

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

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

**DIVISION A: RURAL DISTRICTS**

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

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

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

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

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

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

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

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

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

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

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

34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
  
46  
47  
48  
49  
50  
51  
52  
53  
  
54  
55  
56  
57  
58  
59  
60  
  
61  
62  
63  
  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74

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

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

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

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

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

75  
76  
77  
78  
  
79  
80  
81  
82  
83  
84  
  
85  
86  
87  
88  
89  
  
90  
91  
92  
93  
94  
95

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

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

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

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

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

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

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

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

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

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



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

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

96  
97  
98  
99  
100  
  
101  
102  
103  
104  
  
105  
106  
  
107  
108  
109  
110  
  
111  
  
112  
  
113  
  
114  
115  
116  
117  
118  
  
119  
120  
121  
122  
  
123  
124  
125  
  
126  
  
127  
128  
129

2-103

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

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

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

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

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

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

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

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

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

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

(4) **Creation of Lots.**

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

|  
130  
131  
132  
  
133  
134  
135  
136  
137  
138  
139  
  
140  
141  
142  
  
143  
  
144  
145  
146  
  
147  
148  
  
149  
150  
151  
  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167

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

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

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

(5) **Lot Access.**

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

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

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

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

168  
169  
170  
  
171  
  
172  
173  
174  
  
175  
176  
  
177  
178  
  
179  
180  
181  
182  
  
183  
184  
185  
  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
  
197  
198  
199  
200  
201  
202  
  
203  
204

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

(1) **General Requirements.**

- (a) **General.** A landowner may exercise this option on a site consisting of a minimum of 20 acres prior to development.
- (b) **Lot Yield.** The maximum lot yield shall be 1 lot per 10 acres.

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

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

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

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

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

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

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

225 (3) **Permitted Uses.**

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

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

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

|  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272

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

273  
274  
275  
  
276  
277  
278  
279  
280  
281  
282  
  
283  
  
284  
285  
286  
287  
288  
  
289  
290  
  
291  
  
292  
293  
294  
295  
296  
297  
298  
  
299  
300  
301  
  
302  
303  
  
304  
305  
306  
307  
308  
309

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

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

(1) **General Requirements.**

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

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

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

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

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

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

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



310  
311  
312  
313  
314  
315  
316  
  
317  
318  
319  
  
320  
321  
322  
  
323  
324  
325  
326  
327  
  
328  
329  
  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
  
340  
341  
342  
343  
344  
345  
  
346  
347

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

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

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

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

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

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

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

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

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

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

348  
349

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

350  
351  
352  
353  
354  
355  
356  
357  
358

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

359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374

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

375  
376  
377  
378  
379  
380  
381

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

382

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

383  
384

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

385  
386

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

387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422

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

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

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

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

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

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

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

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

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

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

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

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

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

430 ~~(i)~~(v) The applicant may appeal the determination  
431 resulting from the Preliminary Soils Review  
432 to the Board of Zoning Appeals in  
433 accordance with the provisions of Section 6-  
434 1700, “Appeals”, of the Zoning Ordinance.

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

446  
447 (d) Minimum Lot Size. 10 acres. In the case where an  
448 area of non-contiguous prime farmland soils is less  
449 than 10 acres, then the minimum lot size must equal  
450 the area of non-contiguous prime farmland soils.

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

454 (f) Maximum Lot Coverage. 15%.

455 (g) Minimum Lot Width. 175 feet.

456 (h) Permitted Uses. The uses allowed on lots are  
457 identified in Table 2-102 and are subject to the  
458 Additional Regulations for Specific Uses in Section  
459 5-600.

460  
461  
462  
463  
464  
465  
  
466  
467  
  
468  
469  
470  
471  
  
472  
473  
  
474  
475  
476  
477  
478  
  
479  
480  
481  
482  
483  
484  
  
485  
  
486  
  
487  
  
488  
489  
490  
491  
492  
493  
  
494  
495

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

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

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

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

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

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

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

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

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

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

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

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

501  
502 ~~(4)(6)~~ **Common-Requirements for Open Space.** Land that is  
503 neither part of a building lot, ~~nor~~ a road right-of-way, a  
504 Preservation Farm Lot or Rural Economy Cluster Lot shall  
505 must be placed in ~~common~~ open space and ~~shall~~ must be  
506 maintained by a Homeowner's Association as described in  
507 Section 2-104. ~~Common~~ Open Space ~~shall~~ must be designed  
508 to constitute a contiguous and cohesive unit of land which  
509 may be used as described ~~below~~ in Table 2-102 above.  
510 ~~Common~~ Open Space has no minimum or maximum lot size  
511 and no lot width regulations. Further, ~~Common~~ Open Space  
512 does not count against the lot yield allotted to the  
513 subdivision.

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

519 ~~(a)~~ —

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

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

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

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

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

534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564

- ~~(v) Sewage disposal system, communal.~~
- ~~(vi) Sewer pumping station.~~
- ~~(vii) RESERVED.~~
- ~~(viii) Stormwater management facilities for the proposed development or for a larger area in compliance with a watershed stormwater management plan.~~
- ~~(ix) Telecommunications antenna, pursuant to Section 5-618(A).~~
- ~~(x) Telecommunications monopole, pursuant to Section 5-618(B)(1).~~
- ~~(xi) Telecommunications monopole, pursuant to Section 5-618(B)(2).~~
- ~~(xii) Utility substation, dedicated.~~
- ~~(xiii) Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses).~~
- ~~(xiv) Water pumping station.~~
- ~~(xv) Water supply system, communal.~~
- ~~(xvi) Uses permitted from the Agricultural Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On Site, Use Category, as follows:
  - ~~a. Agricultural cultural center, pursuant to Section 5-634.~~
  - ~~b. Agri-education, pursuant to Section 5-627~~
  - ~~c. Agricultural Processing, pursuant to Section 5-627.~~~~

565 ~~d. Arboretum, pursuant to Section 5-~~  
566 ~~636.~~

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

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

573 ~~g. Farm co-op, pursuant to Section 5-~~  
574 ~~627.~~

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

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

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

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

583 ~~l. Stable, Private, pursuant to Section 5-~~  
584 ~~627.~~

585 ~~m. Wayside Stand, pursuant to Section~~  
586 ~~5-604.~~

587 (b) **Special Exception Uses.** ~~The following u~~Uses that  
588 may be approved in ~~common~~ open space by the  
589 Board of Supervisors ~~are identified in Table 2-102,~~  
590 ~~subject to the Additional Regulations for Specific~~  
591 ~~Uses in Section 5-600,~~ and if approved, may be  
592 subject to certain conditions pursuant to Section 6-  
593 1300.

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

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



598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630

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

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

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

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

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

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

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

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

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

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

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

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

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

- 631 (i) Individual water systems, located on the lot  
632 served, or
- 633 (ii) Communal water system, located within  
634 ~~Common~~ Open Space, with maintenance to  
635 be provided pursuant to Section 2-  
636 103(C)(1~~10~~).

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

- 638 (i) Individual sewage disposal systems, located  
639 on the lot served or in ~~Common~~ Open Space  
640 owned by an HOA. A maximum of ~~seventy~~  
641 ~~percent (70%)~~ of the lots may have primary  
642 and/or reserve septic fields within ~~common~~  
643 open space. The record plat shall identify the  
644 location of all septic fields and shall assign  
645 them to lots, or
- 646 (ii) Communal sewage disposal system that ~~shall~~  
647 must be located within ~~Common~~ Open Space  
648 with maintenance to be provided pursuant to  
649 Section 2-103(C)(1~~10~~).

650 ~~(9)(11)~~ **Maintenance of Water and/or Sewage Disposal Systems.**

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

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

669

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

670  
671  
672  
673

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

674  
675  
676

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

677  
678  
679

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

680  
681  
682

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

683  
684  
685  
686  
687  
688  
689

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

690  
691  
692  
693  
694  
695  
696  
697  
698

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

699  
700  
701  
702

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

703  
704  
705  
706

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

707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737

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

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

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

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

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

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

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

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

739  
740  
741  
742  
743

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

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

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

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

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

792 \_\_\_\_\_  
793 **2-105 Recognizing Protection by Right to Farm Act.** Record plats and deeds  
794 authorized pursuant to this section ~~shall~~must include a statement that  
795 agricultural operations enjoy the protection of the Right to Farm Act (Va.  
796 Code Section 3.2-300 et seq.).

797 **2-106 Existing Lots of Record.**  
798 (A) Lots existing as of December 6, 2006 shall be permitted the uses  
799 identified in Table 2-102: AR-1 Agricultural Rural-1 District Use  
800 Table and shall follow the lot and building requirements for the Base  
801 Density Division option as identified in Section 2-103(A).

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

807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841

**Section 2-200**

**AR-2 Agricultural Rural-2**

**2-201**

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

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

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

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

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

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

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

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

**2-202**

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

842  
843  
  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
  
856  
857  
858  
859  
860  
861  
862  
863  
  
864  
865  
866  
867  
868  
869  
870  
  
871  
872  
873  
  
874  
875  
876  
877  
878  
879  
880  
881

- (A) **Organization of Use Table.** Table 2-202 organizes the uses in the AR-2 district by Use Classifications, Use Categories and Use Types.
  - (1) **Use Classifications.** The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., agricultural uses and residential uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
  - (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
  - (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-202 are defined in Article VIII (Definitions).
- (C) **Permitted and Special Exception Uses.** A “P” in the column identified “AR-2” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-2 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the AR-2 district as a special exception in accordance with the procedures and standards of Section 6-1300. An “M” indicates that a Use Type is allowed in



|  
882 the AR-2 district as a Minor Special Exception in accordance with  
883 the procedures and standards of Section 6-1300. In some instances,  
884 and based on the Additional Regulations for Specific Uses (Section  
885 5-600), a Use Type will be permitted as a matter of right under  
886 certain conditions or allowed as a Special Exception or Minor  
887 Special Exception under other conditions. In those instances, it is  
888 identified as “P/S” or “P/M,” as appropriate.

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED — S = SPECIAL EXCEPTION — M = MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Guest farm or ranch leasing up to 20 guest rooms	P	
<b>INDUSTRIAL USES</b>			
<b>Telecommunication Use and/or Structure</b>	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunications transmission tower	S	Section 5-618(C)(2)
<b>Waste-Related Uses</b>	Vegetative waste management facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Yard waste composting facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Stockpiling of dirt	S	Section 5-657

907  
908  
909  
910  
911  
912  
913

2-203

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

914  
915  
916  
917

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

918  
919

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

- 920 |
- 921 (2) **Permitted Uses.** The uses permitted on lots developed in
- 922 accordance with the Base Density Division Option are
- 923 identified in Table 2-202 and are subject to the Additional
- 924 Regulations for Specific Uses of Section 5-600.
- 925 (3) **Lot and Building Requirements.**
- 926 (a) **Minimum Lot Size.** 40 acres.
- 927 (b) **Minimum Lot Width.** 175 feet.
- 928 (c) **Minimum Yards.** Except where a greater setback is
- 929 required by Section 5-1403(B), no structure shall be
- 930 located within 25 feet of any property line or within
- 931 35 feet from any other road right-of-way, private
- 932 access easement, and/or prescriptive easement.
- 933 (d) **Maximum Lot Coverage.** 25%, but only 10% may
- 934 be used for residential or non-residential structures
- 935 excluding agricultural, horticultural, and animal
- 936 husbandry structures not open to the public.
- 937 (e) **Maximum Building Height.** 35 feet, excluding
- 938 agricultural, horticultural, and animal husbandry
- 939 structures not open to the public.
- 940 (4) **Creation of Lots.**
- 941 (a) **Request.** Requests for creation of lots by plat of
- 942 division in the AR-2 District shall be submitted to the
- 943 Director of the Department of Building and
- 944 Development (or designee) for review and approval
- 945 in accordance with “AR-2 and AR-1 Divisions” of
- 946 the Land Subdivision and Development Ordinance.
- 947 (b) **Public Road Frontage.** No such lot shall be created
- 948 fronting on a public road unless the publicly
- 949 dedicated width of such road along the entire
- 950 frontage of the newly created lot, measured from the
- 951 centerline of the road to the property line of the lot,
- 952 satisfies the criteria of the Virginia Department of
- 953 Transportation (VDOT).
- 954 (c) **Utility Requirements.** Each lot shall have an on-
- site water supply and individual sewage disposal.



955  
956  
957  
958  
959  
960  
961  
962  
963  
964  
965  
966  
967  
968  
969  
970  
971  
972  
973  
974  
975  
976  
977  
978  
979  
980  
981  
982  
983  
984  
985  
986  
987  
988  
989  
990

(5) **Lot Access.**

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

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

(1) **General Requirements.**

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

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

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

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

- 1063  
1064  
1065
- (f) **Building Height.** 35 feet maximum, excluding agricultural, horticultural, and animal husbandry structures.
- 1066  
1067  
1068
- (5) **Landscaping/Buffering.** Notwithstanding the requirements of Section 5-1400, required buffers may be provided on either the Principal and/or Subordinate lots.
- 1069
- (6) **Utility Requirements.**
- 1070  
1071
- (a) **Water.** All lots shall be served by individual water supply systems located on the lot.
- 1072  
1073
- (b) **Sewer.** All lots shall be served by individual sewage disposal systems located on the lot.
- 1074  
1075  
1076
- (7) **Fire Protection.** The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.
- 1077
- (8) **Lot Access.**
- 1078  
1079  
1080  
1081
- (a) Access to individual lots may be provided by a private access easement that complies with the requirements of Chapter 4: Transportation, of the Facilities Standards Manual.
- 1082  
1083  
1084
- (b) A private access easement may serve as frontage in lieu of public road frontage up to 25 lots per easement.
- 1085  
1086  
1087
- (c) The record plat of subdivision shall contain a note detailing the provisions for the maintenance of the private access easement.
- 1088  
1089  
1090  
1091  
1092  
1093  
1094
- (C) **Cluster Subdivision Option.** The Cluster Subdivision Option allows for the subdivision of a tract of land with a more compact residential design plus that may include one or more large lots containing prime farmland soils suitable for rural farming activities, and may include one or more lots suitable for other rural economy uses, and/or common open space. Communal water and sewer systems may be used for such developments.
- 1095
- (1) **General Requirements.**

1096  
1097  
1098  
1099  
1100  
  
1101  
1102  
  
1103  
  
1104  
1105  
1106  
1107  
1108  
1109  
  
1110  
1111  
1112  
  
1113  
1114  
  
1115  
1116  
1117  
1118  
1119  
1120  
  
1121  
1122  
1123  
  
1124  
1125  
1126  
  
1127  
1128  
1129

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

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

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

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

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

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

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

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

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

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

1130 (h) A minimum of 70% of the gross land area of ~~the~~  
1131 ~~development~~originating tract being subdivided shall  
1132 may be comprised of the following:

1133 (i) ~~a~~One or more ~~Rural Economy~~Preservation  
1134 Farm Lot(s) containing a minimum amount  
1135 of Prime Farmland Soils of the originating  
1136 tract as specified in Table 2-203(C)(4) below;

1137 (ii) One or more Rural Economy Lots(s);

1138 ~~(i)(iii)~~ or a combination of a Rural Economy Lot(s)  
1139 and common Open Space.

1140 (3) ~~Lot standards~~Requirements for ~~Residential~~rural Cluster  
1141 Lot(s). The site layout of the proposed development shall  
1142 must occur during preliminary subdivision plat review.  
1143 Development of the cluster option shall must comply with  
1144 all of the following standards in addition to the requirements  
1145 of the LSDO:

1146 (a) Number of Residential Cluster Lots in a  
1147 Group~~Cluster(s)~~. Residential Cluster Lots shall  
1148 must be grouped in clusters consisting of a minimum  
1149 of 5 lots and a maximum of 215 lots, except that a  
1150 cluster may consist of fewer than 5 lots if any one of  
1151 the following applies:

1152 (i) There will be fewer than 5 lots in the entire  
1153 subdivision.

1154 (ii) ~~In the AR-2 district, t~~The area of the site is  
1155 less than 100 acres.

1156 (iii) It is demonstrated that a cluster of fewer than  
1157 5 lots will result in more contiguous land  
1158 designated for Preservation Farm Lots,  
1159 and/or more preserved prime farmland soils,  
1160 or result in less disturbance of land within the  
1161 Mountainside Development Overlay District  
1162 (MDOD), Floodplain Overlay District (FOD)  
1163 lands, and/or land containing steep slopes  
1164 and/or wetlands.

1165 (b) ~~Number of Clusters~~Grouping of Residential  
1166 Cluster Lots. Multiple groupings of ~~Rural~~

1167  
1168  
1169  
1170  
1171  
1172  
1173  
1174  
1175  
1176  
1177  
1178  
1179  
1180  
  
1181  
1182  
1183  
1184  
1185  
1186  
1187  
1188  
  
1189  
  
1190  
1191  
  
1192  
1193  
  
1194  
1195  
  
1196  
1197  
1198  
1199  
1200  
1201

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

- (c) **Distance Between Clusters Groupings of Residential Cluster Lots.** If more than one grouping of Residential eCluster Lots is to be created from a parcel, a minimum of 2500 feet ~~shall~~ must separate the lot lines of the outer boundaries of each grouping of Residential eCluster Lots (exclusive of common open space and lots 25 acres or greater).
- (d) **Minimum Lot Size.**
  - (i) **On-site Water and Wastewater.** 40,000 sq. ft., exclusive of major floodplain.
  - (ii) **Off-site Wastewater, On-site Water.** 20,000 sq. ft., exclusive of major floodplain.
  - (iii) **Off-site Water and Off-Site Wastewater.** No minimum lot size.
- (e) **Maximum Lot Size.** 43 acres.
- (f) **Maximum Lot Coverage.** 15%
  - ~~(i) — Lots less than 40,000 sq. ft.: 8%.~~
  - ~~(ii) — Lots 40,000 sq. ft. — 4 acres: 15%.~~
- (g) **Permitted Uses on Lots.** The uses allowed on lots are identified in Table 2-202 and are subject to the

1202  
1203  
  
1204  
1205  
1206  
1207  
  
1208  
1209  
1210  
1211  
1212  
1213  
1214  
1215  
  
1216  
1217  
1218  
1219  
1220  
1221  
  
1222  
1223  
1224  
1225  
  
1226  
1227  
1228  
1229  
1230  
1231  
1232  
1233  
  
1234  
1235  
1236  
1237  
  
1238  
1239

Additional Regulations for Specific Uses in Section 5-600.

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

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

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

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

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

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

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



1240  
1241  
1242  
  
1243  
1244  
1245  
1246  
1247  
1248  
1249  
1250  
1251  
1252  
1253  
  
1254  
1255  
1256  
1257  
  
1258  
1259  
1260  
  
1261  
1262  
1263  
  
1264  
  
1265  
  
1266  
1267  
1268  
1269  
  
1270  
1271  
1272  
1273  
1274  
1275  
  
1276

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

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

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

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

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

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

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

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

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

1277  
1278  
1279  
1280  
1281  
1282  
1283  
1284  
1285  
1286  
1287  
1288  
1289  
1290  
1291  
1292  
1293  
1294  
1295  
1296  
1297  
1298  
1299  
1300  
1301  
1302  
1303  
1304  
1305  
1306  
1307  
1308  
1309  
1310  
1311  
1312

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1343 (vii) ~~RESERVED.~~

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

1348  
1349  
1350  
1351  
1352  
1353  
1354  
1355  
1356  
1357  
1358  
1359  
1360  
1361  
1362  
1363  
1364  
1365  
1366  
1367  
1368  
1369  
1370  
1371  
1372  
1373  
1374  
1375  
1376  
1377  
1378  
1379

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

1380  
1381  
1382  
1383  
1384  
1385  
1386  
1387  
1388  
1389  
1390  
1391  
1392  
1393  
1394  
1395  
1396  
1397  
1398  
1399  
1400  
1401  
1402  
1403  
1404  
1405  
1406  
1407  
1408  
1409  
1410  
1411  
1412  
1413

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

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

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

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

1414

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

1415  
1416  
1417  
1418  
1419  
1420  
1421  
1422

- (a) **Setbacks From Road Rights of Way and Private Access Easements.** ~~No~~ Structures ~~shall~~ **must not** be located within one hundred (100) feet from the right of way of any arterial road; seventy five (75) feet from the right of way of any collector road; or **twenty** ~~thirty~~ **five (325)** feet from any other road right of way, private access easement, and/or prescriptive easement.

1423  
1424  
1425  
1426  
1427

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

1428

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

1429  
1430  
1431

- (a) **Front.** ~~3~~25 feet minimum.
- (b) **Side.** 15 feet minimum.
- (c) **Rear.** ~~35~~20 feet minimum.

1432

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

1433  
1434  
1435

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

1436

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

1437  
1438  
1439

- (a) **Water.** All lots shall be served by either:
  - (i) Individual water systems, located on the lot served; or

1440  
1441  
1442  
1443

- (ii) Communal water system, located within **an** ~~Common~~ Open Space, with maintenance to be provided pursuant to Section 2-203(C)(~~101~~).

1444

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

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

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

1458  
1459  
1460  
1461

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

1462  
1463  
1464  
1465  
1466  
1467  
1468  
1469  
1470  
1471  
1472  
1473  
1474  
1475

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

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

1477  
1478  
1479  
1480

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

- 1481 (b) Private access easements may serve as frontage in  
1482 lieu of public road frontage for up to 25 lots per  
1483 easement.
- 1484 (c) The plat of subdivision ~~shall~~must contain a note  
1485 detailing the maintenance provisions for the private  
1486 access easement.

1487 (13) Fire Protection. The development ~~shall~~must satisfy the fire  
1488 protection standards set forth in the Facilities Standards  
1489 Manual.

1490 (14) Pres-Submission Meeting. Prior to any application  
1491 submission for a Cluster Subdivision, the applicant shall  
1492 request and attend a pre-submission meeting with County  
1493 agencies to discuss the proposed development. The applicant  
1494 shall submit the following information as part of the meeting  
1495 request, in addition to other required information needed to  
1496 process the pre-submission meeting request:

1497 (a) Site Analysis Map. The applicant shall prepare a site  
1498 analysis map that provides information about  
1499 existing site conditions and context to include prime  
1500 farmland soils, environmental features, and that  
1501 comprehensively analyzes existing conditions both  
1502 on the proposed development site and on adjacent  
1503 properties. It is the intent of this section that the  
1504 information required to be presented in the site  
1505 analysis map be produced primarily from existing  
1506 sources, maps, and data.

1507 (b) Preservation and Development Areas Map. The  
1508 applicant shall prepare a map to identify primary  
1509 preservation farm areas, common open space areas,  
1510 and development areas.

1511 (15) Advisory Cluster Subdivision Siting and Design  
1512 Guidelines. Loudoun County recognizes that every cluster  
1513 subdivision design will be a custom response to the unique  
1514 assets and constraints of each tract. However, the County  
1515 does wish to encourage design consistent with Loudoun's  
1516 past in rural Loudoun and appends the following general  
1517 design guidelines as a suggestion to cluster subdivision  
1518 designers.  
1519



- 1520 (a) Cluster subdivisions should be sited so as to nestle,  
1521 or blend in a subordinate way, into the existing  
1522 landscape.
- 1523 (b) Lots and the location of building sites should be  
1524 designed to minimize development on, and the  
1525 disturbance of prime farmland soils.
- 1526 (c) Existing views from public thoroughfares should be  
1527 preserved to the maximum extent practicable.
- 1528 (d) In those circumstances where natural contours,  
1529 subsurface conditions and tract boundaries prevent  
1530 discreet cluster subdivision placement, designers  
1531 should seek to reduce the development's apparent  
1532 presence by locating earth berms near adjacent  
1533 roadways and/or planting screens of trees adjacent to  
1534 existing roads and tract boundaries.
- 1535 (e) Lots should be designed to minimize necessary  
1536 grading or filling, and to take advantage of the  
1537 existing topography and landforms to the extent  
1538 practicable.
- 1539 (f) Existing stands of trees and hedgerows should be  
1540 incorporated in the new cluster subdivision  
1541 whenever possible. New plantings of evergreen and  
1542 deciduous trees should be native to the northern  
1543 Piedmont, such as yellow poplar, northern red and  
1544 white oak, hickory, white ash, black gum, hemlock,  
1545 spruce and eastern red cedar among others.

1546

1547 **2-204 Homeowners' Association and Responsibilities.**

1548 (A) If the subdivision contains any of the common areas or  
1549 improvements listed below, the development ~~shall~~must have an  
1550 incorporated Homeowners' Association ("HOA"). The HOA shall  
1551 have the right and responsibility to maintain the following areas or  
1552 improvements:

- 1553 (1) Common open space areas within the development that are  
1554 not part of an individual lot;
- 1555 (2) Lot(s), if owned by the HOA;

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

1593  
1594  
1595  
1596

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

1597  
1598  
1599  
1600

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

1601  
1602  
1603  
1604

**2-205**

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

1605

**2-206**

**Existing Lots of Record.**

1606  
1607  
1608  
1609

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

1610  
1611  
1612  
1613  
1614

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

|

DRAFT