrosse, hockey, ice skating, swimming, tennis, climbing etc. which provide year round training and game facilities for youth and adult athletes. Examples of these types of indoor recreation facilities include the Ashburn Ice House, Dulles SportsPlex, Rebounders and Sport Rock in Sterling. These indoor recreation facilities often have very early hours and extend late in the evening to accommodate teams and leagues which rent space on an hourly basis. Indoor recreation facilities generate peak traffic demand on hourly increments as teams and leagues rotate through the facility and when tournaments are hosted. Appropriate performance standards are needed to ensure compatibility of this type of use in rural zoning districts.

3. Virginia Farm Winery, PD-RV (Planned Development-Rural Village) Zoning District

Proposed Text. ZOAG proposes to add Virginia Farm Winery as a new Permitted use within the PD-RV Village Conservancy and Village Satellite Conservancy Subdistrict.

Recommendation: **Additional review and community outreach is needed before additional uses are added to the PD-RV zoning district.** Although the Village Conservancy and Village Satellite Conservancy Subdistrict consist of large lots that are suitable for the growing of grapes, other activities at wineries may affect neighboring properties. Thus, a Virginia Farm Winery as a permitted use may not be in keeping with the scale and intensity of the other agricultural and passive uses currently permitted and may create conflicts with noise, lighting and traffic on private roads that adversely affect existing residents. It is recommended that this proposal be discussed further to determine whether performance standards that limit the size of the use and address compatibility issues, such as noise, lighting and traffic, can be developed. Representatives from the Department of Transportation and Capital Infrastructure (DTCI) note that allowing a Virginia Farm Winery as a permitted use would eliminate the opportunity for legislative review of potential site-specific access, traffic circulation and operational issues; such legislative review could result in changes to site design and/or site-specific conditions of approval consistent with the County's adopted 2010 Countywide Transportation Plan policies.

During the ZOAG's Rural Use Subcommittee meetings regarding ZOAM 2015-0006, a property owner of a Courtland Farms Rural Hamlet Conservancy Lot requested that ZOAG consider adding Virginia Farm Winery as a new Permitted use within Village Conservancy and Village Satellite Conservancy Subdistrict of the PD-RV zoning district. Concern has been raised by properties within the vicinity of this proposed

Virginia Farm Winery.

There are four approved Rural Villages within the County with approved residential development ranging between 225 and 325 homes each: Elysian Heights, Red Cedar, Courtland and Greene Mill Preserve, formerly known as Woodland Rural Village. The Village Conservancy and Satellite Conservancy Subdistricts lots comprise the required open space lots for a Rural Village and are established to provide significant buffering of neighboring properties and to provide a land base for agricultural, forestal and open spaces uses. The conservancy lots permit a limited number of by-right uses, which include a variety of agricultural uses, farm support uses, and small scale hospitality uses designed to preserve and maintain the rural character of the landscape.

4. Virginia Farm Winery, RC (Rural Commercial) Zoning District

Proposed Text. ZOAG proposes to add Virginia Farm Winery as a new Permitted use in the RC zoning district. ZOAM 2015-0006 proposes also adding Commercial Winery as a new Special Exception use in the RC zoning district, subject to additional regulations.

Recommendation: A Virginia Farm Winery use may not be an appropriate by-right use in the RC zoning district given that it typically includes onsite production and has no regulatory review by the County. If there is no on-site production, the operations would be similar to a Commercial Winery, which is also proposed as a new Special Exception use in the RC zoning district. A Special Exception process would allow the Board of Supervisors and Planning Commission the opportunity to assess the potential impacts of an individual site and allows opportunities for public input throughout the legislative process. Conditions imposed during the Special Exception process can restrict the size and scale of the operation to ensure compatibility with the surrounding uses as development of standard performance standards may not address concerns at all locations proposed in the RC District. If the Planning Commission desires that the Virginia Farm Winery use be a Permitted use, it is recommended that performance standards be developed to limit the size of the use to be compatible in scale with buildings and uses that are typically found in the RC District.

The RC zoning district is generally associated with the existing villages in the western portion of the County. The policies of the Revised General Plan for Existing Villages specifically excludes large scale commercial uses in the Existing Villages and encourages the location of small scale, convenience-sized businesses within the villages that meet local neighborhood needs and are compatible in scale with the surrounding building and related uses in the villages.

VI. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1211(D), Text Amendments, of the Revised 1993 Loudoun County Zoning Ordinance states "...for an amendment of the text of this Ordinance, the Planning Commission shall consider the following matters:"

Standard *Whether the proposed text amendment is consistent with the Comprehensive Plan.*

Analysis The policies of the Revised General Plan support the development of business uses in the Rural Policy Area, Joint Land Management Area, Existing Village and Transition Policy Area that are compatible in scale, use and intensity with the surrounding land uses, contribute to the rural economy and preserve large areas of land for rural economy, agricultural and open space uses. Review of the proposed Zoning Ordinance amendments has identified several amendments that require further consideration and/or that may be contrary to Comprehensive Plan guidance.

Standard *Whether the proposed text amendment is consistent with the intent and purpose of this Ordinance.*

Analysis The intent of the Zoning Ordinance is defined under Section 1-102, which states: *"This Ordinance is enacted in order to promote the health, safety and welfare of the residents of Loudoun County and to implement the Loudoun County Comprehensive Plan."* Some of the uses proposed to be located in AR-1 and AR-2 Cluster Subdivision Option Common Open Space, the TR Open Space, and the Rural Hamlet Option Open Space are not consistent with the intent and purpose of the Ordinance and thus staff has concerns with certain parts of this amendment that should be discussed further prior to recommendation by the Planning Commission. It is recommended that ZOAG and staff further review such uses to determine which uses are compatible or can become compatible with appropriate performance standards.

VII. ATTACHMENTS

1	Copy Teste/Resolution of Intent to Amend dated October 21, 2015
2	ZOAM 2015-0006 Draft Text
3	ZOAG Additional Recommended Draft Text
4	Referral Comments

* This Staff Report with attachments and additional information can be viewed online at <http://www.loudoun.gov/lola> under the application ZOAM 2015-0006. Copies are also available in the Department of Planning and Zoning.



Loudoun County, Virginia

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At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison Street, S.E., Leesburg, Virginia, on Wednesday, October 21, 2015 at 4:00 p.m.

IN RE: ZOAM 2015-0006: RESOLUTION OF INTENT TO AMEND THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE, RURAL USES AND STANDARDS AND HISTORIC STRUCTURE EXEMPTION (COUNTYWIDE)

Vice Chairman Buona moved that the Board of Supervisors adopt the Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance, provided as Attachment 1 to the October 21, 2015 Action Item, to implement ZOAM 2015-0006.

Seconded by Supervisor Bonfils.

Voting on the Motion: Supervisors Bonfils, Buona, Delgaudio, Higgins, Letourneau, Reid, Volpe, and York – Yes; None – No; Supervisor Clarke – Absent for the Vote.

A COPY TESTE:


DEPUTY CLERK FOR THE LOUDOUN COUNTY
BOARD OF SUPERVISORS

PLANNING COMMISSION PUBLIC HEARING
 ZOAM 2015-0006
 RURAL USES/HISTORIC STRUCTURES
 APRIL 26, 2016

‘QUICK FIX’ CHANGES

ITEM 1

Issue: In the JLMA-20 zoning district, “General Government Use”, under the “Cultural and Government Facilities” use classification is listed as a Special Exception (SPEX) use subject to Section 5-631. However, Section 5-631 regulates animal hospitals.

Response: Quick Fix. Removed reference to “5-631” related to Animal Hospital.

Proposed Text Amendment:

TABLE 2-1303 JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	JLMA-20 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES		
PUBLIC AND INSTITUTIONAL USES					
Cultural and Government Facilities	General Government Use	S	Section 5-631		
	Fairground	S	Section 5-635		

ITEM 2

Issue: AR-1 Section 2-103(B)(2) and AR-2 Section 2-203(B)(2)(d) refers to the “Land Development and Subdivision (LSDO)” and should state “Land Subdivision and Development (LSDO)”

Response: Quick Fix. Amended Section 2-103(B)(2)(d) and Section 2-203(B)(2)(d) to read “Land Subdivision and Development (LSDO)”.

Text Amendment:

2-103 Development Options.

(B) Principal/Subordinate Subdivision Option:

(2) Characteristics of Principal/Subordinate Subdivision Option.

(d) A Principal Lot may be further subdivided, provided the minimum requirements of the Zoning Ordinance and Land ~~Development and Subdivision~~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.

2-203 Development Options.

(B) Principal/Subordinate Subdivision Option:

(2) Characteristics of Principal/Subordinate Subdivision Option.

(d) A Principal Lot may be further subdivided, provided the minimum requirements of the Zoning Ordinance and Land ~~Development and Subdivision~~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.

ITEM 3

Issue: The JLMA-2 and JLMA-3 zoning districts allows a “Restaurant” use pursuant to Section 5-643, Additional Regulations. However, Section 5-643 states that the Additional Regulations apply to a “Restaurant” in the AR districts, only.

Response: Quick Fix. Amended Section 5-643 to include AR, JLMA-2 and JLMA-3 zoning districts consistent with zoning district use requirements. ZOAM 2002-0003, Adopted 1/6/2003 allowed a Restaurant use in JLMA-2 and JLMA-3 pursuant to Section 5-643. The Zoning Ordinance currently requires Restaurants in the AR-1, AR-2, JLMA-2 and JLMA-3 Zoning District pursuant to Section 5-643.

Proposed Text Amendment:

5-643 Restaurant. Any restaurant use in the AR-1, AR-2, JLMA-2, and JLMA-3 zoning districts shall comply with the following standards.

ITEM 4

Issue: “Silviculture” has two definitions. Consider combining them

Response: Quick Fix. After further research, it is unclear as to the need for the two definitions or even the need to define “Silviculture” in the zoning ordinance. Reviewing ZOAM 2002-0003 it appears that the 1st definition was added as part of the general revisions to the Zoning Ordinance and the 2nd definition was provided along with the revisions to the environmental impact sections of the Zoning Ordinance (i.e. LOD). VA Code § 10.1-1181.1. Definitions. "Silvicultural activity" means any forest management activity, including but not limited to the harvesting of timber, the construction of roads and trails for forest management purposes, and the preparation of property for reforestation. Amend Article 8 Definitions by combining, amending, or deleting definitions of Silviculture.

Proposed Text Amendment:

Article 8: Definitions

Forestry: The planting, growing and harvesting of trees, but not including sawmilling or other processing of trees or parts thereof.

Silviculture: The planting, growing, cultivating, cutting, and harvesting of trees growing on a site, and the loading, unloading and sorting of trees on a site where they were grown, for wood or wood-based products. ~~See Forestry.~~

~~**Silviculture:** The art and science of controlling the establishment, growth, composition, health and quality of forests and woodlands, typically dependent on Best Management Practices. In Loudoun County it is a component of healthy forest management that is limited to tree and shrub planting; limited tree clearing for firewood, and clearing of dead and diseased trees and invasive species; and tree pruning and trimming. Silviculture does not include commercial planting or clear cutting of a forest.~~

FOR INFORMATION PURPOSES ONLY:

**Section 4-1900 Limestone Overlay District
4-1903 Applicability and Exemptions.**

(C) Exemptions. The following land disturbing activities shall be allowed within the LOD, subject to the specific limits set forth below:

(1) Agricultural Operations. This section shall not apply to agricultural, horticultural, or animal husbandry operations located in the LOD that are covered by, and conducted in conformance with, a Conservation Farm Management Plan, that includes best management practices, approved by the Loudoun County Soil and Water Conservation District or the U.S. Natural Resources and Conservation Service, and a Nutrient Management Plan approved by the Loudoun County Soil and Water Conservation District. Structures associated with agricultural operations are not exempt from these provisions. For purposes of this Section 4-1900, the term “structure” shall include, but not be limited to, all buildings, water/dam embankments, retaining walls, field/ tile drainage, road construction and cut or fill operations.

(2) Forestry and Silviculture. This section shall not apply to Forestry and Silviculture conducted in conformance with a Forest Management Plan that is prepared by the Virginia Department of Forestry, or a professional forester with, at a minimum, a Bachelor of Science degree from an accredited School of Forestry, in accord with requirements in the Facilities Standards Manual and approved by the County Urban Forester.

ITEM 5

Issue: TR-10. Table 2-1402 under “Utility” use category, states “Sewer and water pumping station” and should be revised to state, “Water and/or sewer pumping station”, to maintain alphabetical listing of uses and the uses are distinct. Equally, “Sewage and

water treatment plants” should be revised to state the “Sewage and/or water treatment plants”

Response: Quick Fix. Amended to state “Sewage and/or water treatment” and “Water and/or sewer pumping station” throughout the Zoning Ordinance.

Proposed Text Amendment:

TABLE 2-1003 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Utility	Sewer Sewage and/or water treatment plant	S	Section 5-621
	Sewage Water and/or water sewer pumping station	P	Section 5-621

TABLE 2-1103 JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Utility	Sewer Sewage and/or water treatment plant	S	Section 5-621
	Sewage Water and/or water sewer pumping station	P	Section 5-621

**TABLE 2-1203
 JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	JLMA-3 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Utility	Sewage and/or water treatment plant	P	Section 5-621
	Sewage Water and/or water sewer pumping station	P	Section 5-621

**TABLE 2-1303
 JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	JLMA-20 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Utility	Sewer Sewage and/or water treatment plant	S	Section 5-621
	Sewage Water and/or water sewer pumping station	P	Section 5-621

**TABLE 2-1402
 TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	TR-10 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Utility	Sewage and/or water treatment plant	S	Section 5-621

TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Sewer Water and/or water sewer pumping station	P	Section 5-621

TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES					
Utility	Water Sewage and sewage water treatment plant	S	S	S	Section 5-621
	Water and/or sewer pumping station	P	P	P	Section 5-621

TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Utility	Sewage and/or water treatment plant	S	Section 5-621
	Sewage Water and/or water sewer pumping station	P	Section 5-621

TABLE 2-1702 TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION				
USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES				
Utility	Sewage and/or water treatment plant	S	S	Section 5-621
	Water and/or sewer pumping station	P	P	Section 5-621

Section 4-200 PD-CC Planned Development - Commercial Center.

4-203 Permitted Uses. The following uses shall be permitted in each type of shopping center subject to the requirements and limitations of these regulations.

- (A) **Neighborhood Center.**
- (28) ~~Sewage~~ Sewer pumping station.

ITEM 6

Issue: JLMA-1 zoning district Table 2-1003, the Additional Regulation reference for “Cemetery” use, under “Park and Open Space” use category, states “Section 6-637” and the correct Additional Regulation reference is Section 5-637.

Response: Quick fix. Amended Table 2-1003 for “Cemetery” use to state “5-637”. Section “5-637” is correct reference.

Proposed Text Amendment:

TABLE 2-1003 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Park and Open Space	Cemetery	S	Section 6-637 <u>5-637</u>

ITEM 7

Issue: AR-1 zoning district Section 2-104, Homeowners’ Association and Responsibilities, states “If the subdivision contains any of the common areas of improvements...” and should state “If the subdivision contains any of the common areas or improvements...” as in the AR-2 zoning district Section 2-204, Homeowners’ Association and Responsibilities.

Response: Quick fix. Amended Section 2-104(A) deleting "of" and adding "or".

Proposed Text Amendment:

2-104 Homeowners’ Association and Responsibilities.

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

ITEM 8

Issue: Zoning district lists “Farm Supplies” as a use while other zoning districts list “Mill, feed and farm supply center” or “Mill feed and farm supply center”, which all refer to the same use. RC district lists “Farm Supplies” and “Mill, feed and grain”.

Response: Quick Fix. Delete Article 8 “Mill feed and farm supply center” definition to add new “Feed and farm supply center” (using same definition as Mill feed and farm supply center) and update the use throughout the Zoning Ordinance renaming “Farm Supplies” and “Mill feed and farm supply center”. No change proposed for “Mill, feed and grain” use. “Mill, feed and grain” and “Feed and farm supply center” are separate uses.

Proposed Text Amendment:

TABLE 2-102: AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity	Mill feed <u>Feed</u> and farm supply center	P	Section 5-630

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity	Mill, feed <u>Feed</u> and farm supply center	P	Section 5-630

Section 2-300 A-10 Agriculture

2-302 Permitted Uses. The following uses are permitted in this district:

(Z) ~~Mill, feed~~ Feed and farm supply center.

Section 2-400 A-3 Agricultural Residential.

2-402 Permitted Uses. The following uses are permitted in this district:

(Z) ~~Mill, feed~~ Feed and farm supply center.

Section 2-900 RC Rural Commercial District.

2-903 Permitted Uses. The following uses are permitted in this district:

(EE) ~~Farm supplies~~ Feed and farm supply center.

2-904 Special Exception Uses. The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

(A) Any one permitted use in excess of 10,000 sq. ft. in gross floor area provided that agricultural uses, mill, feed and grain, feed and farm supply center~~farm supplies~~, farm market, and farm machinery sales and service are not subject to this limit.

**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	JLMA-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			

**TABLE 2-1003
 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	JLMA-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Mill-feed-Feed and farm supply center	S	Section 5-627

**TABLE 2-1103
 JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	JLMA-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Mill-feed-Feed and farm supply center	S	Section 5-627

**TABLE 2-1203
 JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	JLMA-3 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Mill-feed-Feed and farm supply center	S	Section 5-627

TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Retail Sales and Service	Mill-feed <u>Feed</u> and farm supply center	S	

Section 4-600 PD-GI Planned Development - General Industry.

4-603 Permitted Uses. The following uses shall be permitted in any PD-GI district; subject to the requirements and limitations of these regulations:

- (Y) ~~Farm supplies~~ Feed and farm supply center.

Section 4-700 PD-SA Planned Development - Special Activity

4-703 Permitted Uses. The following uses are permitted in the PD-SA District, subject to the requirements and limitations of these regulations. Other complementary uses may be approved as part of a PD-SA rezoning if specifically identified by type, size and location as part of the approved Concept Development Plan.

- (Y) ~~Farm supplies~~ Feed and farm supply center.

Section 4-1200 PD-RV Planned Development - Rural Village.

4-1209 Permitted Uses.

(A) **Village Conservancy and Satellite Conservancy Subdistricts.** The following uses shall be permitted in both the Village Conservancy and Satellite Conservancy subdistricts:

- (34) ~~Mill, feed~~ Feed and farm supply center.

Article 8. Definitions.

Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity: Uses and activities that provide support and services to agricultural, horticultural and animal husbandry activities, either on the site of the agricultural, horticultural or animal husbandry activity, or off-site. These uses include: agricultural research facility; animal care businesses; central farm distribution hub for agricultural products; equestrian facilities; equestrian facilities and infrastructure, public (horse trail networks, show rings, cross country course, etc.); farm machinery repair; farm machinery sales, rental and service; ~~mill~~-feed and farm supply centers; nurseries, commercial; stables, neighborhood, on lots of 25 acres or more, or frontage on state maintained road; stable, private; and similar uses.

Feed and Farm Supply Center: A commercial enterprise engaged in the provision of animal feed, bedding and accessories and farm and garden supplies (such as seed, fencing, hardware, pesticides, and fertilizer) to agricultural, horticultural, and/or animal husbandry operations, but not an enterprise where more than 10% of the floor area or display or storage area utilized for the enterprise is devoted to heavy equipment and machinery; a “feed-and-seed” store.

~~**Mill feed and farm supply center:** A commercial enterprise engaged in the provision of animal feed, bedding and accessories and farm and garden supplies (such as seed, fencing, hardware, pesticides, and fertilizer) to agricultural, horticultural, and/or animal husbandry operations, but not an enterprise where more than 10% of the floor area or display or storage area utilized for the enterprise is devoted to heavy equipment and machinery; a “feed-and-seed” store.~~

ITEM 9

Issue: TR-10 zoning district Table 2-1402 lists “Dwelling, single-family detached, including manufactured housing” under “Household Living” use category states “Manufactured housing is subject to Section 5-620” as an Additional Regulation. However, Section 5-620 states that manufactured housing in the TR-10 zoning district is exempt.

Response: Quick Fix. Amended Table 2-1402 deleting “Manufacturing housing is subject to Section 5-620.” “Section 5-620(I) states, “Manufactured homes in the AR-1, AR-2, A-3, A-10, and TR-10 districts shall not be subject to this section.” [ZOAM 2002-0003]

Proposed Text Amendment:

TABLE 2-1402 TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	TR-10 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Household Living	Dwelling, single-family detached, including manufactured housing	P	Manufacturing housing subject to Section 5-620

HISTORIC STRUCTURES

ITEM 10

Issue: Review regulations regarding exemptions for individual historic structures or properties similar to the Historic Site District or Historic and Cultural Conservation District exemptions.

Response: Amended Sections 5-601(B)(7) “B&B Inn”; 5-601(C)(7) “Country Inn”; 5-628(A)(5) “Farm Based Tourism”; 5-650(B)(3) “Antique Shop; Art Gallery; Craft Shop”; 5-651(B)(4) “Auction House”; 5-656(A)(2) “Convent or Monastery” to expand exemptions for structure listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 2) listed or eligible for listing as a contributing resource as defined in Section 6-1801. Also allow the historic structure exemption to apply to other Section 5-600 Specific uses.

Proposed Text Amendment:

SECTION 5-600. Additional Regulations for Specific Uses.

5-601 Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn and Rural Retreats and Rural Resorts Establishments.

(B) Bed and Breakfast Inn.

(1) Intensity/Character.

- (a) **Management.** The owner or manager of the premises shall provide full-time management at all times when the Bed and Breakfast Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises.
- (b) **Guest Rooms.** The number of guest rooms shall not exceed 10.
- (c) **Lot Area.** The minimum lot area shall be 5 acres.
- (d) **Size of Use.** The floor area ratio shall not exceed 0.04.
- (e) **Food Service.** The Bed and Breakfast Inn shall not contain restaurant facilities, but may provide food service for overnight guests or private party attendees, only.
- (f) **Private Parties.**
 - (i) Private parties for up to 50 attendees, including overnight guests, may be held daily at the Bed and Breakfast Inn.
 - (ii) Private parties for more than 50 attendees, including overnight guests, may be held up to 20 times per calendar year and shall require approval of a Building Permit to allow the structure to be used for such private parties and a Zoning Permit for the private parties. A Zoning Permit shall be applied for at least thirty (30) days in advance of each private party, or at least 30 days in advance of the first private party of the calendar year if the dates of all such private parties are listed. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any

necessary approvals from County agencies, such as the Health Department and Fire Official.

- (g) **Hours of Operation.** Hours of operation for private parties shall be limited to 7:00 AM to 12:00 midnight.
- (h) **Yard Standards.**
 - (i) Parking shall be setback 40 feet from all lot lines.
- (2) **Landscaping/Buffering/Screening.**
 - (a) The use shall comply with the landscaping and screening standards of Section 5-653(A) to screen outdoor private party areas, regardless the size of adjacent property. The landscaping and screening requirements of Section 5-653(A) may be waived or modified in whole or in part by the Zoning Administrator in the circumstances listed in Section 5-1409 or under the additional circumstance where the adjacent property owner(s) provides written consent to waive all or a portion of the required landscaping/buffering/screening requirements.
 - (b) Parking areas shall comply with the landscaping and screening standards of Section 5-653(B).
 - (c) New driveways providing access to a Bed and Breakfast Inn use shall not be located within a required buffer yard area except as minimally necessary to access the site.
- (3) **Parking.**
 - (a) **General.** Parking and loading for a Bed and Breakfast Inn shall be provided as required by Section 5-1102.
- (4) **Exterior Lighting.** Exterior lighting for a Bed and Breakfast Inn shall be subject to Section 5-652(A)(1)-(3) (Exterior Lighting Standards). In addition to the requirements of Section 5-652, the maximum height of pole-mounted exterior lighting, outside of parking areas, shall be 12 feet.
- (5) **Noise.**
 - (a) The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A).
 - (b) No outdoor music shall be permitted between 11 PM and 10 AM on Friday, Saturday, and any evening preceding a holiday recognized by Loudoun County, and between 10 PM and 10 AM on any other day.
- (6) **Roads/Access.**
 - (a) The Bed and Breakfast Inn shall comply with the Road Access Standards in Section 5-654.
 - (b) For any Bed and Breakfast Inn that is located on a lot which does not have frontage on a publicly maintained road, documentation shall be provided to the Zoning Administrator demonstrating that the private access easement serving such lot may be used to provide access to the establishment.
 - (c) There shall be no more than two points of access for the Bed and Breakfast Inn.

- (7) ~~A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as a Bed and Breakfast Inn and shall be exempt from the minimum lot area, yard and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003, unless a greater expansion is approved by Minor Special Exception, pursuant to Section 6-1300. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.~~

(C) **Country Inn.**

(1) **Intensity/Character.**

- (a) **Management.** The owner or manager of the premises shall provide full-time management at all times when the Country Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises.
- (b) **Guest Rooms.** 1-40 guest rooms.
- (c) **Minimum Lot Area.** The minimum lot area shall be 20 acres.
- (d) **Size of Use.**
- (i) The floor area ratio shall not exceed 0.04.
- (ii) Any restaurant and indoor Banquet/Event Facility(ies) located on the property shall not exceed 49 percent of the total floor area of the Country Inn.
- (e) **Food Service.**
- (i) Food service may be provided for overnight guests and private party attendees.
- (ii) Full-service restaurant facilities may be provided to the general public in accordance with the individual Zoning District regulations.
- (f) **Private Parties.**
- (i) Private parties for up to 100 attendees, including overnight guests, may be held daily at the Country Inn.
- (ii) Private parties for more than 100 attendees, including overnight guests, may be held up to 20 times per calendar year and shall require approval of a Building Permit to allow the structure to be used for such private parties and a Zoning Permit for the private parties. A Zoning Permit shall be applied for at least thirty (30) days in advance of each private party, or at least 30 days in advance of the first private party of the calendar year if the dates of all such private parties are

listed. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and Fire Official.

- (g) **Hours of Operation.** Hours of operation for private parties shall be limited to 7:00 AM to 12:00 midnight.
- (h) **Yard Standards.**
 - (i) The Country Inn use shall be setback 100 feet from all lot lines.
 - (ii) Parking shall be setback 100 feet from all lot lines.
 - (iii) Outdoor private party areas shall be setback 200 feet from all lot lines or 100 feet from a lot line of a property having a commercial use.
- (i) **Accessory Use.** A maximum of 10% of the gross floor area of the Country Inn may be composed of accessory day treatment, spa facilities.
- (2) **Landscaping/Buffering/Screening.**
 - (a) The use shall comply with the landscaping and screening standards of Section 5-653(A) to screen outdoor private party areas from adjacent properties, regardless the size of adjacent property.
 - (b) Parking areas shall comply with the landscaping and screening standards of Section 5-653(B).
 - (c) New driveways providing access to the Country Inn shall not be located within a required buffer yard area except as minimally necessary to access the site.
- (3) **Parking.**
 - (a) **General.** Parking and loading for a Country Inn shall be provided as required by Section 5-1102.
- (4) **Exterior Lighting.** All exterior lighting shall comply with the standards of Section 5-652(A)(1)-(3) (Exterior Lighting Standards). In addition to the requirements of Section 5-652, the maximum height of pole-mounted exterior lighting, outside of parking areas, shall be 12 feet.
- (5) **Noise.**
 - (a) The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A).
 - (b) No outdoor music shall be permitted between 12 AM (midnight) and 7 AM.
- (6) **Roads/Access.**
 - (a) The Country Inn shall comply with the Road Access Standards in Section 5-654.
 - (b) For any Country Inn that is located on a lot which does not have frontage on a publicly maintained road, documentation shall be provided to the Zoning Administrator demonstrating that the private access easement serving such lot may be used to provide access to the establishment.

- (c) There shall be no more than two points of access for guests of the Country Inn.
- (7) A structure existing prior to January 7, 2003, ~~located within an Historic Site District or Historic and Cultural Conservation District that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District~~ may be used as a Country Inn and shall be exempt from the minimum lot area, yard and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003, ~~unless a greater expansion is approved by Minor Special Exception, pursuant to Section 6-1300.~~ Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-602 Tenant Dwellings. Tenant dwellings may be located in the A-3, A-10, TR, CR and JLMA districts, in accord with the list of permitted and special exception uses for the individual zoning districts, subject to the following additional criteria:

- (A) **Tenant Dwellings.** One (1) tenant dwelling shall be permitted by right subject to the following criteria:
 - (1) The tenant dwelling shall be located on a parcel with an area of ten (10) acres or more.
 - (2) One additional tenant dwelling shall be permitted for each twenty-five (25) acres of a parcel in excess of the minimum area of ten (10) acres.
 - (3) **Tenant Dwellings for Seasonal Labor/Special Exception.** In addition to those structures permitted under Section 5-602(A)(1) and (2) above, additional tenant dwellings for seasonal labor may be permitted by special exception.
- (B) **General Standards.** Tenant dwellings shall meet the following additional criteria:
 - (1) **Screening.** Portable dwellings shall be screened from view from public roads and neighboring properties.
 - (2) **On Internal Roads/No Direct Access to Public Roads.** Structures for multi-family dwelling units shall be accessed by internal roads, shall not have direct access to public roads, and shall be screened from public roads and neighboring properties in accord with the landscaping and buffering requirements for multi-family dwellings.
 - (3) **Separate Dwelling.** For the purposes of 5-602(A)(1) and (2) above, each unit of a multiple dwelling structure shall constitute a separate tenant dwelling.
 - (4) **Home Occupations.** Occupants of tenant dwellings may conduct home occupations subject to the provisions of Section 5-400.
 - (5) **Size of Tenant Dwelling.** No tenant dwelling unit shall exceed 2,500 square feet in floor area.

- (6) **Sanitary and Bathing Facilities.** All dwellings shall have indoor sanitary, cooking, and bathing facilities, consistent with the requirements of the Uniform Statewide Building Code.
- (C) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).
- (D) **Parking.**
 - (1) **General.** Parking and loading shall be provided as required by Section 5-1102.
 - (2) **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- (E) **Landscaping/Buffering/Screening.**
 - (1) The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (2) Parking areas shall be screened to comply with the requirements of Section 5-653(B).
- (F) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as a Tenant Dwelling and shall be exempt from the parcel area for the first tenant dwelling and floor area requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-612 Guest Houses. Guest houses are subject to the following additional standards:

- (A) Only guests or occupants of the principal residence shall use the guest house.
- (B) Guest houses may not be rented, operated for gain, or otherwise used as a separate dwelling.
- (C) The floor area of any guest house shall not exceed the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 2,500 square feet of gross floor area.
- (D) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as a Guest House and shall be exempt from the floor area requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-613 Accessory Apartments and Dwelling Units. Accessory units are subject to the following additional standards:

- (A) No such accessory apartment or dwelling unit shall exceed the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 2,500 square feet in gross floor area.
- (B) Accessory apartments and dwelling units shall be permitted only on lots exceeding 20,000 square feet in area. Such lot size restrictions shall not apply in Rural Villages, Rural Hamlets and Countryside Villages. Further, in R-4 and R-8 zoning districts, accessory apartments and dwelling units shall be permitted on cluster or traditional design option lots, on lots less than 10,000 square feet in area.
- (C) In districts other than A-10, AR-1, AR-2, A-3, PD-RV and PD-CV, accessory apartments and dwelling units shall be located only on lots served by public sewer.
- (D) Only one (1) accessory dwelling unit or apartment shall be permitted on a lot. One additional accessory apartment or dwelling unit is permitted on a parcel with an area of 20 acres or more.
- (E) Accessory units may be located within an accessory building, agricultural structure, or in the principal structure.
- (F) All of the use limitations of Section 5-102 shall be met.
- (G) In the AR-1 and AR-2 Districts, one additional accessory dwelling shall be permitted for each 25 acres in excess of 20 acres. Additional dwellings may be permitted by special exception for seasonal labor.
- (H) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as an Accessory Apartment or Accessory Dwelling Unit and shall be exempt from the floor area and minimum lot area requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-628 Farm Based Tourism. Farm based tourism uses in the AR, TR, JLMA, and Route 28 CO, PD-CM and CB districts shall comply with the following standards:

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

Use	Scope of Use/Event	Lot Area Requirement
Level I— small scale	No more than 300 visitors on any one day; no more than	>5 acres, up to 40

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

- (3) **Hours of Operation.** Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.
- (4) **Owner.** The farm based tourism use shall be operated or maintained by the owner, operator, or occupant of the land upon which the primary associated agriculture, horticulture or animal husbandry use is being conducted.
- (5) ~~A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as for Farm Based Tourism and shall be exempt from the minimum lot area, yard and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003, unless a greater expansion is approved by minor special exception, pursuant to Section 6-1300.~~

(B) **Size of Use Standards.**

(1) **Structure.**

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

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

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

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

- (1) **Lot Lines.** Structures for farm based tourism uses shall be set back from lot lines as follows:

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

- (D) **Landscaping/Buffering/Screening.**
- (1) Buffer. The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (2) Parking Areas. Parking areas shall be screened to comply with the requirements of Section 5-653(B).
 - (3) Storage Areas. All storage areas shall be screened and landscaped consistent with the standards of Section 5-653(C).
- (E) **Road/Access Standards.**
- (1) General Access Standards. Farm based tourism uses shall comply with the road access standards of Section 5-654.
 - (2) Driveways. Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.
- (F) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-654(A) (Exterior Lighting Standards).
- (G) **Parking.**
- (1) **General.** Parking shall be provided as required by Section 5-1102.
 - (2) **Surface.** All parking areas shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- (H) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used for Farm Based Tourism and shall be exempt from the minimum lot area and Level I lot area and setback from lot lines requirements, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-634 Agricultural Cultural Center. An agricultural cultural center in the AR and Route 28 CO, PD-CM and CB districts shall comply with the following standards:

- (A) **Intensity/Character of Use.** The minimum lot area for an agricultural cultural center shall be 10 acres.
- (B) **Size of Use.**

- (1) **Floor Area Ratio.** The maximum floor area ratio shall be 0.04.
- (2) **Storage Yards.** The total area of all storage yards shall be limited to 10 percent of the total gross floor area of the principal structure on the site. Outdoor exhibit space open to members of the public shall not be counted as part of the area of storage yards.
- (C) **Location on Site.**
 - (1) **Lot Lines.** An agricultural cultural center shall be set back from lot lines as follows:
 - (a) Structures of less than 9,000 square feet of gross floor area: 125 feet minimum from all lot lines.
 - (b) Structures greater than 9,000 square feet, and up to 18,000 square feet of gross floor area: 175 feet minimum from all lot lines.
 - (c) Structures over 18,000 square feet of gross floor area: 225 feet minimum from all lot lines.
- (D) **Landscaping/Buffering/Screening.**
 - (1) **Buffer.** The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (2) **Parking Areas.** Parking areas shall be screened to comply with the requirements of Section 5-653(B).
 - (3) **Storage Yards.** All storage yards shall be screened and landscaped consistent with the standards of Section 5-653(C).
- (E) **Roads/Access.**
 - (1) **General Access Standards.** An agricultural cultural center shall comply with the road access standards of Section 5-654.
 - (2) **Number of Access Points.** There shall be no more than one point of access to a public road. This requirement shall not preclude an additional access for emergency vehicles only.
 - (3) **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.
- (F) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).
- (G) **Parking.**
 - (1) **General.** Parking and loading shall be provided as required by Section 5-1102.
 - (2) **Surface.** All parking areas serving an agricultural cultural center of up to 5,000 square feet gross area shall use a dust-free surfacing material as provided in the Facilities Standards Manual. Parking areas in excess of 5,000 square feet of gross floor area shall provide paved parking for visitors and users.
- (H) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as an Agricultural Cultural Center and shall be exempt from the minimum lot area, floor area ratio, and set back from lot line

requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-636 Arboretum, Botanical Garden, Nature Study Area. The following standards shall apply to the development of arboretums, botanical gardens, and nature study areas in the AR, JLMA-20 and PD-CV districts.

(A) **Intensity/Character of Use.**

- (1) **Site Size.** The minimum lot area for any arboretum, botanical garden or nature study area shall be 5 acres.
- (2) **Hours of Operation.** The hours of operation shall be limited to 6:00 a.m. to 9:00 p.m., except that permitted temporary special events at an arboretum, botanical garden, or nature study area may operate beyond the 9:00 p.m. time according to the terms of the temporary special events permit.
- (3) **Accessory Uses.** Accessory uses shall only permitted on lots 20 acres in size or larger. Accessory uses to an arboretum, botanical garden, or nature study area may include retail sales (e.g., gift shops), small restaurants or cafes, or visitor centers subject to the following standards:
 - (a) Retail sales shall be limited to the sale of items directly related to the nature and character of the principal permitted use.
 - (b) Accessory uses other than a visitors center shall contain no more than 1,000 square feet of gross floor area. A visitors center shall contain no more than 2,500 square feet of gross floor area.

(B) **Size of Use.**

- (1) **Floor Area Ratio.** The maximum floor area ratio shall be 0.02.
- (2) **Storage Areas.** The total area of storage areas shall not exceed 10 percent of the total area of the principal structure.

(C) **Roads/Access.** Uses shall comply with the road access standards of Section 5-654.

(D) **Parking.**

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

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

(F) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as an Arboretum, Botanical or Garden Nature Study Area and shall be exempt from the minimum lot area and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-641 Teahouse; Coffeehouse. Teahouse or coffeehouse uses in the AR districts shall comply with the following standards.

- (A) **Intensity/Character Standards.** Hours of operation shall be limited to 6:00 a.m. to 9:00 p.m.
- (B) **Size of Use.**
 - (1) **Site Size.** The minimum lot area shall be 5 acres.
 - (2) **Structure.** The size of structures used shall not exceed 2,500 square feet in gross floor area (total all structures).
- (C) **Location on Site/Dimensional Standards.** The teahouse or coffeehouse use shall be setback 50 feet from lot lines.
- (D) **Landscaping/Buffering/Screening.** Parking areas shall be screened to comply with the requirements of Section 5-653(B).
- (E) **Parking.** Parking and loading shall be provided as required by Section 5-1102.
- (F) **Roads Access Standards.**
 - (1) **General Access Standards.** The use shall comply with the road access standards in Section 5-654.
 - (2) **Number of Access Points.** There shall be no more than one point of access to a public road. This requirement shall not preclude an additional access for emergency vehicles only.
- (G) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A)(1), (2) and (4).
- (H) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as a Teahouse or Coffeehouse and shall be exempt from the minimum lot area, floor area , and requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-644 Educational or Research Facilities Use Related to the Agriculture, Horticulture and Animal Husbandry Uses in the District. Any educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the AR and TR districts shall comply with the following standards.

- (A) **Size of Use Standards.**
 - (1) **Site Size.** The minimum lot area shall be 25 acres.
 - (2) **Visitors/Customers/Parking Spaces.** The minimum lot area shall increase based on the number of visitors/customers attracted, as follows.

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

- (3) **Structure.** The floor area ratio shall not exceed 0.04.
- (4) **Storage Yards.** The maximum total area of storage yards shall not exceed 10 percent of the total area of the principal structure.
- (B) **Location on Site/Dimensional Standards.** The use shall be set back from lot lines as follows:
 - (1) Structures up to 7,000 square feet of gross floor area: 100 feet minimum from all lot lines.
 - (2) Structures greater than 7,000 square feet of gross floor area and up to 12,000: 150 feet minimum from all lot lines.
 - (3) Structures greater than 12,000 square feet of gross floor area: 200 feet minimum from all lot lines.
- (C) **Parking.** Parking and loading shall be provided as required by Section 5-1102.
- (D) **Landscaping/Buffering/Screening.**
 - (1) **Buffer.** The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (2) **Parking Areas.** Parking areas shall be screened to comply with the requirements of Section 5-653(B).
 - (3) **Storage Yards.** Storage yards shall be screened and landscaped consistent with the standards of Section 5-653(C).
- (E) **Roads/Access.**
 - (1) **General.** The use shall comply with the road access standards of Section 5-654.
 - (2) **Number of Access Points.** There shall be no more than two points of access to a public road. This requirement shall not preclude an additional access for emergency vehicles only.
 - (3) **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.
- (F) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).
- (G) **Noise Standards.** The use shall comply with the noise standards of Section 5-652(B) (Noise Standards).

(H) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as an Educational or Research Facilities Use Related to the Agriculture, Horticulture and Animal Husbandry and shall be exempt from the minimum lot area, floor area ratio, and set back from lot line

requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-647 Cross-Country Ski Business and Eco-Tourism. Any cross-country ski business and eco-tourism use in the AR, JLMA-20 and TR-10 districts shall comply with the following standards:

- (A) **Intensity/Character of Use.** The hours of operation shall be limited to 6:00 a.m. to 9:00 p.m.
- (B) **Size of Use.**
 - (1) **Size of Use.** The minimum lot area of an eco-tourism use shall be 5 acres.
 - (2) **Structure Size.** The size of structures used shall not exceed 5,000 square feet in gross floor area.
 - (3) **Storage Areas.** The total area of storage areas shall not exceed 1000 square feet.
- (C) **Roads/Access.**
 - (1) **General Access Standards.** The eco-tourism use shall comply with the road access standards in Section 5-654.
 - (2) **Number of Access Points.** There shall be no more than one point of access to a public road. This requirement shall not preclude an additional access for emergency vehicles only.
- (D) **Exterior Lighting.** The only exterior lighting allowed for an eco-tourism use shall be for security purposes only.
- (E) **Parking.**
 - (1) **General.** Parking and loading shall be provided as required by Section 5-1102.
 - (2) **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- (F) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as a Cross-Country Ski Business or for Eco Tourism and shall be exempt from the minimum lot area and floor area requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-650 Antique Shop; Art Gallery or Studio; Craft Shop. Any antique shop, art gallery or studio, or craft shop in the AR, TR-10 and PD-CV districts shall comply with the following standards.

- (A) **Intensity/Character Standards.** Hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
- (B) **Size of Use.**
- (1) **Site Size.** The minimum lot area shall be 1 acre.
 - (2) **Structures.**
 - (a) The total size of all structures used for art galleries or studios and craft shops shall not exceed 3,000 square feet in gross floor area.
 - (b) The total size of all structures used for antique shops shall not exceed 10,000 square feet in gross floor area.
 - ~~(3) A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as for an Antique Shop; Art Gallery or Studio; or Craft shop and shall be exempt from the minimum lot area, yard and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003 unless a greater expansion is approved by minor special exception pursuant to section 6-1300.~~
- (C) **Location on Site/Dimensional Standards.** The antique shop, art gallery or studio, or craft shop shall be set back a minimum of 100 feet from all lot lines.
- (D) **Landscaping/Buffering/Screening.**
- (1) **Buffer.** The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (2) **Parking Areas.** Parking areas shall be screened to comply with the requirements of Section 5-653(B).
- (E) **Parking.**
- (1) **General.** Parking and loading shall be provided as required by Section 5-1102.
 - (2) **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- (F) **Roads/Access Standards.**
- (1) **General Access Standards.** The use shall comply with the road access standards in Section 5-654.
 - (2) **Number of Access Points.** The use shall have no more than one point of access to a public road. This requirement shall not preclude an additional access for emergency vehicles only.
- (G) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).
- (H) **Noise.** The use shall comply with the noise standards of Section 5-652(B) (Noise Standards).
- (I) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as an Antique Shop; Art Gallery or Studio; or Craft shop shall be exempt from the minimum lot area, set back from lot line,

and floor area requirements, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties

5-651 Auction House. Any auction house in the AR districts shall comply with the following standards.

- (A) **Intensity/Character Standards.**
 - (1) **Hours of Operation.** Hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
 - (2) **Sanitary Facilities.** Bathroom facilities shall be provided on site, consistent with the requirements of the Uniform Statewide Building Code.
- (B) **Size of Use.**
 - (1) **Site Size.** The minimum lot area shall be 10 acres.
 - (2) **Structure.** There shall be only one structure allowed on the lot which shall not exceed 10,000 square feet in size.
 - (3) **Outdoor Storage.** The maximum area of outdoor storage shall not exceed 2,000 square feet.
 - ~~(4) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as an Auction House and shall be exempt from the minimum lot area, and set back from lot line requirements, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.~~
- (C) **Location on Site/Dimensional Standards.** The auction house shall be set back a minimum of 100 feet from all lot lines.
- (D) **Landscaping/Buffering/Screening.**
 - (1) **Buffer.** The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (2) **Parking Areas.** Parking areas shall be screened to comply with the requirements of Section 5-653(B).
 - (3) **Outdoor Storage.** All outdoor storage shall be screened and landscaped consistent with the standards of Section 5-653(C).
- (E) **Roads/Access Standards.**
 - (1) **General Access Standards.** An auction house shall comply with the road access standards in Section 5-654.
 - (2) **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.

- (3) **Number of Access Points.** There shall be no more than one point of access to a public road. This requirement shall not preclude an additional access for emergency vehicles only.
- (F) **Parking.**
 - (1) **General.** Parking and loading shall be provided as required by Section 5-1102.
 - (2) **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.
- (G) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).
- (H) **Noise Standards.** The use shall comply with the noise standards of Section 5-652(B) (Noise Standards).
- (I) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as an Auction House and shall be exempt from the minimum lot area, and set back from lot line requirements, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.

5-656 Convent or Monastery. In the AR, TR, and JLMA-3 districts, a convent or monastery shall comply with the following additional requirements:

- (A) **Intensity/Character.**
 - (1) The minimum lot area shall be as follows, unless the convent or monastery is developed as an adaptive re-use pursuant to Section 5-656(A)(2):

Use	Size of Lot (Minimum)	No. of Residents
Level I – small scale	5 acres	4-10 residents
Level II – medium scale	10 acres	11-20 residents
Level III – large scale	20 acres	21-30 residents
Level IV- requires special exception approval pursuant to Section 6-1300	30 acres	31-40 residents

- ~~(2) A structure existing prior to January 7, 2003 that is 1) located within a County Historic Site (HS) District or Historic and Cultural Conservation (HCC) District under Section 6-1800 et seq., 2) listed or eligible for listing in the Virginia Landmarks Register (VLR) or the National Register of Historic Places (NRHP), or 3) listed or eligible for listing as a contributing resource to a VLR or NRHP listed or eligible Historic District may be used as a Convent or Monastery and shall be exempt from the Level I minimum lot area, yard and floor area ratio requirements, provided that any expansion~~

~~or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003. Documentation shall be provided to the Zoning Administrator demonstrating that the Virginia Department of Historic Resources has confirmed the eligibility of properties.~~

(B) **Building/Lot requirements.**

- (1) **Size of use.** The floor area ratio shall not exceed 0.04.
- (2) **Minimum Required Yard Standards.** The minimum required yards shall be as follows:
 - (a) Level I – small scale: 50 feet minimum from all lot lines;
 - (b) Level II – medium scale: 100 feet minimum from all lot lines
 - (c) Level III- large scale: 150 feet minimum from all lot lines
- (3) **Landscaping/Buffering/Screening.**
 - (a) The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (b) Parking areas shall be screened to comply with the standards of Section 5-653(B).
 - (c) Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.
- (4) **Roads/Access.** The convent or monastery shall comply with the road access standards in Section 5-654.
- (5) **Parking.**
 - (a) **General.** Parking and loading shall be provided as required by Section 5-1102.
 - (b) **Surface.** All parking areas serving the use shall use a dust-free surfacing material, as provided in the Facilities Standards Manual.
- (6) **Exterior Lighting.** All exterior lighting shall comply with the standards of Section 5-652(A) Exterior Lighting Standards.

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

AGRICULTURAL/RURAL ITEMS

ITEM 11 & 12

Issue: (11) “Rural Agricultural Corporate Retreat” and .“Rural Corporate Retreat”: Consider combining into one use.

(12) “Rural Resort” and “Rural Retreat”: Consider combining into one use.

Response: (11) Remove “Rural Agricultural Corporate Retreat” definition and consolidate with “Rural Corporate Retreat” definition. Update use tables/lists to state only “Rural Corporate Retreat” and add as a SPEX in CR-1, PD-RV(VC), and PD-RV(RVC) and SPMI in JLMA-20.

(12) Consolidate “Rural Resort” and “Rural Retreat” to create “Rural Resort”. Update use tables/lists to state only “Rural Resort”. Allow as SPEX in JLMA-3 and PD-RV(RVC) and SPMI in JLMA-20.

Proposed Text Amendment:

TABLE 2-102: AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	P/M	Section 5-640
	Rural agricultural corporate retreat	P	Section 5-619
	Rural Resort	M	Section 5-601(ED)
	Rural Retreat	M	Section 5-601(C)

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	M	Section 5-640
	Rural agricultural corporate retreat	P	Section 5-619
	Rural Resort	M	Section 5-601(E <u>D</u>)
	Rural Retreat	M	Section 5-601(C)

A-10 Agriculture

2-302 Permitted Uses

(BB) Rural ~~agricultural~~ corporate retreat, pursuant to Section 5-619.

2-302 Special Exception Uses

(KK) Rural resort, pursuant to Section 5-601(D).

(MM) Rural ~~agricultural~~ corporate retreat, pursuant to Section 5-619.

A-3 Agricultural Residential.

2-402 Permitted Uses.

(AA) Rural ~~agricultural~~ corporate retreat, pursuant to Section 5-619.

2-403 Special Exception Uses.

(V) ~~Rural retreat, pursuant to Section 5-601(D).~~ RESERVED

(CCC) Rural resort, pursuant to Section 5-601(D).

(EEE) Rural ~~agricultural~~ corporate retreat, pursuant to Section 5-619.

Countryside Residential-1: CR-1

2-504 Special Exception Uses.

(JJ) Rural resort, pursuant to Section 5-601(D).

TABLE 2-1203: JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Conference and Training Centers	Rural agricultural corporate retreat	S	Section 5-619
	<u>Rural Resort</u>	<u>S</u>	<u>Section 5-601(D)</u>

TABLE 2-1303: JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-20	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	S	Section 5-640
	Rural agricultural corporate retreat	S	Section 5-619
	<u>Rural Resort</u>	<u>S</u>	<u>Section 5-601(D)</u>

TABLE 2-1402: TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	S	Section 5-640
	Rural agricultural corporate retreat	S	Section 5-619
	Rural Resort	S	Section 5-601(D)
	Rural Retreat	S	Section 5-601(D)

Section 4-1200 PD-RV Planned Development - Rural Village.

4-1210 Special Exception Uses.

(A) **Village Conservancy and Village Satellite Conservancy Subdistrict.** The following uses shall be permitted by special exception in both the Village Conservancy and Satellite Conservancy subdistricts unless otherwise designated:

(2) Rural ~~Retreats and~~ Resorts pursuant to Section 5-601(D), supporting recreational uses for hotels/motels, community recreation facilities including restaurants, swimming pools and changing facilities, maintenance structures, tennis/racquet ball courts and parking lots in the Village Conservancy subdistrict.

(11) Rural Corporate Retreat, pursuant to Section 5-619.

(C) **Rural Village Center - Commercial and Workplace Areas.**

(4) Rural ~~retreat~~resort.

(27) Rural Corporate Retreat, pursuant to Section 5-619.

SECTION 5-600. Additional Regulations for Specific Uses.

5-601 Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn and ~~Rural Retreats and~~ Rural Resorts Establishments. No such use shall be established either as the initial use of the subject property or by change of use of the property or by conversion of one such use to another until a sketch plan or site plan, as applicable, for such proposed new use has been approved and the appropriate building permit and applicable Fire Prevention Code permits have been obtained. These establishments may be located in accord with the lists of permitted and special exception uses for the individual zoning districts subject to the following criteria:

(D) **Rural ~~Retreats and~~ Resorts.** A Rural ~~retreats and rural~~ resorts shall comply with the following standards.

(1) **Parcel Size.** The minimum lot area of a rural resorts ~~and retreats~~ shall comply with Section 5-601(D)(8)(a), except when located within the buffer area of a Planned Development-Rural Village (PD-RV) district.

(2) **Separation Requirement.** When not located within a Planned Development-Rural Village (PD-RV) district, a rural ~~retreats~~ resort shall be appropriately sited so as not to infringe on the character of any existing village. ~~At a minimum, A~~ rural ~~retreats~~ resort shall be located at least one (1) mile from the boundaries of an existing Village Conservation Overlay District or an existing PD-CV or PD-RV zoned parcel.

(3) **Setbacks.** ~~All n~~ New buildings, active recreational areas, parking, and lighted areas shall be set back a minimum of 200 feet from adjacent properties.

(4) **Access.** All rural ~~retreats and~~ resorts shall comply with the road access standards in Section 5-654.

- (5) **Water and Sewer.** The establishment shall be served by public water and sewer if located in a PD-RV district. Otherwise, the establishment shall be served by a communal water system and a communal wastewater collection and treatment system. Communal water and sewer systems may be located within the open space.
- (6) **Open Space.** A minimum of 75% of the site shall remain as open space. Recreational uses customarily incidental and subordinate to the rural resort ~~or retreat~~ permitted in the open space area may include: swimming pools and related facilities, boating facilities, tennis and other sports courts, equestrian facilities, picnic areas, golf courses and related facilities, ballfields, children's play equipment and passive recreation facilities. Driveways and parking areas supporting these recreational facilities may also be located in the open space area.
- (7) **May be Open to Public.** These establishments may be open to the general public for patronage. A Rural ~~Retreat or Rural~~ Resort shall be entitled to treatment as an Event Facility pursuant to Section 5-642 by Minor Special Exception.
- (8) **Additional Standards for AR and TR Districts.** In the AR and TR districts, a rural ~~retreats and resorts~~ shall comply with the following additional requirements in addition to the general standards identified above. Where there is a conflict between these standards and the general standards controlling the development of a rural resorts ~~and retreats~~, these standards shall control.
- (xv) **Intensity/Character.** The minimum lot area shall be as follows.

Use	Size of Lot (Minimum)	Nos. of Guest Rooms
Level I Rural Retreat small scale	40 acres	Up to 20 rooms
Level II Rural Retreat medium scale	60 acres	21-40 rooms
Level III Rural Retreat large scale	80 acres	41-60 rooms
Level IV Rural Resort small scale	100 acres	61-80 rooms
Level IV V Rural Resort medium scale	120 acres	81-100 rooms
Level III VI Rural resort large scale	150 acres	101-120 rooms
More than 120 rooms requires special exception approval pursuant to Section 6-1300		

- (xvi) **Size of Use.**

- (i) The restaurant and Banquet/Event Facilities, and conference and training facilities shall be less than fifty (50) percent of the total floor area of the rural ~~retreat or~~ resort.
 - (ii) Outdoor storage related to the rural ~~retreat or~~ resort facilities shall be permitted.
 - (iii) The floor area ratio shall not exceed 0.04.

- (xvii) **Yard Standards.** The minimum required yards shall be as follows:
 - (i.) Level I ~~Rural Retreat~~: 125 feet minimum from all lot lines.
 - (ii.) Level II ~~Rural Retreat~~: 200 feet minimum from all lot lines.
 - (iii.) Level III ~~Rural Retreat~~: 250 feet minimum from all lot lines.
 - (iv.) Level IV ~~Rural Resort~~: 300 feet minimum from all lot lines.
 - (v.) Level ~~IV~~ RV ~~Rural Resort~~: 350 feet minimum from all lot lines.
 - (vi.) Level ~~III~~ VI ~~Rural Resort~~: 375 feet minimum from all lot lines.

- (xviii) **Landscaping/Buffering/Screening.**
 - (i.) The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (ii.) Parking areas shall be screened to comply with the standards of Section 5-653(B).
 - (iii.) Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.

- (xix) **Roads/Access.**
 - (i) The rural ~~retreat or~~ resort shall comply with the road access standards in Section 5-654.
 - (ii) There shall be no more than two points of access to a rural ~~retreat or~~ resort. This requirement shall not preclude an additional access for emergency vehicles only.

- (xx) **Parking.**
 - (i) **General.** Parking and loading shall be provided as required by Section 5-1102.
 - (ii) **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.

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

- (xxii) **Noise.** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A). In addition, outdoor music shall not be allowed after 11:00 PM.

Article 8. Definitions.

Banquet/Event Facility: A use in which the principal function is hosting private parties at which food and beverages are served to groups of people, and which has facilities for the refrigeration and preparation of food, or which provides facilities for food through a caterer. Banquet/Event facilities, held indoors or outdoors, may also be an ancillary component of other uses such as, but not limited to: Restaurants, Hotels, ~~Rural Retreats~~, Rural Resorts, Conference Centers and similar uses. Adult entertainment shall not be permitted at a Banquet/Event Facility.

Rural Corporate Retreat: A use, compatible with agriculture, horticulture, animal husbandry, open space and/or historic preservation, which is engaged in the study, testing, design, invention, evaluation, or development of technologies, techniques, processes, or professional and consulting services, and education and training related to such advances and services. Rural Corporate Retreats may be utilized for basic and applied research services and education wherein the inquiry process is conducted in a manner similar to that of institutions of higher learning or management consulting firms. Rural Corporate Retreat facilities may include facilities for associated training programs, seminars, conference, and related activities.

Rural Resort/~~Rural Retreat~~: A private establishment consisting of a detached structure or structures located in a rural setting in which lodging units are offered to transients for compensation as the principal use, along with conference and meeting facilities, restaurant and banquet facilities, and recreational amenities.

Special Event: A temporary commercial or festive activity or promotion at a specific location that is open to the public and is planned or reasonably expected to attract large assemblies of persons. Special events include, but are not limited to, carnivals, festivals, circuses, music fairs or concerts, tent revivals, art shows, crafts shows, rodeos, corn mazes, civil war reenactments, equestrian shows, firework displays and events, or similar events open to the public. A private party held at a Banquet/Event Facility (including Hotel, Conference Center, Restaurant, ~~Rural Retreat or~~ Rural Resort or similar facility), Bed and Breakfast Homestay, Bed and Breakfast Inn or Country Inn shall not be deemed a special event. A private party which is held at a location other than the foregoing or held on property not occupied by the host, shall be deemed a special event. "Special event" does not include temporary or seasonal retail sales of goods, products, or services, such as temporary sales of Christmas trees, farm produce, fireworks, and other similar seasonal goods.

ITEM 13 and 14

Issue: (13) Maximum lot coverage. A-3 and A-10 zoning districts exclude agricultural structures from lot coverage while AR-1 and AR-2 zoning district do not. Provide consistency between A-3, A-10, AR-1, and AR-2.

(14) 2-103(A)(3)(c) & 5-900: The District regulations for AR-1 ban structures within 100 feet of arterial roads, 75 feet from collector roads and 35 feet from any other road or private access easement. Section 5-900 has similar setback requirements, but allows agricultural structures to be exempt from the setbacks. AR-1 regulations do not allow

exemption for agricultural structures, although that's the district most likely to have agricultural structures. Not clear which provision is intended to prevail. Also applies to 2-203(A)(3)(c).

Response: (13) Amend the lot coverage in the AR-1 (11% max.); AR-2 (11% max.); A-10 (5% max, excluding ag. structures); A-3 (Res: 8% max excluding ag. structures & Non-Res: 15% max excluding ag. structures); and JLMA-20 (8% max.) zoning districts to "10% for residential/non-residential/agricultural structures and an additional 15% for agricultural structures".

(14) Amend the setbacks in the AR-1 (25' property line, 100' arterial, 75' collector, and 35' other ROW); AR-2 (25' property line, 100' arterial, 75' collector, and 35' other ROW); A-10 (25' property line, 100' arterial, 75' collector, and 50' other ROW); A-3 (25' property line, 100' arterial, 75' collector, and 35' other ROW); and JLMA-20 (25' property line, 100' arterial, 75' collector, and 35' other ROW) zoning districts to "Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, prescriptive right-of-way or easement for a roadway, and private access easement."

Proposed Text Amendment:

**Section 2-100 AR-1 Agricultural Rural-1
2-103 Development Options.**

(A) Base Density Division Option.

(3) Lot and Building Requirements.

- (a) **Minimum Lot Size.** 20 acres.
- (b) **Minimum Lot Width.** 175 feet.
- (c) **Minimum Yards.** ~~No structure shall be located within 25 feet of any property line or within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and/or any prescriptive easement.~~ Except where a greater setback is required by Section 5-900, no structure shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
- (d) **Maximum Lot Coverage.** ~~44% maximum.~~ 25%, but only 10% may be used for residential or non-residential structures excluding agricultural, horticultural, and animal husbandry structures not open to the public.
- (e) **Maximum Building Height.** 35 feet, excluding agricultural, horticultural, and animal husbandry structures not open to the public.

**Section 2-200 AR-2 Agricultural Rural-2
2-203 Development Options.**

(A) Base Density Division Option.

(3) Lot and Building Requirements.

- (a) **Minimum Lot Size.** 40 acres.
- (b) **Minimum Lot Width.** 175 feet.
- (c) **Minimum Yards.** ~~No structure shall be located within 25 feet of any property line or within 100 feet from the right of way of any arterial road, 75 feet from the right of way of any collector road, and 35 feet from any other road right of way, private access easement, and/or any prescriptive easement.~~ Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
- (d) **Maximum Lot Coverage.** ~~11% maximum.~~ 25%, but only 10% may be used for residential or non-residential structures excluding agricultural, horticultural, and animal husbandry structures not open to the public.
- (e) **Maximum Building Height.** 35 feet, excluding agricultural, horticultural, and animal husbandry structures not open to the public.

Section 2-300 A-10 Agriculture

2-304 Lot Requirements (See Section 1-205).

- (A) **Size.** Ten (10) acres minimum.
- (B) **Width.** Three hundred (300) feet minimum for lots fronting on Class I Roads; two hundred (200) feet minimum for lots fronting on Class II or III Roads; and fifty (50) feet minimum for lots fronting on a private access easement.
- (C) **Yards.** ~~No building shall be located within twenty five (25) feet of any property line nor within one hundred (100) feet from the right of way of any arterial road, seventy five (75) feet from the right of way of any collector road, and fifty (50) feet from any other road right of way, any private access easement, and prescriptive easement.~~ Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
- (D) **Length/Width Ratio.** 5:1 maximum.

2-306 Building Requirements.

- (A) **Lot Coverage.** ~~Five (5) percent maximum, based on gross acreage, excluding agricultural structures.~~ 25%, but only 10% may be used for residential or non-residential structures excluding agricultural, horticultural, and animal husbandry structures not open to the public.
- (B) **Building Height.** ~~Thirty five (35) feet maximum, excluding agricultural, horticultural, and animal husbandry structures not open to the public.~~ restriction for buildings used exclusively for agriculture.

Section 2-400 A-3 Agricultural Residential.

2-404 Lot Requirements (See Section 1-205).

- (A) **Size.** Three (3) acres minimum.
- (B) **Width.** Three hundred (300) feet minimum for lots fronting on Class I Roads; two hundred (200) feet minimum for lots fronting on Class II or III Roads; and fifty (50) feet minimum for lots fronting on a private access easement.
- (C) **Length/Width Ratio.** 5:1 maximum.
- (D) **Yards.** ~~No building shall be located within twenty five (25) feet of any property line nor within one hundred (100) feet from the right of way of any arterial road, seventy five (75) feet from the right of way of any collector road, and thirty five (35) feet from any other road right of way, private access easement, and any prescriptive easement.~~ Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.

2-405 Building Requirements.

- (A) **Lot Coverage.** ~~25%, but only 10% may be used for residential or non-residential structures excluding agricultural, horticultural, and animal husbandry structures not open to the public.~~
 - (1) ~~**Residential:** Eight (8) percent maximum, based on gross acreage, excluding agricultural structures.~~
 - (2) ~~**Non-residential:** Fifteen (15) percent maximum, based on gross acreage, excluding agricultural structures.~~
- (B) **Building Height.** ~~Thirty five (35) feet maximum, excluding agricultural, horticultural, and animal husbandry structures not open to the public~~ except no restriction for buildings used exclusively for agriculture.

Section 2-1300 JLMA-20 (JOINT LAND MANAGEMENT AREA – 20)

TABLE 2-1304 TABLE 2-1304 JLMA-20 LOT AND BUILDING REQUIREMENTS	
Minimum Lot Size	20 acres
Minimum Lot Width	200 feet on paved roads; 50 feet on unpaved roads
Section 1.01 Minimum Yards	No building shall be located within 25 feet of any property line nor within 100 feet from the right of way of any arterial road, 75 feet from the right of way of any collector road, and 35 feet from any other road right of way, private access easement, and any prescriptive easement. <u>Except where a greater setback is required by Section 5-900, no building shall be located within 25 feet of any property line or 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.</u>
Maximum Lot Coverage	8% maximum, based on gross acreage <u>25%, but only 10% may be used for residential structures excluding</u>

	<u>agricultural, horticultural, and animal husbandry structures not open to the public.</u>
Maximum Building Height	Forty (40) feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry, or for General Government Use.

Section 5-900 Access and Setbacks From Specific Roads and the W&OD Trail. Certain roads within Loudoun County because of their function, location and capacity require that uses be set back a certain minimum distance from them. All other provisions of this Ordinance notwithstanding, all buildings and parking, except for agricultural structures not open to the public and structures located within Village Conservation Overlay Districts and the Joint Land Management Area Districts, shall be set back as provided below, or the setback provided in an approved corridor study whichever setback is greater, from the existing or planned rights-of-way, whichever is greater. Residences, accessory structures, and accessory uses built before June 16, 1993 are exempt from this provision pursuant to Section 1-403(D). The following roads are subject to this provision:

ITEM 15 and 16

Issue: (15) Remove “VA Farm Winery” from “Horticulture” definition. VA Farm Winery is a defined use and listed as a specific use in several zoning districts within the Z.O.

(16) Review need for Cider Manufacturing use

Response: (15) Remove “VA farm Winery” from “Horticulture” definition.

(16) Amend the definition of “VA Farm Winery” and “Commercial Winery” to allow for Cider Manufacturing use. Allow “Commercial Winery” in the RC Zoning District.

Proposed Text Amendment:

Section 2-900 RC Rural Commercial District.

2-904 Special Exception Uses. The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300:

(DD) Winery, Commercial.

Section 5-600 Additional Regulations for Specific Uses.

5-625 Winery, Commercial. Commercial wineries in the AR, RC, JMLA, and Route 28 CO, PD-CM and CB districts shall comply with the following standards:

(A) **Intensity/Character.**

(1) **Site Size.** The minimum lot area for a commercial winery is 10 acres.

- (2) **Wine Tasting Rooms and Accessory Food Sales.** Facilities for wine tasting rooms and accessory food sales (including a kitchen) shall not exceed 49 percent of the total gross floor area of all structures at the commercial winery.
- (3) **Hours of Operation.** Hours of operation shall be limited to 10:00 a.m. to 10:00 p.m.
- (B) **Size of Use.**
 - (1) **Floor Area Ratio.** The floor area ratio for a commercial winery shall not exceed 0.04.
 - (2) **Storage Yards.** The total area of storage yards shall not exceed 20 percent of the total area of the principal structure.
- (C) **Location on Site/Dimensional Standards.** A commercial winery shall be set back at least 125 feet from all lot lines.
- (D) **Landscaping/Buffering/Screening.**
 - (1) **Buffer.** The use shall comply with the landscaping and screening standards of Section 5-653(A).
 - (2) **Parking and Storage Areas.** Parking and storage areas shall be screened to comply with the requirements of Section 5-653(B).
- (E) **Roads/Access Standards.**
 - (1) **General Access Standards.** A commercial winery shall comply with the road access standards of Section 5-654.
 - (2) **Driveways.** Driveways to a commercial winery shall not be located within a required buffer yard area except as minimally necessary to access the site.
 - (3) **Vehicles/Equipment.** Commercial wineries that use heavy equipment shall have direct access to a paved public road.
- (F) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).
- (G) **Noise Standards.** The use shall comply with the noise standards of Section 5-652(B) (Noise Standards).
- (H) **Parking.**

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

Article 8. Definitions.

Horticulture: The active and on-going cultivation and production of orchard, garden, or nursery crops on a small or large scale, including the production of Christmas trees, field grown crops, specialty crops, flowers, fruit, grapes, market gardening, nursery stock, nuts, ornamental plants, sod, vegetables, and similar horticultural uses; the cultivation of such produce by means of biotechnical or genetic engineering techniques; ~~and Virginia Farm Wineries~~. Horticulture does not include preparatory functions such as grading or creation of planting beds through stockpiling of dirt or other means when such preparations do not result in an active and on-going horticultural activity within 30 days.

Winery, commercial: An establishment with facilities for making and bottling wine for sale on site or through wholesale or retail outlets. A commercial winery is a winery that does not meet the definition of a Virginia Farm Winery. Uses at a commercial winery may also include the growing of fresh fruits or agricultural products for the production of wine. Accessory uses shall include wine tasting rooms at which wine tasting occurs, accessory food sales related to wine tasting occurs, and wines produced onsite are sold. Any winery licensee may manufacture and sell cider in accordance with the limitations set forth in this definition and §4.1-213 of the Code of Virginia.

Winery, Virginia Farm: An establishment: (1) located on a farm with a producing vineyard, orchard or similar growing area and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine that contains not more than 18 percent alcohol by volume; or (2) located in the Commonwealth with a producing vineyard, orchard or similar growing area or agreements for purchasing grapes or fruits from agricultural growers within the Commonwealth, and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine that contains not more than 18 percent alcohol by volume. As used in this definition, the term owner or lessee shall include a cooperative formed by an association of individuals for the purposes of manufacturing wine. In the event such cooperative is licensed as a farm winery, the term “farm” as used in this definition includes all of the land owned or leased by the individual members of the cooperative, as long as such land is located in the Commonwealth. Accessory uses at a Virginia Farm Winery may include: commercial wineries, wine tasting rooms at which wine tasting occurs, accessory food sales related to wine tasting occurs, and wines produced on-site are sold. A farm winery license shall be designated either as a Class A or Class B farm winery in accordance with the limitations set forth in §4.1-219 of the Code of Virginia. Any farm winery licensee may manufacture and sell cider in accordance with the limitations set forth in this definition and §4.1-213 of the Code of Virginia.

ITEM 17, 18, 19

Issue: (17) Stables are included in the AR districts as a use not directly related to an agricultural use. However, wouldn't stables meet the definition of a (permitted) animal husbandry use?

(18) Equestrian Uses: Why are there so many categories of stables and equestrian facilities?

(19) Stables & Equestrian Uses: Why are there so many categories of stables and equestrian facilities? Process difficult to build 20 stall stable. Why are 5-627 and 5-630 so rigorous and onerous?

Response: (17, 18, & 19) Revise definition of 1) "Agriculture Support and Services" directly and not directly to on-site agriculture; 2) "Animal Care Business"; 3) "Animal Hospital"; 4) "Animal Husbandry"; 5) "Animal Services"; 6) "Equestrian Event Facility"; 7) "Pet"; 8) "Stable, Private"; 9) "Stable, Neighborhood-Livery"; and 10) "Veterinary Service" as recommended by Equine Alliance. Update the listed uses in the use tables/lists, accordingly. During Rural Uses/Performance Regulations review, revise 5-627 to provide clearer distinction from 5-630.

Agriculture Support and Services Directly Associated with On-going Agricultural Activity, On-Site: Uses that provide support and services to agricultural, horticultural and animal husbandry activities, which are limited to and that operate in conjunction with and on the site of on-going agricultural, horticultural or animal husbandry uses. These uses include: agricultural processing; agri-education; animal care businesses; commercial wineries; custom operators (haymaking, brush hogging, crop storage, hauling, fencing, barn construction); direct market businesses for the sale of products produced on-site, including but not limited to PYO (pick-your-own); equestrian event facilities; horse trails or networks; farm co-ops; farm based tourism events; farm markets; farm machinery repair; feedlot (for on-going, on-site, animal husbandry activities); nurseries, commercial; pet farms; products combining recreation with consumption of agricultural products; portable sawmills; small business uses; stables, private; wayside stands; wetlands mitigation banks; and similar uses.

Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity: Uses and activities that provide support and services to agricultural, horticultural and animal husbandry activities, either on the site of the agricultural, horticultural or animal husbandry activity, or off-site. These uses include: agricultural research facility; animal care businesses; central farm distribution hub for agricultural products; equestrian event facilities; ~~equestrian facilities and infrastructure, public (horse trail networks, show rings, cross country course, etc.)~~ horse trails or networks; farm machinery repair; farm machinery sales, rental and service; mill feed and farm supply centers; nurseries, commercial; stables, ~~neighborhood, on lots of 25 acres or more, or frontage on state maintained road~~ livery; stable, private; and similar uses.

Animal care business: An enterprise that provides care and services for livestock or other farm animals, such as, but not limited to, animal grooming, dental, blacksmithing, and massage, but which is not a kennel, ~~a veterinary service~~, or an animal hospital.

Animal Hospital: A place for the medical care of animals; ~~a veterinary hospital~~. The boarding of animals at an animal hospital is limited to that incidental to the hospital use.

Animal Husbandry: The active and on-going propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals, including the raising and production of bison, cattle (beef and dairy), pigs, mules, ducks, emus, horses and very small equine, goats, llama, alpaca, poultry, pigeons, sheep, and similar animal husbandry uses, ~~but not including miniature horses or pot-belly pigs~~. The conduct of the foregoing activities with respect to animals meeting the definition of “Pet” or non-domesticated (wild) animals shall not be considered Animal husbandry.

Animal Services: Animal service uses related to the provision of ~~medical~~ services and treatment to animals, including veterinary services, animal hospitals, kennels, and the boarding of animals related to the provision of these services.

Equestrian Event Facility: A commercial facility for equine activities and events including teaching equestrian skills, participating in equestrian competitions, exhibitions or other displays of equestrian skill. for the keeping of horses, having more than 20 horses for boarding and three (3) or more active riding instructors. Accessory uses may include offices, storage areas, cartaker’s quarters and caring for, breeding, boarding, riding, or training horses associated with the Equestrian Event Facility use.

Horse trails or networks: Paths or trails maintained for the purpose of horseback or other animal mounted recreational riding, but not including racetracks.

Livestock: Animals, especially farm animals, raised for use, profit or enjoyment including horses and very small equine, bison, cattle, pigs, mules, sheep, goats, alpacas, llamas, emus, and other similar domesticated animals, but not including ~~miniature horses and~~ pot-belly pigs.

Pet: ~~An animal~~ Animals kept for pleasure rather than utility, not included within the animals listed in the definition of Animal Husbandry, such as dogs; cats; birds; non-poisonous spiders; chameleons and similar lizards; non-poisonous snakes; pot-belly pigs; hamsters; ferrets; gerbils; guinea pigs; pet mice and pet rats; turtles; fish; domesticated rabbits; ~~miniature horses~~; and other similar domesticated animals. The keeping of such animals is permitted as an accessory use to a dwelling unit.

Stable, Private: A facility for the keeping of horses for the private use of the residents of the lot. Such facility may include the ~~commercial~~ boarding of ten (10) or fewer horses owned by non-residents of the lot for their private use and no more than one (1) employed instructor engaged for the purpose of educating and training students in equitation.

Stable, ~~Neighborhood~~Livery: A commercial facility for the boarding of horses. ~~keeping of horses for the private use of the residents of the lot.~~ Such facility may include the boarding of horses for the private use of the residents of the lot and the boarding of more than ten (10) horses owned by non-residents of the lot for their private use and/or for public use.~~commercial boarding of twenty (20) or fewer horses and no more than (2) two instructors engaged for the purpose of educating and training students in equitation.~~ Accessory uses may include offices, storage areas, caretaker's quarters, educating and training students in equitation, and caring for, breeding, or training horses associated with the Livery Stable use.

Veterinary Service: ~~An establishment~~A service for the care of animals where the animals are not brought to the establishment but are cared for on an ~~out-service~~off-site basis. The care can be medical or custodial. Equipment and supplies necessary for conducting this service ~~are~~may be stored at the establishment. Crematory facilities shall not be allowed in such an establishment.

PLANNING COMMISSION PUBLIC HEARING
ZOAM 2015-0006, ZOAG RECOMMENDATIONS
APRIL 26, 2016

ITEM 1

Issue: Expand the uses permitted on a Rural Hamlet Conservation Lot. See also Open Space, Commonly Owned Open Space Parcels.

Response: RU/HS Subcommittee is reviewed uses allowed in the AR-1 zoning district to determine appropriate uses for open space parcels.

Proposed Text Amendment:

**Section 2-100 AR-1 Agricultural Rural-1
2-103 Development Options.**

(C) **Cluster Subdivision Option.** The Cluster Subdivision Option allows for the subdivision of a tract of land with a more compact residential design plus one or more large lots suitable for rural economy uses and/or common open space. Communal water and sewer systems may be used for such developments.

(5) **Common Open Space Use.** Land that is neither part of a building lot nor a road right-of-way shall be placed in common open space and shall be maintained by a Homeowner's Association as described in Section 2-104. Common Open Space shall be designed to constitute a contiguous and cohesive unit of land which may be used as described below. Common Open Space has no minimum or maximum lot size and no lot width regulations. Further, Common Open Space does not count against the lot yield allotted to the subdivision.

(a) **Permitted Uses.** Uses allowed on the Common Open Space land are listed below and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced:

- (i) Bona fide agriculture, horticulture, animal husbandry and structures accessory to such use, including, but not limited to barns and run-in sheds to house livestock or farm equipment, pursuant to Section 5-626.
- (ii) Construction and/or sales trailer, during period of construction activity.
- (iii) Easements and improvements for drainage, access, sewer or water lines, or other public purposes.
- (iv) Passive open space or passive recreation, including but not limited to trails, picnic areas, community gardens.
- (v) Sewage disposal system, communal.
- (vi) Sewer pumping station.
- (vii) Stables, pursuant to Section 5-627.

- (viii) Stormwater management facilities for the proposed development or for a larger area in compliance with a watershed stormwater management plan.
- (ix) Telecommunications antenna, pursuant to Section 5-618(A).
- (x) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (xi) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (xii) Utility substation, dedicated.
- (xiii) Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses).
- (xiv) Water pumping station.
- (xv) Water supply system, communal.
- (xvi) Agricultural processing, pursuant to Section 5-627.
- (xvii) Agri-education, pursuant to Section 5-627.
- (xviii) Animal care business in association with an on-site agricultural use, pursuant to Section 5-627.
- (xix) Agritainment, pursuant to Section 5-627.
- (xx) Direct market business for sale of products produced on-site including but not limited to PYO (pick-your-own), pursuant to Section 5-627.
- (xxi) Farm based tourism, pursuant to Section 5-628.
- (xxii) Farm co-ops, pursuant to Section 5-627.
- (xxiii) Farm markets in association with an on-site agricultural use, pursuant to Section 5-603.
- (xxiv) Limited Brewery, pursuant to Section 5-667.
- (xxv) Nursery, production, pursuant to Section 5-605.
- (xxvi) Pet farms , pursuant to Section 5-627.
- (xxvii) Restaurant in association with an on-site agricultural use, pursuant to Section 5-627.
- (xxviii) Stables, pursuant to Section 5-627.
- (xxix) Virginia Farm Winery.
- (xxx) Wayside stand, pursuant to Section 5-604.
- (xxxi) Wetlands mitigation bank, pursuant to Section 5-627.
- (xxxii) Stable, livery (formerly neighborhood), pursuant to Section 5-630.
- (xxxiii) Stable, private, pursuant to Section 5-630.
- (xxxiv) Tenant dwelling in association with an on-site agricultural use, pursuant to Section 5-602(A) & (C).
- (xxxv) Arboretum, pursuant to Section 5-636.
- (xxxvi) Botanical garden or nature study area, pursuant to Section 5-636.

- (xxxvii) Eco-tourism, pursuant to Section 5-647.
- (xxxviii) Community, neighborhood, or regional park, passive recreational uses.
- (xxxix) Teahouse; coffeehouse, pursuant to Section 5-641
- (xl) Camp, day and boarding, with 30 or fewer campers, pursuant to Section 5-645.
- (xli) Craft shop, pursuant to Section 5-650.

(b) **Special Exception Use.** The following uses are permitted within Common Open Space with Special Exception approval pursuant to Section 6-1300 and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced.

- (i) Active recreation space.
- (ii) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (iii) Agricultural cultural center, pursuant to Section 5-634.
- (iv) Small business in association with an on-site agricultural use, pursuant to Section 5-614, by Minor Special Exception.
- (v) Cemetery, pursuant to Section 5-637.
- (vi) Community, neighborhood, or regional park, active recreational uses
- (vii) Camp, day and boarding, with more than 30 campers, pursuant to Section 5-645, by Minor Special Exception.
- (viii) Campground, pursuant to Section 5-646, by Minor Special Exception.
- (ix) Outdoor amphitheater, pursuant to Section 5-649.
- (x) Private Club or Lodge.
- (xi) Antique shop, pursuant to Section 5-650.
- (xii) Art gallery or art studio, pursuant to Section 5-650.

Section 2-200 AR-2 Agricultural Rural-2 2-203 Development Options.

(C) **Cluster Subdivision Option.** The Cluster Subdivision Option allows for the subdivision of a tract of land with a more compact residential design plus one or more large lots suitable for rural economy uses and/or common open space. Communal water and sewer systems may be used for such developments.

(5) **Common Open Space Use.** Land that is neither part of a building lot nor a road right-of-way shall be placed in common open space and shall be maintained by a Homeowner's Association as described in Section

2-204. Common Open Space shall be designed to constitute a contiguous and cohesive unit of land which may be used as described below. Common Open Space has no minimum or maximum lot size and no lot width regulations. Further, Common Open Space does not count against the lot yield allotted to the subdivision.

(a) **Permitted Uses.** Uses allowed on the Common Open Space land are listed below and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced:

- (i) Agriculture, horticulture, animal husbandry and structures accessory to such use, including, but not limited to barns and run-in sheds to house livestock or farm equipment, pursuant to Section 5-626.
- (ii) Construction and/or sales trailer, during period of construction activity.
- (iii) Easements and improvements for drainage, access, sewer or water lines, or other public purposes.
- (iv) Passive open space or passive recreation, including but not limited to trails, picnic areas, community gardens.
- (v) Sewage disposal system, communal.
- (vi) Sewer pumping station.
- (vii) Stables, pursuant to Section 5-627.
- (viii) Stormwater management facilities for the proposed development or for a larger area in compliance with a watershed stormwater management plan.
- (ix) Telecommunications antenna, pursuant to Section 5-618(A).
- (x) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (xi) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (xii) Utility substation, dedicated.
- (xiii) Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses).
- (xiv) Water pumping station.
- (xv) Water supply system, communal.
- (xvi) Agricultural processing, pursuant to Section 5-627.
- (xvii) Agri-education, pursuant to Section 5-627.
- (xviii) Animal care business in association with an on-site agricultural use, pursuant to Section 5-627.
- (xix) Agritainment, pursuant to Section 5-627.

- (xx) Direct market business for sale of products produced on-site including but not limited to PYO (pick-your-own), pursuant to Section 5-627.
- (xxi) Farm based tourism, pursuant to Section 5-628.
- (xxii) Farm co-ops, pursuant to Section 5-627.
- (xxiii) Farm markets in association with an on-site agricultural use, pursuant to Section 5-603.
- (xxiv) Limited Brewery, pursuant to Section 5-667.
- (xxv) Nursery, production, pursuant to Section 5-605.
- (xxvi) Pet farms , pursuant to Section 5-627.
- (xxvii) Restaurant in association with an on-site agricultural use, pursuant to Section 5-627.
- (xxviii) Stables, pursuant to Section 5-627.
- (xxix) Virginia Farm Winery.
- (xxx) Wayside stand, pursuant to Section 5-604.
- (xxxi) Wetlands mitigation bank, pursuant to Section 5-627.
- (xxxii) Stable, livery (formerly neighborhood), pursuant to Section 5-630.
- (xxxiii) Stable, private, pursuant to Section 5-630.
- (xxxiv) Tenant dwelling in association with an on-site agricultural use, pursuant to Section 5-602(A) & (C).
- (xxxv) Arboretum, pursuant to Section 5-636.
- (xxxvi) Botanical garden or nature study area, pursuant to Section 5-636.
- (xxxvii) Eco-tourism, pursuant to Section 5-647.
- (xxxviii) Community, neighborhood, or regional park, passive recreational uses.
- (xxxix) Teahouse; coffeehouse, pursuant to Section 5-641
- (xl) Camp, day and boarding, with 30 or fewer campers, pursuant to Section 5-645.
- (xli) Craft shop, pursuant to Section 5-650.

(b) **Special Exception Use.** The following uses are permitted within Common Open Space with Special Exception approval pursuant to Section 6-1300 and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced.

- (i) Active recreation space.
- (ii) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (iii) Agricultural cultural center, pursuant to Section 5-634.
- (iv) Small business in association with an on-site agricultural use, pursuant to Section 5-614, by Minor Special Exception.

- (v) Cemetery, pursuant to Section 5-637.
- (vi) Community, neighborhood, or regional park, active recreational uses
- (vii) Camp, day and boarding, with more than 30 campers, pursuant to Section 5-645, by Minor Special Exception.
- (viii) Campground, pursuant to Section 5-646, by Minor Special Exception.
- (ix) Outdoor amphitheater, pursuant to Section 5-649.
- (x) Private Club or Lodge.
- (xi) Antique shop, pursuant to Section 5-650.
- (xii) Art gallery or art studio, pursuant to Section 5-650.

**Section 5-700 Regulations for Optional Development Types.
5-701 Transition (TR) Districts Lot Standards.**

(C) **Standards.** The standards of this section shall apply to all development subject to the TR Districts Lot Standards.

(3) **Lot and Open Space Standards.** The two elements of the subdivision are (1) the lot area(s) and (2) the open space. The site layout of these elements shall occur during the review of a preliminary plat for subdivision. Establishment of the lots and open space on the site shall comply with the following standards:

(b) Allowed Uses in Open Space.

- (i) The uses allowed are limited to those uses and activities for the respective protected area allowed in the environmental overlay districts or steep slope standards pursuant to Section 4-1600 (MDOD), Section 4-1500 (FOD) and Section 5-1508 (Steep Slope Standards);
- (ii) Permitted Uses. Uses allowed on the Open Space land are listed below and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced.~~The uses allowed on the open space lands shall be limited to:~~

- i. Activities and uses allowed in open space, as defined in this Ordinance;
- ii. In the TR-10 district and TR-3 districts, uses permitted in the Agriculture, Horticulture and Animal Husbandry Use Categories; and
- iii. Easements and improvements for drainage, passive open space, communal sewer systems and septic systems, communal water supply

systems, wells and other water supply systems. Such uses and activities shall be subject to applicable environmental overlay district regulations and steep slope standards.

- iv. Agricultural processing, pursuant to Section 5-627.
- v. Agri-education, pursuant to Section 5-627.
- vi. Animal care business in association with an on-site agricultural use, pursuant to Section 5-627.
- vii. Agritainment, pursuant to Section 5-627.
- viii. Direct market business for sale of products produced on-site including but not limited to PYO (pick-your-own), pursuant to Section 5-627.
- ix. Farm based tourism, pursuant to Section 5-628.
- x. Farm co-ops, pursuant to Section 5-627.
- xi. Farm markets in association with an on-site agricultural use, pursuant to Section 5-603.
- xii. Limited Brewery, pursuant to Section 5-667.
- xiii. Nursery, production, pursuant to Section 5-605.
- xiv. Pet farms , pursuant to Section 5-627.
- xv. Restaurant in association with an on-site agricultural use, pursuant to Section 5-627.
- xvi. Stables, pursuant to Section 5-627.
- xvii. Virginia Farm Winery.
- xviii. Wayside stand, pursuant to Section 5-604.
- xix. Wetlands mitigation bank, pursuant to Section 5-627.
- xx. Stable, livery (formerly neighborhood), pursuant to Section 5-630.
- xxi. Stable, private, pursuant to Section 5-630.
- xxii. Tenant dwelling in association with an on-site agricultural use, pursuant to Section 5-602(A) & (C).
- xxiii. Arboretum, pursuant to Section 5-636.
- xxiv. Botanical garden or nature study area, pursuant to Section 5-636.
- xxv. Eco-tourism, pursuant to Section 5-647.
- xxvi. Community, neighborhood, or regional park, passive recreational uses.
- xxvii. Teahouse; coffeehouse, pursuant to Section 5-641

xxviii. Camp, day and boarding, with 30 or fewer campers, pursuant to Section 5-645.

iv-xxix. Craft shop, pursuant to Section 5-650.

(iii) Special Exception Use. The following uses are permitted within Open Space with Special Exception approval pursuant to Section 6-1300 and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced.

i. Agricultural cultural center, pursuant to Section 5-634.

ii. Small business in association with an on-site agricultural use, pursuant to Section 5-614, by Minor Special Exception.

iii. Cemetery, pursuant to Section 5-637.

iv. Community, neighborhood, or regional park, active recreational uses

v. Camp, day and boarding, with more than 30 campers, pursuant to Section 5-645, by Minor Special Exception.

vi. Campground, pursuant to Section 5-646, by Minor Special Exception.

vii. Outdoor amphitheater, pursuant to Section 5-649.

viii. Private Club or Lodge.

ix. Antique shop, pursuant to Section 5-650.

x. Art gallery or art studio, pursuant to Section 5-650.

5-702 Rural Hamlet Option.

(C) **Rural Hamlet Defined.** A rural hamlet is characterized by the configuration of all or a portion of the density permitted on a tract of land under the district regulations, into a grouping of small residential lots on a portion of the tract. More than one rural hamlet may be located on a tract. A rural hamlet may consist of the following categories of land:

- (1) **Hamlet Lots.** Smaller residential lots located in a contiguous group, with adjacent and fronting lots oriented towards each other as on a street, a green or a paved square. No fewer than five (5) and no more than twenty five (25) hamlet lots may be grouped together as a rural hamlet. Hamlet lots shall have a designated building area. All land not designated as building area, private access easements, and road rights-of-way shall be placed in a permanent open space easement.

- (2) **Open Space.** Residual land contiguous to a rural hamlet, which is subject to a permanent open space easement and a portion of which may be designated as a building area.
- (3) **Hamlet Green/Square.** Land located in the interior of a rural hamlet, owned in common by hamlet lot owners and which is in a permanent open space easement.
- (4) **Conservancy Lots.** A lot, excluding the hamlet lots, open space and/or hamlet green/square, which will remain as large parcel(s), the bulk of which is in permanent open space easement and a portion of which is designated a building area.

(D) **Permitted Uses.** The following uses are permitted in the various categories of rural hamlet land. These uses shall supersede the permitted or permissible uses that would otherwise apply in the underlying zoning district regulations.

(1) **Building Area of Hamlet and Conservancy Lots.**

- (a) Dwelling, single family detached.
- (b) Bed and breakfast homestay.
- (c) Guest house.
- (d) Child Care Home, subject to Additional Regulations in Section 5-609
- (e) Water supply systems.
- (f) Wastewater disposal systems.
- (g) Accessory uses and structures, as per Section 5-101 of this Ordinance.
- (h) Dwelling unit, accessory.

(2) **Open Space Use.** All areas of the tract of land devoted to the Rural Hamlet Option other than the building areas lots and road rights-of-way, shall be subjected to a permanent open space easement. Such open space may be used for the following uses:

(a) **Permitted Uses.** Uses allowed on the Open Space land are listed below and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced.

- (i) Agriculture, horticulture, forestry, and fishery uses including barns, tables and other structures accessory or incidental to such uses.
- (ii) Conservation of open land in its natural state, i.e., woodland, fallow fields, grasslands, wetlands, floodplains, and the like.
- (iii) Passive open space or passive recreation, including but not limited to trails, picnic areas, community gardens.
- (iv) Active recreation space, including golf courses.
- (v) Equestrian uses of any kind.

- (vi) Easements and improvements for drainage, access, sewer or water lines, or other public purposes.
- (vii) Stormwater management facilities for the proposed development or for a larger area in compliance with a watershed stormwater management plan.
- (viii) Water supply systems.
- (ix) Accessory uses, such as swimming pools, tennis courts, and other accessory uses and structures pursuant to Section 5-101.
- (x) Sewage disposal systems.
- (xi) Agricultural processing, pursuant to Section 5-627.
- (xii) Agri-education, pursuant to Section 5-627.
- (xiii) Animal care business in association with an on-site agricultural use, pursuant to Section 5-627.
- (xiv) Agritainment, pursuant to Section 5-627.
- (xv) Direct market business for sale of products produced on-site including but not limited to PYO (pick-your-own), pursuant to Section 5-627.
- (xvi) Farm based tourism, pursuant to Section 5-628.
- (xvii) Farm co-ops, pursuant to Section 5-627.
- (xviii) Farm markets in association with an on-site agricultural use, pursuant to Section 5-603.
- (xix) Limited Brewery, pursuant to Section 5-667.
- (xx) Nursery, production, pursuant to Section 5-605.
- (xxi) Pet farms, pursuant to Section 5-627.
- (xxii) Restaurant in association with an on-site agricultural use, pursuant to Section 5-627.
- (xxiii) Stables, pursuant to Section 5-627.
- (xxiv) Virginia Farm Winery.
- (xxv) Wayside stand, pursuant to Section 5-604.
- (xxvi) Wetlands mitigation bank, pursuant to Section 5-627.
- (xxvii) Stable, livery (formerly neighborhood), pursuant to Section 5-630.
- (xxviii) Stable, private, pursuant to Section 5-630.
- (xxix) Tenant dwelling in association with an on-site agricultural use, pursuant to Section 5-602(A) & (C).
- (xxx) Arboretum, pursuant to Section 5-636.
- (xxxi) Botanical garden or nature study area, pursuant to Section 5-636.
- (xxxii) Eco-tourism, pursuant to Section 5-647.
- (xxxiii) Community, neighborhood, or regional park, passive recreational uses.
- (xxxiv) Teahouse; coffeehouse, pursuant to Section 5-641
- (xxxv) Camp, day and boarding, with 30 or fewer campers, pursuant to Section 5-645.
- (xxxvi) Craft shop, pursuant to Section 5-650.

(b) **Special Exception Use.** The following uses are permitted within Open Space with Special Exception approval pursuant to Section 6-1300 and are subject to the Additional Regulations for Specific Uses in Section 5-600 as referenced.

- (i) **Agricultural cultural center, pursuant to Section 5-634.**
- (ii) **Small business in association with an on-site agricultural use, pursuant to Section 5-614, by Minor Special Exception.**
- (iii) **Cemetery, pursuant to Section 5-637.**
- (iv) **Community, neighborhood, or regional park, active recreational uses**
- (v) **Camp, day and boarding, with more than 30 campers, pursuant to Section 5-645, by Minor Special Exception.**
- (vi) **Campground, pursuant to Section 5-646, by Minor Special Exception.**
- (vii) **Outdoor amphitheater, pursuant to Section 5-649.**
- (viii) **Private Club or Lodge.**
- (ix) **Antique shop, pursuant to Section 5-650.**
- (x) **Art gallery or art studio, pursuant to Section 5-650.**

(3) **Commonly Owned Open Space Parcels.** On Open Space Parcels owned by the Home Owner's Association, the following use may be permitted by the Board of Supervisors by special exception in accordance with Section 6-1300:

- (a) Child Care Center, subject to Additional Regulations in Section 5-609.

Article 8: Definitions

Open Space: Areas of trees, shrubs, lawns, grass, pathways and other natural and man-made amenities not within individual building lots, (except in rural village and Countryside Village developments), set aside for the use and enjoyment of residents, visitors and other persons, unoccupied by buildings or facilities unless related to recreational activities and in the TR and JLMA districts HOA facilities, and accessible to and adequate for persons and functions it is designed to serve. Lot coverage in the open space shall be limited to 0.01 of the lot. Generally, open space is intended to provide light and air and is designed for either scenic or recreational purposes. For the purpose of this Ordinance, open space shall include and be qualified as active recreation space, common open space, and dedicated open space.

- a. **Open space, active recreation:** That open space that is designed for recreational purposes, to include, but not to, be limited to such uses as ballfields, multi-purpose courts, swimming pools, tennis courts, golf courses, play lots and playgrounds, camping, picnicking, boating, fishing, equestrian activities, walking and biking trails, and activities incidental and related to the foregoing. (In the TR and JLMA districts, these recreational facilities may include HOA facilities.) Recreational

facilities may be open to the public for a fee, provided the intent of the open space requirements is maintained. Examples of acceptable for-fee facilities include golf courses and sports pavilions where such facilities are utilized and enjoyed by the development but that must secure outside users for economic viability.

- b. **Open space, common:** Land within, or related to, a development not individually owned or dedicated for public use which is designed or intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate. In only the Planned Development Housing (PD-H) Zoning District, uses of common open space may also include a dog park provided that the following conditions are met: 1) the dog park is non-commercial in nature; and 2) the homeowners’ association (HOA) for such PD-H Zoning District owns and operates the dog park and owns the common open space upon which the dog park is located. Such dog park may be open to the public for a fee, provided the intent of the open space requirements is maintained.
- c. **Open space, dedicated:** All open space which is to be dedicated or conveyed to the County or an appropriate public agency, board, or body for public use as open space. For the purposes of this definition, twenty-five percent (25%) of all dedicated school sites shall be considered as dedicated open space.

ITEM 2

Issue: Add “Recreation Establishment, Indoor” use in the AR-1 zoning district. Currently, “Rural Recreation Establishment, Outdoor” is a Permitted use in the AR-1, AR-2, and TR-10 zoning districts and a Special Exception use in the JLMA-20; “Recreation Establishment, Outdoor” is special exception use in the A-3, CR-1, RC, JLMA-3, and TR-10 zoning districts; and “Recreation Establishment, Indoor” is special exception use in the A-3 and RC zoning districts.

Response: Allow a “Recreation Establishment, Indoor” as a Special Exception use in the AR-1, AR-2, CR-1, JLMA-3, JLMA-20, and TR-10, zoning district.

Proposed Text Amendment:

TABLE 2-102: AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION				
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS	FOR SPECIFIC USES
COMMERCIAL USES				
Recreation and Entertainment	Private Club or Lodge	S		

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

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	<u>Rural recreational establishment, indoor</u>	<u>S</u>	
	Rural recreational establishment, outdoor	P	

**TABLE 2-202:
AR-2 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Recreation and Entertainment	Private Club or Lodge	S	
	<u>Recreation establishment, indoor</u>	<u>S</u>	
	Rural recreational establishment, outdoor	P	

Countryside Residential-1: CR-1

2-504 Special Exception Uses.

(RR) Recreation establishment, indoor.

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION**

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Recreation and Entertainment	Private Club or Lodge	S	
	<u>Recreation establishment, indoor</u>	<u>S</u>	
	Recreation establishment, outdoor	S	

TABLE 2-1303 JLMA-20 JOINT LAND MANAGEMENT AREA-20 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-20	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Recreation and Entertainment	Golf course	S	Section 5-648
	<u>Recreation establishment, indoor</u>	<u>S</u>	
	Rural recreational establishment, outdoor	P	

TABLE 2-1402: TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
COMMERCIAL USES			
Recreation and Entertainment	Private club or lodge	S	
	<u>Recreation establishment, indoor</u>	<u>S</u>	
	Recreation establishment, outdoor	S	
	Rural recreation establishment, outdoor	P	

ITEM 3

Issue: Public request to add “VA farm Winery” in the RC and PD-RV zoning districts.

Response: Allow “VA Farm Winery” as a Permitted use in the RC and PD-RV (Village Conservancy and Satellite Conservancy Subdistricts) zoning districts.

Proposed text Amendment:

Section 2-900 RC Rural Commercial District.

2-903 Permitted Uses. The following uses are permitted in this district:

(UU) Winery, Virginia Farm.

Section 4-1200 PD-RV Planned Development - Rural Village.

4-1209 Permitted Uses.

(A) Village Conservancy and Satellite Conservancy Subdistricts. The following uses shall be permitted in both the Village Conservancy and Satellite Conservancy subdistricts:

(36) Winery, Virginia Farm.

ATTACHMENT 4 AGENCY REFERRALS

ZOAM 2015-0006 draft text amendment was sent for review and comments to: Zoning Ordinance Action Group (ZOAG); Building and Development (B&D), Engineering; B&D, Environmental Review Team; B&D, Zoning Permits; County Attorney's Office; Economic Development; Department of Planning and Zoning, Community Planning; Department of Planning and Zoning, Land Use Review; Department of Transportation and Capital Infrastructure, Transportation; Virginia Department of Transportation; Rural Economic Development Council, Loudoun County Equine Alliance, and Loudoun County Preservation and Conservation Coalition. The following is a summary of the referral comments that were provided. The full comments of referral agencies follows the summary.

ZONING ORDINANCE ACTION GROUP (ZOAG)

ZOAG has endorsed the ZOAM 2015-0006 amendments. Also, ZOAG has recommended additional amendments as follows:

- **Additional Uses in Open Space.** Adding 36 additional Permitted or Special Exception uses in open space parcels and lots in the AR-1 and AR-2 Cluster Subdivision Option Common Open Space; TR Open Space; and Rural Hamlet Open Space.
- **Rural Recreation Establishment, Indoor.** Adding "Recreation Establishment, Indoor" as a Special Exception use in the AR-1; AR-2; CR-1; JLMA-3; JLMA-20 and TR-10 zoning districts.
- **VA Farm Winery, PD-RV Zoning District.** Adding "Virginia Farm Winery" in the PD-RV Village Conservancy and Village Satellite Conservancy Subdistrict.

LOUDOUN COUNTY EQUINE ALLIANCE

- **Equestrian Uses.** Add "caretaker/residence" to the accessory uses permitted within stables private, stables livery and equestrian facilities definitions. *This referral recommendation has since been incorporated in the draft text.*

COUNTY/STATE AGENCIES

BUILDING AND DEVELOPMENT, ENGINEERING

- No objections to the proposed draft text from an engineering perspective

TRANSPORTATION AND CAPITAL INFRASTRUCTURE, TRANSPORTATION

- **Open Space and Conservancy Lots.** Depending on the scale and intensity of the 26 new uses proposed by ZOAG, DTCl is concerned that some uses may not be

appropriate to be located on open space parcels given the widely varying physical characteristics and conditions of unpaved roads in the County. In transitional and agricultural zoned districts in particular, DTCl has concerns with the increase in commercial traffic and the potential scale and intensity of these uses on unpaved roads accessing open space parcels. Recommends that higher traffic generating uses be permissible by SPMI.

- **SPMI and SPEX Applications.** SPMI and SPEX applications are legislative processes where an application will require submission of a traffic impact study (TIS) and allow the public the opportunity to speak to an application at a Board of Supervisors' public hearing. The Board would still have the option to approve conditions to mitigate any potential impacts from the use on surrounding properties and the roadway network. In addition, DTCl supports the retention of frontage/access related performance standards in the Zoning Ordinance.
- **RC Zoning District.** Given the physical characteristics of roadways (some of which are narrow) in the RC zoning districts, which are predominantly located in or near designated villages throughout the County, the addition of a Permitted use would eliminate the opportunity for legislative review of potential site-specific access, traffic circulation and operational issues; such legislative review could result in changes to site design and/or site-specific conditions of approval consistent with the County's adopted 2010 CTP policies.

PLANNING AND ZONING, COMMUNITY PLANNING

- **Revised General Plan.** The policies of the Revised General Plan support the development of business uses in the Rural Policy Area, Joint Land Management Area, Existing Village and Transition Policy Area that are compatible in scale, use and intensity with the surrounding land uses, contribute to the rural economy and preserve large areas of land for rural economy, agricultural and open space uses.
- **Open Space and Conservancy Lots.** Further consideration of the ZOAG recommended Permitted and Special Exception Uses within open space and conservancy parcels/lots, particularly within the Rural Hamlet and Rural Clusters, is needed. Additionally, consider eliminating those uses that are not in keeping with the purpose of the open space land and the preservation of the rural landscape.

Rural Recreation Establishment, Indoor. Further consideration of the ZOAG recommended "Recreation Establishment Indoor" as a Special Exception use in the AR-1, AR-2, CR-1 and TR zoning districts is needed. Suggest establishing clear guidelines or performance standards if the use is considered in the JLMA-3 and JLMA-20 zoning districts surrounding the Towns.

- **Virginia Farm Winery, PD-RV Zoning District.** Cannot recommend Virginia Farm Winery as a by-right use in the Village Conservancy and Satellite Conservancy Subdistricts of the PD-RV zoning district, as recommended by ZOAG. Cannot support at this time as the tasting room and events associated with the Virginia Farm Winery use is not in keeping with the other agricultural and passive uses

currently permitted in the district or the intent of the open space land.

- **Virginia Farm Winery, RC Zoning District.** Cannot recommend Virginia Farm Winery as by-right use in the RC zoning district, as recommended by ZOAG. However the Commercial Winery use may be appropriate provided the Board and Planning Commission have the opportunity to assess the impact of the use through the Special Exception process.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

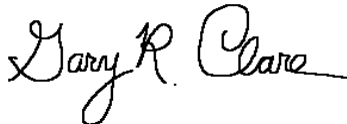
TO: Mark Depo, Zoning Administration
FROM: Gary Clare, Engineering Division
DATE: March 19, 2016
RE: ZOAM 2015-0006, Rural Uses and Standards and Historic Structure Exemption

I have received and reviewed the above referenced draft amendment, and have no objections from an engineering perspective to their adoption as currently drafted.

Environmental Review Team (ERT) comments, if any, shall be forwarded under separate cover.

If you should have any questions, please feel free to contact me at (703) 777-0231.

Sincerely,



Gary R. Clare, P.E.
Assistant Director for Land Development Engineering

Cc:
ERT Team Leader
Deputy Chief Engineer

County of Loudoun
Department of Planning and Zoning

MEMORANDUM

DATE: March 18, 2016
TO: Mark Depo, Planner, Zoning Administration
FROM: Pat Giglio, Planner, Community Planning

SUBJECT: ZOAM 2015-0006, Rural Uses and Standards and Historic Structure Exemption

BACKGROUND

At the October 21, 2015, Board of Supervisors (Board) Business Meeting, the Board adopted a resolution of intent to amend the Revised 1993 Loudoun County Zoning Ordinance to amend Articles 2, 4, 5, 6 and 8 in regard to rural districts, rural uses, historic structures, and various amendments to correct text errors or “quick fix” items identified to support the rural economy and incorporate revisions recommended by the public (8-0-1, Clarke opposed). These proposed zoning ordinance amendments and recommendations were developed by the County’s Zoning Ordinance Action Group (ZOAG), a committee appointed by the Board, tasked with reviewing, recommending, and preparing amendment to the County’s Zoning Ordinance to eliminate inconsistencies, clarify regulations, respond to market changes, address emerging issues and develop a more user friendly document.

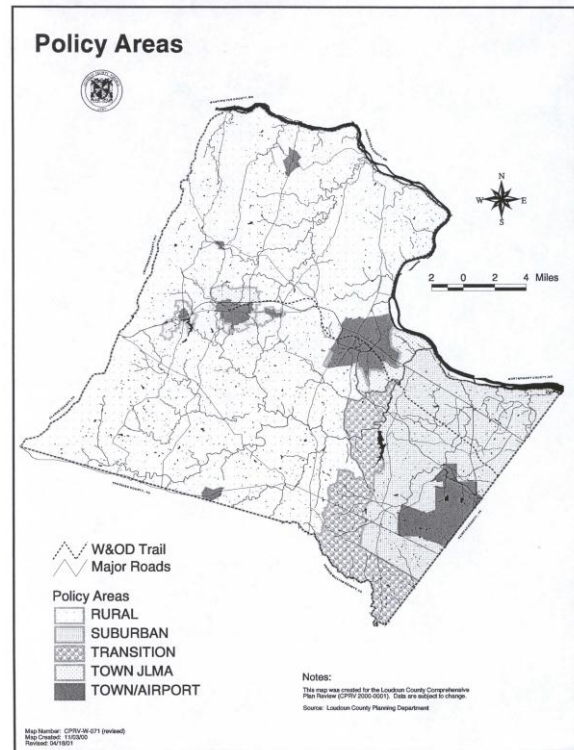
Community Planning Staff has reviewed the proposed zoning ordinance amendments and is providing the following information and comments to assist Zoning Administration in their development ZOAM 2015-0006. The majority of the amendments identified as quick fixes and those related historic structures are supported by the policies of the County Comprehensive Plan. However, Community Planning Staff has identified several amendments that require further consideration and/or are contrary to Comprehensive Plan guidance that are highlight below:

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Revised General Plan and other supporting documents together comprise the Loudoun County Comprehensive Plan (*Revised General Plan, Preface, text*). The policies and methods of implementation of the Revised General Plan are intended to ensure the long-term fiscal balance of the County, to protect its environment and natural resources, to create high-quality communities, and to provide adequate levels of public services and facilities (*Revised General Plan, Preface, Principles 1, 2, 4, 5, 6, &*

8). The Revised General Plan is the foundation for amendments to County ordinances to ensure that the County's goals are implemented through the regulatory process. It is intended that these ordinances and the Facilities Standards Manual will be updated so that they are consistent with the policies of the Revised General Plan (*Revised General Plan, Chapter 1, Purpose and Definition, text*). Essentially, the County's Comprehensive Plan is the framework for which ordinances and regulations are adopted and implemented for the physical development of land within its boundaries, which is required by State law and supported by State case law (*Revised General Plan, Chapter 1, Legal Basis for the Plan, text*).

The Agricultural Rural (AR), Joint Land Management Area (JLMA), Country Side Residential (CR), Rural Commercial (RC) and Transition (TR) zoning districts which are the target of the proposed zoning ordinance amendments were adopted to implement the Rural Policy Area, the Towns/Joint Land Management Area, Existing Villages and the Transition Policy Area policies of the General Plan (*Revised General Plan, Chapter 7, Planned Land Use*).



ANALYSIS

Recreation Establishment Indoor

The zoning ordinance amendment proposes to add "Recreation Establishment Indoor" as a Special Exception use in the AR-1, AR-2, CR-1, JLMA-3, JLMA-20 and TR-10 zoning districts. The zoning ordinance defines recreation establishment indoor as a structure designed to accommodate gatherings of human beings for games, athletics, cultural activities, martial arts, archery or firearm shooting, rides, and the like, which may include accessory uses such as refreshment stands, equipment sales or rentals. Indoor recreation facilities in the County are typically associated within indoor sport complexes for soccer, lacrosse, hockey, ice skating, swimming, tennis, climbing etc. which provide year round training and game facilities for youth and adult athletes. Examples of these types of indoor recreation facilities include the Ashburn Ice House, Dulles SportsPlex, Rebounders and Sport Rock in Sterling. These indoor recreation facilities often have hours beginning as early as 6 am which extend until midnight to accommodate teams and leagues which rent space on an hourly basis. Indoor recreation facilities generate peak traffic demand on an hourly increments as teams cycle through the facility and when tournaments are hosted.

The rural policies of the Revised General Plan support the creation of a variety of opportunities for rural commercial, industrial, employment, and institutional activities that preserve the rural character, support the rural economy and are compatible with the dominant rural land use pattern. The rural policies allow for the establishment of “private camps and parks”, which provide for outdoor active recreational uses that may include field sports (Revised General Plan, Chapter 7, Land Use Pattern and Design Strategy Policies, Policy 6).

The Town’s policies of the Plan also support commercial retail and service development in the JLMAs that reinforces the traditional growth patterns and support the rural economy (Revised General Plan, Chapter 9, The Towns Land Use Policies, Policies 3 & 10).

The Transition Area policies identify equestrian centers, golf courses, active recreation uses, kennel, and retail nurseries as appropriate non-residential uses which serve both the rural and suburban populations and are compatible with the rural character (Revised General Plan, Chapter 8, Community Design Policies 15 & 16).

In general the Plan policies for all three of these planning areas support the establishment of business uses that preserve the rural or local character of the landscape, and that promote opportunities for the expansion of the County’s rural economic as well as environmental goals.

The policies of the Plan do not specifically identify indoor recreation facilities as a use in the Rural Policy Area, JLMA or Transition Policy Area since these types of facilities do not rely upon the rural land resource for their operation nor are they considered rural economy uses. The Plan recommends the County permit non-agriculturally related commercial uses by special exception in the Rural Policy Area if the use is agriculturally and rurally compatible in scale and intensity, poses no threat to public health, safety and welfare, and if the use helps to preserve farmland and open space and continue agricultural operations. The Plan recommends that new non-rural commercial uses that are not compatible with the dominant agricultural land-use pattern locate within the Towns (Revised General Plan, Chapter 7, Rural Economy Policies, Land Use Pattern, Policy 14). The infrastructure needs, scale, and intensity of indoor recreation facilities, such as those outlined above, should be limited to reflect the character of the policy areas and typically make such uses more suitable within one of the industrial or business areas within the Towns or Suburban Policy Area where adequate public facilities, transportation networks and other similar uses exist.

The Countryside Residential – 1 (CR-1) zoning districts are predominately located in the existing villages in Western Loudoun, however, in this particularly case the zoning district was added by ZOAG related to an applicant request for properties located near the intersection of Belmont Ridge Road and Evergreen in the Suburban Policy Area. Allowing indoor recreation facilities in the CR-1 has larger implications on the existing villages and raises significant compatibility concerns.

The proposed amendment to permit indoor recreation establishments by Special Exception within Rural Policy Area, Joint Land Management Area, Existing Villages and Transition Policy Area raises concerns about increased traffic, safety, provision of adequate water and wastewater, and overall compatibility with the rural character, surrounding rural landscape and character of these planning areas.

Community Planning Staff cannot support the addition of indoor recreation establishments as a use in the Rural Policy Area as such uses typically are not contributing to the agricultural community or rural character.

Within the Joint Land Management Area, Existing Villages and Transition Policy Area, the size and scale of these facilities bear little relationship to the surrounding community, drawing customers from outside the community, requiring commercial operating hours and adding significant traffic to the area.

If the proposed amendment to permit indoor recreation establishments is considered further within the JLMA areas where transportation and infrastructure are available, Community Planning Staff recommends that in addition to the Special Exception requirement, performance standards and design guidelines be developed to regulate the size, scale, and design of the facilities to ensure their compatibility with the character of the area, to minimize their impact on adjacent properties and to provide all prospective operators with a clear and consistent expectation of requirements.

Open Space Uses- Rural Hamlets and Rural Clusters

The zoning ordinance amendment proposes to add a large number of uses to the permitted and Special Exception use lists for to the required open space land in the AR-1 and AR-2 Clustered Development, Rural Hamlet Option (permitted in A-3 and A-10), and the Transition (TR) Districts Clustered Development.

The rural hamlet and rural cluster development options allow for a more compact residential design with smaller residential lots, as small as a quarter ($\frac{1}{4}$) acre, grouped together in a cluster pattern so that a substantial amount of the remaining land is maintained for traditional agriculture, rural economy uses and/or open space to preserve the rural character of the landscape. The current list of permitted uses and special exception uses within open space land surrounding the Rural Hamlet and Rural Cluster developments are significantly less intensive than those permitted on a conventional AR or TR lot to preserve the rural landscape as an open space amenity. The Zoning Ordinance requires that land that is not part of a building lot or roads in a hamlet or cluster be maintained by a Home Owner's Association, which often also have permanent open space easement attached to the land.

The amendment proposes to add a significant number of permitted and special exception uses within open space land associated with Rural Hamlets and Rural Clusters. The uses include a number of proposed permitted uses which are agriculturally based and/or are passive use that include farm co-ops, arboretums,

botanical gardens, production nursery, passive neighborhood parks and small scale stables that are in keeping with the purpose of the open space land and preservation of the rural character of the landscape.

Other proposed permitted uses are more intensive such as agricultural processing, agritainment, pet farms, limited brewery, Virginia farm winery and restaurant associated with on-site production and could adversely affect the neighboring residential uses. The proposed special exception uses also include agricultural cultural center, regional park with active recreational uses, camp day and boarding, campground and outdoor amphitheater which also represent more intensive uses. The aforementioned uses generally require large tracts of land for outdoor activities, parking and facilities, as well as significant setbacks and buffering to minimize noise and lighting levels. Additionally it is anticipated that increased traffic will be generated by visitors and delivery vehicles to some of these rural business use, particularly the tasting rooms associated with the proposed limited brewery and Virginia farm winery use.

The Revised General Plan identifies rural clusters as a preferred development option in the Rural and Transition Policy Areas to preserve open space and maintain the rural scenic quality of the landscape. The rural cluster is both visual and spatial with the dwellings scaled and sited in a group to maintain coherent relationships to each other and the surrounding landscape. The residual open land accounts for the overall lower density of the site and may serve to accommodate rural economy uses and preserve rural character of the land (*Revised General Plan, Chapter 11, Rural Policy Area Design Guidelines, Rural Cluster, and Transition Policy Area Design Guidelines, Rural Cluster*).

Many of the proposed uses contradict the purpose and intent of the required open space land associated with the Rural Hamlet and Rural Cluster development option. Many of the proposed uses consume large areas of land for parking, require significant infrastructure, can adversely impact adjacent residential uses and generate substantial traffic in comparison to existing uses permitted in the open space land which are agricultural based and preserve the open rural character of the land. Community Planning Staff supports refining the use list to eliminate those uses that are not in keeping with the purpose of the open space land.

Winery Uses in Rural Commercial (RC) Zoning District

The zoning ordinance amendments propose to add Virginia Farm Winery as a permitted use and Commercial Winery as a Special Exception use within the Rural Commercial (RC) zoning district. The RC zoning district is generally associated with the existing villages in the western portion of the County. The policies of the Revised General Plan for Existing Villages specifically excludes large scale commercial uses in the Existing Villages and encourages the location of small scale, convenience-sized businesses within the villages that meet local neighborhood needs and are compatible in scale with the surrounding building and related uses in the villages (*Revised General Plan, Chapter 10, Existing Village Policies, Policy 7*). The introduction of Virginia Farm Winery as a permitted use may not be appropriate given that it requires onsite

production and has no regulatory review by the County. Community Planning Staff does not support the request to allow Virginia Farm Winery as a permitted use in the RC zoning district. Community Planning does however, support the amendment to permit Commercial Winery as a Special Exception in the Rural Commercial zoning district. Allowing the Commercial Winery use by Special Exception allows the Board and Planning Commission the opportunity to assess the potential impacts on a case-by-case basis on its own merit within its individual context and allows opportunities for public input throughout the legislative process. The Special Exception application can restrict the size and scale of the operation to ensure compatibility with the surrounding uses.

Virginia Farm Winery in the Village Conservancy and Village Satellite Conservancy Subdistrict of the Planned Development-Rural Village (PD-RV) Zoning District

The Planned Development- Rural Village (PD-RV) zoning district allows for the development of new rural villages on a minimum of 300 acres with a greater concentration of residences within a village core surrounded by areas of open space similar to a traditional village. There are four approved Rural Villages within the County with approved residential development ranging between 225 and 325 homes each. They include Elysian Heights, Red Cedar, Courtland and Greene Mill Preserve, formerly known as Woodland Rural Village.

The zoning ordinance amendments propose to add Virginia Farm Winery as a permitted use within the Village Conservancy and Satellite Conservancy Subdistricts of the PD-RV zoning district. The Village Conservancy and Satellite Conservancy Subdistricts lots comprise the required open space lots for a Rural Village and are established to provide significant buffering of neighboring properties and to provide a land base for agricultural, forestal and open spaces uses. Similar to the discussion above for the open space land for Rural Hamlets and Rural Clusters, the Village Conservancy and Satellite Conservancy Subdistricts permit a limited number of by right uses, which include a variety of agricultural uses, farm support uses, and small scale hospitality uses designed to preserve and maintain the rural character of the landscape. The Revised General Plan states that open space area on the periphery of the Village will constitute the majority of the required open space and should integrate the existing natural and environmental features of the site (*Revised General Plan, Chapter 11, Transition Policy Area Design Guidelines, Villages, Open Space*).

The proposed amendment to add Virginia farm winery as a permitted use is not in keeping with the scale and intensity of the other agricultural and passive uses currently permitted in the Village Conservancy and Satellite Conservancy Subdistricts. The establishment of a proposed Virginia farm winery proximate to the designated village residential area may create conflicts with noise, lighting and traffic that adversely affect existing residents and may be counter to the purpose of the Village Conservancy and Satellite Conservancy Subdistricts.

RECOMMENDATIONS

The policies of the Revised General Plan support the development of businesses uses in the Rural Policy Area, Joint Land Management Area, Existing Village and Transition Policy Area that are compatible in scale, use and intensity with the surrounding land uses, contribute to the rural economy and preserve large areas of land for rural economy, agricultural and open space uses.

Community Planning Staff in the review of the proposed Zoning Ordinance amendments has identified several amendments that require further consideration and/or that may be contrary to Comprehensive Plan guidance.

Specifically, Community Planning Staff cannot recommend the proposed amendment to permit "Recreation Establishment Indoor" as a Special Exception use in the AR-1, AR-2, CR-1 and TR zoning districts, and suggests establishing clear guidelines or performance standards if the use is considered in the JLMA-3 and JLMA-20 zoning districts surrounding the Towns.

Staff recommends further consideration of the permitted and Special Exception Uses within Rural Hamlet and Rural Clusters to eliminate those uses that are not in keeping with the purpose of the open space land and the preservation of the rural landscape.

Staff cannot recommend the Virginia farm winery as by-right use in the RC zoning district, however the Commercial Winery use may be appropriate provided the Board and Planning Commission have the opportunity to assess the impact of the use through Special Exception.

Staff cannot recommend the Virginia farm winery as by-right use in the Village Conservancy and Satellite Conservancy Subdistricts of the PD-RV zoning district as the use is not in keeping with the other agricultural and passive uses currently permitted in the district or the intent of the open space land.

Cc: Ricky Barker, AICP, Director, Planning and Zoning- via email
John Merrithew, AICP, Assistant Director, Planning and Zoning- via email

County of Loudoun

Department of Transportation and Capital Infrastructure

MEMORANDUM

DATE: March 21, 2016

TO: Mark A. Depo, Planner
Department of Planning and Zoning

FROM: Rory L. Toth, CZA/CTM, Senior Transportation Planner RLT
DTCI, Transportation Planning and Operations Division

SUBJECT: ZOAM 2015-0006 Rural Uses and Standards and Historic Structure Exemption First Referral

Background

This Zoning Ordinance Amendment (ZOAM) proposes changes to the *Revised 1993 Zoning Ordinance* (Zoning Ordinance) in order to 1) Revise existing uses for consistency purposes; 2) Add new, and/or reclassify or delete existing uses for PD-CV Village Conservancy and Village Satellite Conservancy Subdistricts, PD-RV Village Conservancy and Satellite Conservancy Subdistricts, Open Space of the TR-10, TR-3, TR-2, and TR-1 zoning districts, Rural Hamlet Conservancy Lots, Open Space, and Commonly Owned Open Space Parcels in the A-10 and A-3 zoning districts; 3) Add new, and/or reclassify or delete existing uses in the AR-1, AR-2, A-10, A-3, CR-1, RC, JLMA-1, JLMA-2, JLMA-3, JLMA-20, TR-10, TR-3, TR-2, TR-1, PD-CV, and PD-RV zoning districts; 4) Revise AR-1, AR-2, A-10, A-3, and JLMA-20 Minimum Yard and Maximum Lot Coverage requirements; 5) Establish new types of historic structures that may be exempt from certain Additional Regulations for certain uses; 6) Amend Section 5-643, Additional Regulations for Specific Uses, Restaurant to also apply to Restaurant uses in the JLMA-2 and JLMA-3 zoning districts; 7) Revise existing definitions; and 8) Amend various text errors identified as “quick-fix” items.

Department of Transportation and Capital Infrastructure’s (DTCI’s) review of this ZOAM is based on materials received from the Department of Planning and Zoning on February 24, 2016, including 1) a referral cover sheet, dated February 24, 2016 containing a summary of the proposed amendments; 2) Zoning Ordinance Action Group (ZOAG) Issues Table, Rural Uses/Historic Structures Subcommittee (included in this referral as **Attachment 1**); and 3) draft red-lined text showing revisions proposed with the ZOAM, dated February 22, 2016. A copy of the Rural Uses and Standards and Historic Structure Exemption ZOAM draft text are included in this referral as **Attachment 2**.

Transportation Comments

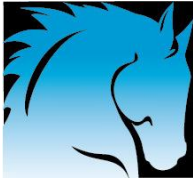
1. DTCI notes that the draft text proposes to remove the use “Rural Agricultural Corporate Retreat” definition and consolidate it with the use “Rural Corporate Retreat” definition. In addition, the “Rural Corporate Retreat” use is proposed to be added as a SPEX use in the CR-1, PD-RV village conservancy subdistricts, satellite conservancy subdistricts and village centers and as a SPMI use in the JLMA-20 zoning district. A SPMI and SPEX application are a legislative process where an application will require submission of a traffic impact study (TIS) and allow the public the opportunity to speak to an application at a Board of Supervisors public hearing. The Board would still have the option to approve conditions to mitigate any potential impacts from the use on surrounding properties and the roadway network. In addition, DTCI supports the retention of frontage/access related performance standards in the Zoning Ordinance (Section 5-619) that the use must comply with.
2. DTCI notes that the draft text proposes to combine the use “Rural Resort” and “Rural Retreat” to create a “Rural Resort” in the JLMA-3, PD-RV and JLMA-20 zoning districts. It is noted that this use still requires approval of a minor special exception in the JLMA-20 zoning district and as a SPEX use within the JLMA-3 and PD-RV village conservancy subdistricts, satellite conservancy subdistricts and village centers. A SPMI and SPEX application are a legislative process where an application will require submission of a traffic impact study (TIS) and allow the public the opportunity to speak to an application at a Board of Supervisors public hearing. The Board would still have the option to approve conditions to mitigate any potential impacts from the use on surrounding properties and the roadway network. In addition, DTCI supports the retention of road/access related performance standards in the Zoning Ordinance (Section 5-601(D)(4)) that the use must comply with.
3. DTCI notes that the draft text proposes to add “VA Farm Winery” as a permitted use in the RC and PD-RV village conservancy and satellite conservancy subdistricts as a permitted use. Also, the proposed text proposes to add a “Winery, Commercial” as a SPEX use in the RC zoning district. Given the physical characteristics of roadways (some of which are narrow) in the RC zoning districts, which are predominantly located in or near designated villages throughout the County, by permitting a “VA Farm Winery” as a permitted use it would eliminate the opportunity for legislative review of potential site-specific access, traffic circulation and operational issues; such review could result in changes to site design and/or site-specific conditions of approval consistent with the County’s adopted 2010 CTP policies.
4. DTCI notes that the draft text proposes to add “Recreation Establishment, Indoor” as a SPEX use in the AR-1, AR-2, CR-1, JLMA-3, JLMA-20 and TR-10 zoning districts. A SPEX application is a legislative process where an application will require submission of a traffic impact study (TIS) and allow the public the opportunity to speak to an application at a Planning Commission and Board of Supervisors public hearing. The Board would still have the option to approve conditions to mitigate any potential impacts from the use on surrounding properties and the roadway network.
5. DTCI notes that there are a total of 26 new uses which are being added as a permitted use on the common open space lots in the AR-1 and AR-2 zoning districts and the open space lots of the TR zoning districts. Depending on the scale and intensity of these uses, DTCI is

concerned that some uses may not be appropriate to be located on open space parcels given the widely varying physical characteristics and conditions of unpaved roads in the County. In transitional and agricultural zoned districts in particular, DTCI has concerns with the increase in commercial traffic and the potential scale and intensity of these uses on unpaved roads accessing open space parcels. DTCI notes that the intensity and resulting higher traffic volumes generated by such uses, including delivery and service vehicles, may need to be accommodated on paved roadways, which may be contrary to the purpose and intent of open space. DTCI recommends that the following uses be permissible by SPMI so that traffic impacts can be reviewed through the legislative process: Agricultural Processing, Agritainment, Restaurant in association with an on-site agricultural use, and community, neighborhood or regional park with passive recreational uses.

ATTACHMENTS

1. ZOAG Issues Table, Rural Uses/Historic Structures Subcommittee
2. Rural Uses and Standards and Historic Structure Exemption ZOAM Draft Text

cc: Kathleen Leidich, Assistant Director, DTCI
Lou Mosurak, Senior Coordinator, DTCI



LCEA | Loudoun County Equine Alliance

3/17/2016

Mark Depo
Project Manager, Department of Planning and Zoning

Mark,

Pursuant to our conversation, LCEA requests that ZOAG add “caretaker/residence” to the accessory uses permitted within stables private, stables livery and equestrian facilities definitions.

Thank you
Kelly Foltman, DVM, president LCEA
And the Board of LCEA

Depo, Mark

From: Romeo, Mike <mromeo@thelandlawyers.com>
Sent: Wednesday, March 16, 2016 4:36 PM
To: Depo, Mark
Subject: Rural Uses and Historic Structures ZOAM Request

Good Afternoon Mark,

Following up on our phone conversation earlier this afternoon, I would like to formally request that the *facilities for lessons in dance, gymnastics, judo and sports training* use be added as a special exception use in the CR-1 zoning district, or any other zoning district under consideration, as part of the Rural Uses and Historic Structures Zoning Ordinance Amendment (ZOAM 2015-0006).

It is my understanding that the Zoning Ordinance Action Group will be discussing this ZOAM at their upcoming meeting on March 22nd. Myself, or another representative, will be in attendance at this meeting.

Please feel free to contact me if you have any questions or comments.

Thank you.

Mike



Michael G. Romeo, AICP
Senior Land Use Planner

Walsh Colucci Lubeley & Walsh PC

1 East Market Street | Suite 300 | Leesburg, VA 20176

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