~~(4) The flood carrying capacity within the altered floodplain shall be maintained.~~

~~(5) Alterations to the floodplain shall be in conformance with the provisions of Chapter 1220 of the Codified Ordinances of Loudoun County and the Erosion and Sediment Control Law, Va. Code Section 21-89.1 et seq.~~

~~(C) **Vehicular, Pedestrian, and Utility Crossings.** Where permitted, road, driveway, railroad track, path and trail, and utility crossings of streams and rivers shall be subject to Chapter 5 of the Facilities Standards Manual and the following conditions:~~

~~(1) The proposed activity shall be supported by an analysis conducted by a qualified and licensed professional engineer (P.E.) or Class B surveyor (L.S.) that establishes that:~~

~~(a) No available, economically feasible alternative exists to locating within the Protected Corridor or to crossing the river or stream; and~~

~~(b) The crossing is designed to avoid or mitigate environmental damage to the Protected Corridor and disturbance of the aquatic environment, alteration of the waterway, downstream migration of sediment, damage to bank stability, and damage to stream or river bank and riparian area vegetation.~~

~~(2) The applicant shall mitigate any disturbance of the Protected Corridor by grading and planting to enhance the biological and hydrologic processes. Provisions for reclamation of the disturbed area shall be approved by the County and included in any development or subdivision agreement for the project, with adequate security to guarantee that the reclamation will be completed.~~

~~(3) Any stream or river crossing shall minimize the length of the crossing and minimize clearing and other land disturbance.~~

~~(4) Utility crossings shall be combined with road, railroad track, and driveway crossings when feasible. Crossings in a subdivision shall be spaced with a minimum separation of one thousand (1,000) feet unless closer spacing will reduce adverse environmental impacts.~~

~~(5) Rights of way shall be the minimum width necessary for installation, access, and maintenance.~~

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~~(6) The County shall allow construction of low water crossings intended for use only by pedestrians, equestrians, or bicyclists, but not for crossings designated for automobiles or other vehicles, except as specified in the Facilities Standards Manual.~~

~~(7) Vehicular crossings shall be designed to allow wildlife to pass over or under the crossings.~~

~~(D) **Stormwater Management.** Stormwater management structures, practices, and activities permitted in the Protected Corridor, shall be subject to development standards in Chapter 5 of the Facilities Standards Manual, and shall adhere to the Virginia Stormwater Management Handbook and the Virginia Erosion and Sediment Control Handbook.~~

~~(E) **Lakes, Ponds, and Reservoirs.** Lakes, ponds, and reservoirs shall be designed using best management practices and with measures to mitigate the following potential adverse environmental impacts:~~

~~(1) Wetland loss;~~

~~(2) Forest habitat loss;~~

~~(3) Barriers to fish migration;~~

~~(4) Groundwater contamination;~~

~~(5) Downstream warming;~~

~~(6) Downstream water quality during dry weather;~~

~~(7) Potential interruption of downstream bedload movement;~~

~~(8) Damage to historic and cultural resources and archaeological sites; and~~

~~(9) Water quality of the pond or lake effluent.~~

~~(F) **Recreation Facilities.** Recreation facilities shall be subject to the following standards:~~

~~(1) Access to waterways shall be limited to specific points of entry as approved by the County.~~

~~(2) Facilities shall be located on previously disturbed areas to the maximum extent feasible.~~

~~(3) Facilities shall be designed to minimize disturbance to the biological and hydrologic processes in the Protected Corridor.~~

~~(4) All paths and trails shall be constructed of permeable materials (e.g., permeable soft or pervious hardstand materials, including but not limited to pervious bitumen or concrete).~~

~~(G) **Silviculture.** Silviculture shall be subject to best management practice measures and shall be conducted only in accordance with an approved Forest Management Plan that is approved by both the Virginia Division of Forestry and the County. Silviculture does not include commercial harvesting or clear cutting of a forest.~~

~~(H) **Tree and Vegetation Conservation.** Natural vegetation in the Protected Corridor shall be preserved in accordance with Chapter 7 of the Facilities Standards Manual. Existing healthy trees and vegetation within the Protected Corridor shall be supplemented with additional native planting and landscaping approved by the County where necessary. This provision shall not prohibit removal of dead trees/vegetation that present a danger to public safety, noxious weeds, non native trees/vegetation that threaten native species growth or reintroduction, or any other tree/vegetation that is a threat to the public health or safety.~~

~~**4-2009 Permitted Reductions in Protected Corridor Width.** Where the Protected Corridor on a specific property includes a 50 foot Management Buffer as established by Section 4-2005(A)(1)(a) above, the County Zoning Administrator, upon the recommendation of the County Engineer, may approve a reduction of or elimination of the 50 foot Management Buffer in the following circumstances :~~

~~(A) **Demonstration of No Adverse Impact.** If the applicant can demonstrate that the existing floodplain is of sufficient size and quality so as to protect water quality and meet other purposes set forth in Section 4-2001and that reduction of the Management Buffer will not adversely impact other RSCOD elements, or~~

~~(B) **Economic Use of Property**. If the area of the property to be developed that is outside the Protected Corridor, including the 50 foot Management Buffer, is insufficient to accommodate the density or intensity of development allowed in the underlying zoning district, provided that:~~

~~(1) The applicant shall mitigate any adverse environmental impacts the reduction or elimination may have on primary conservation areas located on- or off-site as identified through the conservation design process in Section 6-2000, if applicable.~~

~~(2) Any reduction shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities.~~

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Section 5-500 Temporary Uses/Zoning Permits.

(A) **Construction Related Temporary Uses.**

(1) **Construction and Sales Trailers.** Temporary buildings, including but not limited to, construction and sales trailers, and storage of materials are permitted in conjunction with the construction of a building, buildings, subdivision, infrastructure, or development ~~when located on the same parcel where the construction is taking place and~~ when limited to the duration of the construction. Temporary buildings may be erected after preliminary subdivision plat or site plan approval so long as zoning requirements are met for the lot on which the temporary buildings are placed and appropriate building permits have been obtained. Such temporary buildings shall be removed as a condition of final bond release

(2) **Temporary Dwelling unit in conjunction with construction of a dwelling.** ~~However, the~~ The erection and occupancy of a temporary dwelling for up to twelve (12) months, which may be extended by the Zoning Administrator in 6 month increments, is permitted during the construction of a dwelling on the same lot subject to obtaining ~~requires~~ a zoning permit, to be issued concurrently with or after the issuance of the building permit. ~~Construction of a house displayed for advertising purposes, not intended to be sold or occupied as a dwelling, whether in connection with a residential development or otherwise, shall not commence until a performance bond adequate to ensure the removal of the structure has been posted.~~

(2) **Sales and leasing**. Residential and non-residential sales and leasing are permitted as a temporary use in a dwelling, a model home, or temporary building located in the same subdivision or development where the dwellings or non-residential buildings are to be located and offered for sale or lease. The sales use is permitted until the issuance of the last occupancy permit within the subdivision or development.

(3) **Model Homes**. Single family detached model homes are permitted in all districts where residential uses are allowed. Single family detached model homes may be constructed prior to record plat approval so long as zoning requirements are met for the lot on which the home is constructed and appropriate building permits have been obtained. If a model home has been constructed prior to record plat approval, it shall be depicted on the record plat. Single family attached model homes, multi-family model units, and model home courts are permitted subject to first obtaining record plat or site plan approval. In addition, if any model home incorporates features that are atypical to the ultimate residential use of the home, such as, but not limited to, utilization of the garage for a sales office without the provision of adequate on-site parking, or provision of a centralized parking area for a model court, then the use is also subject to

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review and approval through a site plan amendment process. Alternatively, the model unit or model court may be incorporated in the construction plans and profiles of the applicable development subdivision or site plan. The County may require a bond as appropriate to ensure that the atypical features including temporary parking lots will be removed or brought into conformance prior to conversion of the unit for residential occupancy. Notwithstanding, nothing herein shall be construed so as to require a garage in a model home to be utilized for parking, if the unit or lot otherwise meets the parking requirements of this ordinance. A model home shall obtain an occupancy permit prior to residential occupancy

(B) **Temporary Sales.** Temporary sales of produce, Christmas trees, fireworks, and other seasonal goods, may be permitted on application for a temporary zoning permit to the Zoning Administrator. Such permit may impose conditions necessary to alleviate any adverse impacts such as provisions for adequate parking, traffic safety, fire safety, hours of operation, provision for sewage disposal, and other health and safety concerns the Zoning Administrator may deem necessary, and the posting of a bond to ensure timely removal of structures and materials and restoration of the area. A temporary zoning permit for temporary sales shall be valid for a period not to exceed 45 days, unless extended, and shall require that all structures and materials be removed within such time period. At a minimum:

(1) Structures for temporary sales shall not exceed 400 square feet in floor area nor be closer than 35 feet to a right of way or prescriptive easement of a road.

(2) Entrances and exits to roads shall be clearly delineated.

(3) Entrances and exits shall be so located as to provide safe ingress and egress from roads and shall be channeled to prevent unrestricted access to and from the premises.

(4) No more than two (2) signs consistent with Section 5-1203(S) of this Ordinance shall be permitted.

(C) ~~**Temporary**~~ **Special Events.** ~~Temporary~~ special events may be permitted on application for a temporary zoning permit to the Zoning Administrator, subject to this subsection's standards and requirements.

(1) ~~**Applicability.** Except as exempted below, these provisions apply to temporary special events that are planned for or which reasonably may be expected to attract more than 100 persons at any one time. Temporary special events include, but are not limited to, circuses, music fairs or concerts, tent revivals, art shows, crafts shows, rodeos, corn mazes, festivals, civil war enactments, equestrian shows and events, corporate receptions, and weddings unless exempt under subsection 5-500(C)(2)~~

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~~below. See Article 8 of this Zoning Ordinance for the definition of the term "special event."~~

(2) ~~**Exempt Activities.** The following special events are exempt from the requirements of this section (i.e., they may occur without a temporary zoning permit). Exempt special events, however, shall remain subject to all other applicable provisions of this Ordinance and the Loudoun County Code, including, but not limited to standards governing health, sanitation, and noise control.~~

(a) ~~Special events planned or reasonably expected to attract less fewer than 100 persons at any one time, and not occurring more than twenty four (24) times in any calendar year.~~

(b) ~~Special events occurring within, or upon the grounds of, a private residence, where the property owner receives no compensation for hosting the event and guests/attendees are not charged an admission fee.~~

(c) ~~Any event sponsored in whole or in part by Loudoun County or another political subdivision of the Commonwealth of Virginia;~~

(d) ~~Any organized special events conducted at sites or facilities typically intended, used, or planned and designed for such events. Examples of such exempt activities include, but are not necessarily limited to:~~

~~(i) Sporting events such as golf, soccer, softball, and baseball tournaments conducted on courses or fields intended and used for such activities;~~

~~(ii) Wedding services conducted at country inns, banquet facilities/halls, reception halls, or similar facilities;~~

~~(iii) Wine tasting and wine tasting dinners at Virginia Farm Wineries or other wineries whose facilities are designed for such events;~~

~~(iv) Conferences, corporate meetings, including picnics, at and similar gatherings events at rural agricultural corporate campuses retreats; and~~

~~(v) Large dinners and special events at country inns and bed and breakfast inns designed for that purpose.~~

(e) ~~Special events for the purpose of selecting candidates for office, political fundraising, or meeting to debate public policy.~~

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(2) **Exemption for Special Events Approved as Part of a Special Exception Use.** ~~Temporary~~ special events that are expressly approved as part of a special exception use are exempt from this subsection's requirements for a temporary zoning permit. If specific facilities or areas will be constructed or used to host the proposed special events, they shall be shown on the site plan required for the special exception use. Such ~~temporary~~ special events shall comply with any applicable conditions stated in the special exception approval, and all other applicable provisions in ~~this Section 5-500(C),~~ the Zoning Ordinance, and the Loudoun County Code.

(3) **Permitted Locations.** ~~Temporary~~ special events ~~not otherwise exempt under this Section 5-500(C)~~ shall be permitted only when proposed to be held, in whole or in part, on any of the following properties, or a combination thereof:

(a) Public or ~~P~~private property within one or more of the Rural and Transition Residential Zoning Districts;

(b) Nonresidential private property within one or more of the Suburban Zoning Districts or Planned Development (PD) Zoning Districts; or

(c) Residential private property within any Suburban Zoning District~~s~~ or within a Planned Development (PD) Zoning District that contains a total gross acreage of at least two (2) acres.

(4) **Referral Authorized.**

(a) Upon acceptance of the application for a ~~temporary~~ special event permit, the Zoning Administrator may refer the application for comments to any town, county, or state departments or agencies, as appropriate, for full and adequate review of the merits of the application.

(b) Each reviewing agency or department shall submit its comments in writing to the Zoning Administrator within fifteen (15) calendar days from receipt of the Administrator's referral request.

(5) **Minimum Standards and Criteria for Review.** The Zoning Administrator shall approve a temporary zoning permit application for a special event if it meets all of the following standards and criteria:

(a) The proposed ~~temporary~~ event shall be located, operated, and maintained in a manner consistent with the provisions of this Ordinance.

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(b) The particular location requested can reasonably accommodate the proposed temporary event, given the proposed use's nature, size, and duration.

(c) The operation of the requested event at the location proposed and within the time period specified shall not create significant adverse impacts, including but not limited to environmental, visual, glare, traffic, noise, or odor impacts, on adjacent properties, or improvements on adjacent properties, or in the surrounding area.

(d) The proposed event shall not create an unreasonable risk of:

(i) Significant damage to public or private property, beyond normal wear and tear;

(ii) Injury to persons;

(iii) Public or private disturbances or nuisances;

(iv) Unsafe impediments or distractions to, or congestion of, vehicular or pedestrian travel; or

(v) Additional police, fire, trash removal, maintenance, or other public services demands, unless substantially mitigated by the applicant or operator.

(e) The time and location requested for the proposed special event shall not be already permitted or reserved for other activities.

(f) Permanent alterations to the site are prohibited, unless the Zoning Administrator specifically approves the alteration so that the permit applicant can comply with this subsection 5-500(C).

(g) Permanent signs are prohibited. All temporary signs approved under Section 5-1200 of this Ordinance and that are associated with the ~~temporary~~ event use shall be removed when the special event ends.

(h) ~~Temporary~~ special events shall not violate any applicable conditions of approval that apply to the principal use on the site.

(i) The applicant or operator has received or complies with any other required permits, such as health department permits, or other federal, state, or county regulations.

(6) **Authority for Reasonable Conditions of Approval.** The Zoning Administrator may impose reasonable conditions ~~reasonably~~ necessary to assure compliance with the standards in this subsection, to ensure that

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operation and maintenance of the special event mitigate potential adverse impacts on existing uses on adjoining properties and in the surrounding area, and to protect the public health, safety and general welfare. Conditions may address, but are not limited to, provisions for adequate parking, storage, and lighting; provisions for security, traffic safety, fire and life safety; conditions limiting hours of operation; provision for adequate sewage disposal; and any other health and safety concerns the Zoning Administrator may deem necessary to comply with the standards in Section 5-500 (C)(6), above. In addition, the Zoning Administrator may require the posting of a bond to ensure timely removal of structures and materials and restoration of the area.

(7) **Term of Approval/Permit.** A temporary zoning permit for a ~~temporary~~ special event authorized pursuant to this subsection shall be limited to a maximum duration of fourteen (14) days, unless otherwise specifically authorized or extended by the Zoning Administrator. A permittee may request an extension of the approval term in writing before the expiration of the original approval term and the Zoning Administrator may approve an extension upon a finding that the ~~temporary~~ special event has substantially complied with all conditions of the original approval, and that the extension will not create substantial adverse impacts on adjacent properties. All structures and materials related to the special event shall be removed within the approval time period or as such period may be extended.

(8) **Maximum Number of <u>Non-exempt</u> Special Events per Property.** Within any single calendar year, the same property may host no more than ten (10) ~~temporary~~ special events pursuant to this subsection. The temporary use permits for these special events may be reviewed and approved concurrently. A minimum of ~~thirty (30)~~ 14 days shall lapse between ~~temporary~~ special events on any one property, or the subsequent special event shall be a minimum of two thousand (2,000) feet from the location of the previous event.

Section 5-600 Additional Regulations for Specific Uses. The following additional regulations apply to specific uses as set forth below. Theses are intended to serve as the minimum standards for theses uses, and are not intended to be in substitution for other provisions of this ordinance that may apply, or for additional conditions that may be imposed in connection with special exception or rezoning approvals. Unless otherwise specified, the following additional regulations may be modified by Minor Special Exception in accordance with the provisions of Section 6-1300. Modifications may be approved by the Board of Supervisors upon a finding that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, preserve the County's historic or archeological heritage, or otherwise exceed the public purpose of the existing regulation. No modification shall be granted to any of the underlying zoning district regulations.

5-601 Bed and Breakfast and Rural Guest Establishments. These establishments may be located in accord with the lists of permitted and special exception uses for the individual zoning districts subject to the following criteria:

~~(A) **Bed and Breakfast Homestay.**~~

~~(1) The owner of the premises shall reside in and manage the establishment.~~

~~(2) The establishment shall not contain restaurant facilities, but may provide food service for transient guests only.~~

~~(3) Special Events conducted for compensation shall be permitted as follows:~~

~~(a) Indoor Special Events are permitted on parcels of 10 (ten) acres or more; and~~

~~(b) Outdoor Special Events are permitted pursuant to Section 5-500 (C), unless the parcel is larger than 25 acres and elects to qualify as an Event Facility pursuant to Section 6-642. In addition, outdoor music shall not be allowed after 11:00 PM~~

~~(4) For any establishment that is not located on a state maintained road, a copy of the deed establishing the ingress/egress easement shall be provided to the Zoning Administrator. The deed shall demonstrate that the easement may be used to support the establishment.~~

(A)~~(B)~~ Bed and Breakfast ~~Inn~~.

(1) The owner or manager shall provide full-time management of the establishment at all times when the facility is occupied by guests.

(2) The establishment shall not contain restaurant facilities but may provide food service for overnight or other transient guests only

(3) ~~Special events (e.g. weddings, receptions, and parties) or similar activities conducted for compensation shall be permitted pursuant to Section 5-500(C). Additional events beyond the limits established by Section 5-500(C) may be permitted by special exception.~~ Weddings, receptions, private parties, meetings and similar activities may be held at the Bed and Breakfast with the maximum number of attendees based on the maximum sleeping capacity of the facility. The hosting of the aforementioned gatherings in excess

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of the sleeping capacity of the facility may be held up to ten times per calendar year. A minimum of 14 days shall lapse between such gatherings. Written notice shall be provided 30 days in advance of the gathering to the Zoning Administrator. Such notice shall be accompanied by proof of any necessary approvals from County agencies, such as the Health Department and the Fire Department. Additional gatherings may be held in accordance with Section 5-642, Banquet/Event Facility, with the approval of a Minor Special Exception.

(4) For any establishment that is not located on a state maintained road, a copy of the deed establishing the ingress/egress easement shall be provided to the Zoning Administrator. The deed shall demonstrate that the easement may be used to support the establishment.

(5) Entrances and exits from the state-maintained road shall provide safe ingress and egress from roads, and shall be channeled to prevent unrestricted access to and from the premises.

(6) ~~In the AR, TR, JLMA and PD-CV districts where it is identified as an allowed use, a bed and breakfast inn shall comply with the following additional requirements:~~

Intensity/Character.

(a) The minimum lot area shall be as follows:

	Lot Area (Minimum)	No. of Guest Rooms
Level I- small scale	~~20~~ 5 acres	~~4-8~~ 3-7 rooms
Level II- medium scale	~~30~~ 10 acres	~~9-12~~ 8-10 rooms
~~Level III large scale~~	~~40 acres~~	~~15-20 rooms~~

(b) **Size of Use.** The floor area ratio shall not exceed ~~0.01~~ 0.04.

(c) **Yard Standards.** The minimum required yards shall be as follows:

(i) ~~Level I – small scale: 100 feet minimum from all lot lines.~~

(ii) ~~Level II – medium scale: 150 feet minimum from all lot lines.~~

(iii) ~~Level III – large scale: 200 feet minimum from all lot lines.~~

(d) **Landscaping/Buffering/Screening.**

(i) The use shall comply with the landscaping and screening standards of Section 5-653(A).

(ii) Parking areas shall be screened to comply with the requirements of Section 5-653(B).

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

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(f) **Parking.**

(i) **General.** Parking and loading for a bed and breakfast ~~inn~~ shall be provided as required by Section 5-1102.

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

(g) **Exterior Lighting.** Exterior lighting for a bed and breakfast ~~inn~~ shall be for security purposes only, subject to Section 5-652(1)-(3).

(h) **Noise.** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line shall not exceed 55 dB(A). In addition, no outdoor music between 11 pm and 10 am on Friday, Saturday, and any evening preceding a holiday recognized by Loudoun County, and between 10 pm and 10 am on Sunday through Thursday.

(7) A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as a Bed & Breakfast ~~Inn~~ and shall be exempt from the minimum lot area, yard and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003 unless a greater expansion is approved by minor special exception pursuant to section 6-1300.

(B)~~(C)~~ Country Inn.

(1) The owner or manager shall provide full-time management of the premises at all times when the establishment is occupied by guests.

(2) In addition to guest rooms, ~~T~~the establishment may, by Minor Special Exception, contain a full-service restaurant ~~in addition to guest rooms~~, that may provides meal service to guests and the general public. Weddings, receptions, private parties, meetings and similar activities may be held at the Country Inn with the maximum number of attendees based on the maximum sleeping capacity of the facility. The hosting of the aforementioned gatherings in excess of the sleeping capacity of the facility may be held up to ten times per calendar year. A minimum of 14 days shall lapse between such gatherings. Written notice shall be provided 30 days in advance of the gathering to the Zoning Administrator. Such notice shall be accompanied by proof of any necessary approvals from County agencies, such as the Health Department and the Fire Department. Additional gatherings may be held in accordance with Section 5-642, Banquet/Event Facility, with the approval of a Minor Special Exception. in accordance with Section 5-642, Banquet/Event Facility, with the approval of a Minor Special Exception.

(3) A maximum of 10% of the gross floor area of the Country inn may be comprised of accessory day treatment, spa facilities.

(4) ~~The establishment shall meet the standards contained in Section 5-601 (B)(3) through (5).~~For any establishment that is not located on a state maintained road, a copy of the deed establishing the ingress/egress easement shall be provided to the Zoning Administrator. The deed shall demonstrate that the easement may be used to support the establishment.

(5) Entrances and exits from the state-maintained road shall provide safe ingress and egress from roads, and shall be channeled to prevent unrestricted access to and from the premises.

(6) A Country Inn shall have at least four rooms for transient overnight occupancy and provide at least one of the following elements:

(a) More than 10 rooms not to exceed 40 rooms for transient overnight occupancy, such facility may include Banquet/Event facilities with a Minor Special Exception in accordance with Section 5-642;

(b) Full service restaurant facilities may provide meals to guests and the general public. In addition, Banquet/Event facilities may be provided in accordance with Section 5-642 with a Minor Special Exception.

(7) ~~In the AR and TR districts, a country inn shall comply with the following additional requirements:~~

(a) Intensity/Character.

(i) The minimum lot area shall be 25 acres ~~as follows~~:

~~Use~~	~~Size of Lot (Minimum)~~	~~No. of Rooms~~	~~Category~~
~~Level I~~	~~20 acres~~	~~4-8 rooms~~	~~Minor SPEX~~
~~Level IA~~	~~40 acres~~	~~4-8 rooms~~	~~Permitted~~
~~Level II~~	~~40 acres~~	~~9-20 rooms~~	~~Minor SPEX~~
~~Level IIA~~	~~60 acres~~	~~9-20 rooms~~	~~Permitted~~
~~Level III~~	~~60 acres~~	~~21-30 rooms~~	~~Minor SPEX~~
~~Level IIIA~~	~~80 acres~~	~~21-30 rooms~~	~~Permitted~~
~~Level IV~~	~~80 acres~~	~~31-40 rooms~~	~~Minor SPEX~~
~~Level IVA~~	~~100 acres~~	~~31-40 rooms~~	~~Permitted~~

(b) **Size of Use.**

(i) The floor area ratio shall not exceed ~~0.01~~ 0.04.

(ii) The restaurant and indoor Banquet/Event facilities on premises shall not exceed ~~25~~ 49 percent of the total floor area of the country inn.

(c) **Yard Standards.** The minimum required yard setback shall be ~~as follows:~~

~~(i) Level I – small scale: 100 feet minimum from all lot lines.~~

~~(ii) Level II – medium scale: 200 feet minimum from all lot lines.~~

(iii) ~~Level III – large scale~~: 250 feet minimum from all lot lines or 100 feet from a lot line of a property having a commercial use.

(d) **Landscaping/Buffering/Screening.**

(i) The use shall comply with the landscaping and screening standards of Section 5-653(A).

(ii) Parking areas shall be screened to comply with the standards of Section 5-653(B).

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

(e) **Roads/Access.**

(i) The country inn shall comply with the road access standards in Section 5-654.

(ii) There shall be no more than ~~one~~ two points of access ~~to a~~ for guests of the country inn. ~~This requirement shall not preclude an additional access for emergency vehicles only.~~

(f) **Parking.**

(i) **General.** Parking and loading shall be provided as required by Section 5-1102.

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

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

(h) **Noise.** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line shall not exceed 55 dB(A). No outdoor music between 11 pm and 10 am on Friday, Saturday and any evening preceding a holiday recognized by Loudoun County, and between 10 pm and 10 am on Sunday through Thursday.

(8) A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as a Country Inn and shall be exempt from the minimum lot area, yard and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003 unless a greater expansion is approved by minor special exception pursuant to section 6-1300.

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

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

(2) **Separation Requirement.** When not located within a Planned Development-Rural Village (PD-RV) district, rural retreats shall be appropriately sited so as not to infringe on the character of any existing village ~~or the natural~~

~~topography of the area~~. At a minimum, rural retreats shall be located at least one (1) mile from the boundaries of an existing village conservation overlay district or an existing PD-CV or PD-RV zoned parcel.

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

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

(5) **Water and Sewer.** The establishment shall be served by public water and sewer if located in a PD-RV district. Otherwise, the establishment shall be served by a communal water system and a communal wastewater collection and treatment system. Communal water and sewer systems may be located within the open space ~~or Rural Economy Conservation Lands, as applicable, consistent with the standards of Section 6-2005 (Conservation Design).~~

(6) **Open Space.** A minimum of 75% of the site shall remain as open space. Recreational uses customarily incidental and subordinate to the rural resort or retreat permitted in the open space area may include: swimming pools and related facilities, boating facilities, tennis and other sports courts, equestrian facilities, picnic areas, golf courses and related facilities, ballfields, children's play equipment and passive recreation facilities. Driveways and parking areas supporting these recreational facilities may also be located in the open space area.

(7) **May be Open to Public.** These establishments may be open to the general public for patronage. A Rural Retreat or Rural Resort shall be entitled to treatment as an Event Facility pursuant to Section 5-642 by Minor Special Exception.

(8) **Additional Standards for AR and TR Districts.** In the AR and TR districts, rural retreats and resorts shall comply with the following additional requirements in addition to the general standards identified above. Where there is a conflict between these standards and the general standards controlling the development of rural resorts and retreats, these standards shall control.

(a) **Intensity/Character.** The minimum lot area shall be as follows.

Use	Size of Lot (Minimum)	Nos. of Guest Rooms
Level I – Rural Retreat small scale	40 acres	Up to 20 rooms
Level II – Rural Retreat medium scale	60 acres	21-40 rooms
Level III –Rural Retreat large scale	80 acres	41-60 rooms
Level I – Rural Resort small scale	100 acres	61-80 rooms
Level II – Rural Resort	120 acres	81-100 rooms

Use	Size of Lot (Minimum)	Nos. of Guest Rooms
medium scale		
Level III –Rural resort large scale	150 acres	101-120 rooms
More than 120 rooms requires special exception approval pursuant to Section 6-1300		

(b) **Size of Use.**

(i) The restaurant and banquet facilities, ~~on premises shall not exceed 20 percent of the total floor area of the rural retreat or resort. The~~ and conference and training facilities shall ~~not constitute over 30~~ be less than fifty (50) percent of the total floor area of the rural retreat or resort.

(ii) Outdoor storage related to the rural retreat or resort facilities shall be permitted.

(iii) The floor area ratio shall not exceed ~~0.02~~ 0.04.

(c) **Yard Standards.** The minimum required yards shall be as follows:

(i) Level I-Rural Retreat: 125 feet minimum from all lot lines.

(ii) Level II-Rural Retreat: 200 feet minimum from all lot lines.

(iii) Level III-Rural Retreat: 250 feet minimum from all lot lines.

(iv) Level I-Rural Resort: 300 feet minimum from all lot lines.

(v) Level II-Rural Resort: 350 feet minimum from all lot lines.

(vi) Level III-Rural Resort: 375 feet minimum from all lot lines.

(d) **Landscaping/Buffering/Screening.**

(i) The use shall comply with the landscaping and screening standards of Section 5-653(A).

(ii) Parking areas shall be screened to comply with the standards of Section 5-653(B).

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

(e) **Roads/Access.**

(i) The rural retreat or resort shall comply with the road access standards in Section 5-654.

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(ii) There shall be no more than two points of access to a rural retreat or resort. This requirement shall not preclude an additional access for emergency vehicles only.

(f) **Parking.**

(i) **General.** Parking and loading shall be provided as required by Section 5-1102.

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

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

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

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

(A) **Tenant Dwellings.** One (1) tenant dwelling~~s~~ shall be permitted by right subject to the following criteria:

(1) The tenant dwelling shall be located on a parcel with an area of ten (10) acres or more.

(2) One additional tenant dwelling shall be permitted for each twenty-five (25) acres of a parcel in excess of the minimum area of ten (10) acres.

(3) **Tenant Dwellings for Seasonal Labor/Special Exception.** In addition to those structures permitted under Section 5-602(A)(1) and (2) above, additional tenant dwellings for seasonal labor may be permitted by special exception.

(B) **General Standards.** Tenant dwellings shall meet the following additional criteria:

(1) **Screening.** Portable dwellings shall be screened from view from public roads and neighboring properties.

(2) **On Internal Roads/No Direct Access to Public Roads**. Structures for multi-family dwelling units shall be accessed by internal roads, shall not have direct access to public roads, and shall be screened from public roads and neighboring properties in accord with the landscaping and buffering requirements for multi-family dwellings.

(3) **Separate Dwelling**. For the purposes of 5-602(A)(1) and (2) above, each unit of a multiple dwelling structure shall constitute a separate tenant dwelling.

(4) **Home Occupations.** Occupants of tenant dwellings may conduct home occupations subject to the provisions of Section 5-400.

(5) **Size of Tenant Dwelling.** No tenant dwelling unit shall exceed 2,500 square feet in floor area.

(6) ~~**Occupants of Tenant Dwellings.** Tenant dwellings shall be occupied only by persons or families that derive all or part of their income from labor performed on the farm.~~

(7) **Sanitary and Bathing Facilities.** All dwellings shall have indoor sanitary, cooking, and bathing facilities, consistent with the requirements of the Uniform Statewide Building Code.

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

(D) **Parking.**

(1) **General.** Parking and loading shall be provided as required by Section 5-1102.

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

(E) **Landscaping/Buffering/Screening.**

(1) The use shall comply with the landscaping and screening standards of Section 5-653(A).

(2) Parking areas shall be screened to comply with the requirements of Section 5-653(B).

(3) ~~Driveways shall not be located within a required buffer yard area, except as minimally necessary to access the site.~~

5-603 Farm Markets. Farm Markets may be located in accord with the lists of permitted and special exception uses for the individual zoning districts, subject to the following additional provisions:

(A) A minimum of 25% of the gross sales receipts must be derived directly from agricultural products produced on site or other property owned by the operator. An annual report verifying the portion of sales derived from products produced on site shall be submitted on request to the Zoning Administrator.

(B) Farm markets shall be located on a hard surfaced Class I or Class II road having a minimum paved width of eighteen (18) feet. The entrance to the farm market shall have safe sight distance and may be required to have right and left turn lanes.

(C) Sales area for accessory products shall be limited to ten (10) percent of the total area devoted to sales. The calculation of total sales area shall include areas devoted to the display of items for sale.

(D) Permitted accessory products include pottery, baskets, garden accessories, baked goods, floral supplies and other items directly related to the culture, care, use of, or processing of a principal use. Products not related to the principal permitted use such as lawn mowers and tractors shall not be allowed.

5-604 Wayside Stands. Wayside stands are subject to the following provisions:

(A) Wayside stands are for retail sales provided the principal sales items sold are farm and garden products produced principally on-site. The term "on-site" shall be defined as all locations (separate parcels) used by the owner or tenant for farming (agriculture, horticulture or animal husbandry).

(B) Permanent retail sales areas within structures shall not exceed, in the aggregate, ~~1800~~ ten thousand (10,000) square feet in floor area or a Floor Area Ratio of 0.02, whichever is greater.

(C) Wayside stands may be located in farm structures existing prior to January 7, 2003. The sales area in an existing farm structure shall have no limitation and may be used as a sales area subsequent to compliance with the Uniform Statewide Building Code.

(D) Sales areas for accessory products shall be limited to 25% of the gross sales area.

(E) Accessory products include those products related to the care and culture of products produced on the farm, such as pottery, baskets, and garden accessories.

(F) Entrances and exits to the wayside stand from public roadways shall provide safe ingress and egress from roads, and shall be channeled to prevent unrestricted vehicular access to and from the premises.

(G) The sale of seasonal produce harvested on the farm may occur throughout the area of actual production.

(H) Wayside stands may erect signs in compliance with Section 5-1203(L).

5-605 Commercial Nurseries. The following minimum requirements shall apply to all retail sales associated with production nurseries and commercial nurseries:

(A) In calculating the percentage of plants grown on-site, plants must be cultivated at the subject nursery facility for at least one (1) full season of new growth for that plant.

(B) Plant production may be certified by the County Extension Agent, if requested by the Zoning Administrator.

(C) Plants brought to the subject nursery for immediate resale are included in calculations for non-site produced plants and accessory products.

(D) Accessory products include those related to the culture and care of plant sold such as pottery, baskets, garden accessories, baked goods, and floral supplies. The sale of bulk products shall be permitted subject to screening requirements for outdoor storage in Section 5-1414(A).

Propane, firewood lawn and garden tractors, or machine or other equipment sales are not accessory products.

(E) The sales area for accessory products shall be limited to twenty five percent (25%) of the gross sales area.

(F) ~~Nurseries shall be located on a state-maintained road, but shall have not have direct access to arterials or major collectors.~~

5-606 Kennels/Indoor Kennels. Nothing herein shall relieve a kennel from complying with the provisions of Section 808 of the Codified Ordinances of Loudoun County. For the purposes of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

(A) **Kennels.**

(1) **General.** Kennel shall mean any place in or at which, for a fee, <u>six or more</u> dogs, cats, or other household pets <u>over the age of six months</u> are trained, boarded or handled ~~in numbers greater than the following as provided for in this Ordinance~~:

(a) ~~Two (2) dogs upon any lot less than 15,000 square feet in size.~~

(b) ~~Four (4) dogs upon any lot which is at least 15,000 square feet in size but less than 20,000 square feet in size; when four dogs are kept on a lot of 15,000 square feet or more, such dogs shall be kept not less than twenty five (25) feet from all property lines.~~

(c) ~~Six (6) dogs upon any lot which is at least 20,000 square feet in size; when six dogs are kept on a lot of 20,000 square feet or more, such dogs shall be kept not less than twenty five (25) feet from all property lines. More than six dogs may be kept on lots larger than 20,000 square feet, provided that dogs are kept as follows:~~

(i) ~~The required twenty five (25) foot setback shall be increased by an additional ten (10) feet, not to exceed a maximum of one hundred (100) feet, for each additional two (2) dogs, and~~

(ii) ~~The lot size shall be increased 10,000 square feet for each additional two (2) dogs.~~

(2) ~~**"Kept."** The word "kept", as used in this Section, shall mean any enclosure or structure used to house, shelter, restrain or exercise dogs, pets, but shall not mean a dwelling or a fence constructed to demarcate a property line~~.

(3) **Not Applicable to Animal Hospital/Grooming Use.** This Section shall not apply to any establishment whose principal use is grooming or any animal hospital.

(B) **Indoor Kennel.**

(1) **General.** Indoor kennel shall mean any place that is within a completely enclosed commercial facility with no outdoor activity in which dogs, cats or other household pets are confined or penned in close proximity to each other, except for the primary purpose of grooming, or wherein any owner engages in boarding, breeding, letting for hire, training for a fee, or selling dogs, cats, or other household pets.

(2) **No Opening to Outside.** Indoor Kennels shall not be housed in a structure with any opening to the outside except required ingress/egress and ventilation equipment, shall have an animal waste handling plan, and shall conform to any other requirements that the Planning Commission and/or Board of Supervisors may impose pursuant to special exception review (Section 6-1300).

(3) **Accessory Uses.** Indoor Kennels may include accessory uses to an indoor kennel: up to 10% of gross floor area for retail sales, up to 10% of gross floor area for veterinary service, up to 10% of gross floor area for animal hospital, and up to 10% of gross floor area for grooming; provided, however, that accessory uses may not exceed 25% of the total gross floor area.

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

(1) **Location on Site/Dimensional Standards.** An outdoor kennel shall be set back 100 feet from a lot line.

(2) **Roads/Access.**

(a) All kennels shall comply with the road access standards of Section 5-654.

(b) There shall be no more than one point of access from a kennel to a public road. This requirement shall not preclude an additional access for emergency vehicles only.

(3) **Landscaping/Buffering/Screening.**

(a) The use shall comply with the landscaping and screening standards of Section 5-653(A).

(b) Parking areas shall be screened to comply with the requirements of Section 5-653(B).

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

(5) **Noise.** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A).

(6) **Parking.**

(1) **General.** Parking and loading shall be provided as required by Section 5-1102.

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

5-607 Recycling Drop-Off Centers and Material Recovery Facilities.

(A) **General Standards for Recycling Drop-Off Centers.** All recycling drop-off centers, public or private, shall meet the following minimum standards:

(1) Centers may be established on a site which has either a public or private school, shopping center, community center, church, park, fire station, or library, or may be established on land owned by a local government or an owners' association.

(2) A center may utilize movable containers and trailers to collect and store recyclable materials.

(3) All recycling drop-off centers shall accept only glass, metals, plastics, papers, corrugated cardboard, and other identified reusable recyclable items; hazardous or toxic materials shall not be accepted.

(4) Recycling drop-off centers shall be no larger than 3,000 square feet in area. The 3,000 square feet area shall be for the recycling containers only.

(5) All recyclable materials stored at recycling drop-off centers shall be stored in containers which are constructed and maintained of a durable waterproof and rustproof material, are secured from unauthorized entry or removal of material, and are of a capacity sufficient to accommodate material collected.

(6) Recycling containers shall be clearly marked to identify the type of material which may be deposited. Recycling drop-off centers shall be marked clearly to identify the name and telephone number of the facility sponsor and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers.

(7) All public and private recycling drop-off centers shall be maintained free of litter by a responsible sponsoring organization or by Loudoun County.

(8) All recycling drop-off centers shall be screened from residential uses by an opaque fence at least 6 feet in height. When a recycling drop-off center is located on a lot with another principal use on the lot, then, in addition to the landscape/buffer requirements of the other principal use, the recycling drop-off center must be screened from adjoining residential, public or private school, shopping center, community center, church, park, fire station, or library uses. When a recycling drop-off center is a sole principal use on the lot, landscaping shall be in conformance with the requirements of Section 5-1400 of this Ordinance for commercial and light industrial uses abutting a residential use.

(9) Recycling containers shall be at least 150 feet from any residential dwelling.

(10) The recycling drop-off center shall be situated so that vehicular ingress and egress do not pose traffic hazards. A minimum of one (1) stacking or parking space per 500

square feet of the recycling drop-off center, or the anticipated peak customer load as determined by the Zoning Administrator, whichever is higher, shall be required on-site. Stacking and parking spaces shall not be located within the road right-of-way or setbacks.

(11) Occupation of any parking spaces by the recycling drop-off center may not reduce required parking spaces for the principal use below the required minimum number, unless the following conditions exist:

(a) A parking study shows that existing parking capacity is not fully utilized during the hours of operation of the principal use and the recycling drop-off center, or

(b) Hours of normal operation of the principal use do not overlap those of the recycling drop-off center.

(12) Signs may be provided as follows:

(a) Sizes of signs must be in conformity with Section 5-1200 of this Ordinance.

(b) Signs must be consistent with the character of the location.

(c) Directional signs, bearing no advertising message, may be installed with the approval of the Zoning Administrator if necessary to facilitate traffic movements on site, or if the facility is not visible from the public right-of-way.

(13) No portion of any recycling drop-off center shall be located in any major floodplain or setbacks cited herein.

(14) No noxious odors shall be emitted beyond any boundary lines of the recycling drop-off center.

(15) Operation of recycling drop-off centers shall occur during daylight hours, unless located within commercial or industrial areas which are equipped with lighting capable of illuminating the center during periods of darkness.

(B) **Specific Standards for Public Recycling Drop-Off Centers.**

(1) Public recycling drop-off centers shall be set back at least fifty (50) feet from the right-of-way of any street or as otherwise specified in Section 5-900; and at least fifty (50) feet from any lot or land bay zoned, used, or planned for residential uses, and shall not obstruct pedestrian or vehicular circulation.

(C) **Specific Standards for Private Recycling Drop-Off Centers.**

(1) The center shall meet the setback requirements for PD-GI uses adjacent to a lot or land bay zoned, used, or planned for residential use.

(2) In commercially and industrially zoned districts, a center may utilize electric power-driven processing equipment to sort, clean, or compact recyclable materials between the hours of 7AM and 7PM. Use of such equipment is not permitted in residentially zoned districts.

(D) **Specific Standards for Material Recovery Facilities (MRF). All MRF's shall meet the following minimum standards:**

(1) Neither an MRF nor the lot on which the MRF is located shall abut a property in residential land use. All processors shall operate in an entirely enclosed building except for incidental storage, except when:

(a) The operation is within an area enclosed on all sides by an opaque fence or wall not less than eight (8) feet in height and landscaped on all property lines; and

(b) The operation is located at least 300 feet from any property zoned, used, or planned for residential uses.

(2) Processing in MRF's is limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials, construction debris, and repairing of reusable materials.

(3) Power-driven processing equipment shall be permitted, provided that the noise level requirements of Section 5-1507 and any special exception conditions are met.

(4) MRF's shall not exceed 45,000 square feet in building area and shall have no more than an average of three (3) outbound truck shipments per material per day.

(5) All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition at all times, or shall be baled or palletized. No such storage shall be visible from any adjacent road or other property.

(6) MRF sites shall be maintained free of litter, shall be cleaned of loose debris on a daily basis and shall be secured from unauthorized entry and removal of materials when unattended.

(7) MRF sites located within 500 feet of an occupied residential dwelling shall not be in operation between the hours of 7:00 p.m. and 8:00 a.m. The MRF will be administered by on-site personnel during all hours of operation.

(8) Any containers provided for after hours donation of recyclable materials shall be at least 500 feet from any occupied dwelling unit.

(9) If the MRF is open to the public, a minimum of ten (10) vehicle stacking spaces or the number of spaces necessary to accommodate the peak

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anticipated load as determined by the Zoning Administrator, whichever is higher, shall be required on-site.

(10) A minimum of one (1) parking space shall be provided for each commercial vehicle owned and operated by the MRF, unless a greater number of spaces is required by the zoning district in which the facility is located.

(11) No dust, fumes or smoke, above ambient levels may be detectable on adjacent properties.

(12) Noise or vibration emitted or derived from the MRF shall not exceed the levels permitted by Sections 5-1505 and 5-1507 respectively.

(13) All material recovery facilities shall accept only glass, metals, plastics, papers, corrugated cardboard, and other identified reusable recyclable items; hazardous or toxic materials shall not be accepted.

(14) No noxious odors shall be emitted beyond any boundary lines of the facility.

5-608 Flex-Industrial Uses. The following limitations regarding flex-industrial buildings and uses shall apply at a minimum:

(A) No building shall exceed two (2) stories in height.

(B) All buildings shall have a minimum of two (2) loading bays.

(C) All loading bays shall be located so that vehicles using such bays shall not be visible from public streets. All loading bays shall be screened from view by the building, landscaping, walls or decorative fencing. Except during the process of loading or unloading, trucks and trailers shall not be parked outside the building, unless parked in screened areas not visible from adjacent roads or properties.

(D) At least 50 percent of the total gross floor space in any building shall have a floor load capacity of at least 125 pounds per square live foot load.

(E) No more than 49 percent of the gross floor space of each building shall be used for non-accessory office uses.

(F) Office uses recognized as appropriate in flex-industrial/office buildings shall be associated with permitted and special exception uses and shall not include professional office uses with high-turnover or high intensity traffic, such as but not limited to corporate headquarters (unless associated with a permitted use), law offices, architectural offices, insurance offices, medical offices and health maintenance organizations.

(G) No outdoor storage is permitted.

(H) All sources of emission of noise and/or vibration shall meet the performance standards of Sections 5-1505.

5-609 Child Care Facilities. Child care homes and centers are permitted provided they comply with the following standards:

(A) **Child Care Homes:**

(1) All homes shall be registered with the County pursuant to the County Code.

(2) When calculating the total number of children cared for, resident children under the age of fourteen (14) shall be included.

(3) The home shall be the principal residence of the operator of the child care home.

(4) The home shall comply with any and all requirements of the County and State Codes.

(5) Unless exempted by (6) below, a minimum of 75 square feet per child of outdoor play space shall be provided on the lot the child care home is located and shall be shown on a schematic plat of the lot at the time of issuance of a zoning permit. Such play area shall be fenced, as per Section 5-609(B)(1)(a), unless the applicant can show that the play area provides proper protection from traffic and other hazards and to neighboring yards.

(6) No play area shall be required on-site when it is demonstrated that the child care home is located within 1,000 feet of an existing park or play space of at least two (2) times the size required for the Child Care Home, providing that such park or play space may be accessed without crossing an arterial or collector road. Such park or play space shall either be a public park or play space, or shall be dedicated to such uses as part of a local community association or planned unit development.

(B) **Child Care Centers** shall meet the criteria of Sections 5-609(A)(1), (4), (5), and (6) above, and the following:

(1) Outdoor play areas shall meet the following standards:

(a) A fence at least three and one half (3 ½) feet in height shall completely enclose the play area so that children are safely contained inside, and that all persons entering the play area are within direct line of sight from the child care center classroom areas.

(b) No play equipment shall be located within the required yard setback of any district.

(c) Outdoor play areas shall be safely segregated from parking, loading, or service areas (such as dumpster pads or delivery sites).

(2) Parking areas and vehicular circulation patterns shall meet the following standards:

(a) Parking areas shall be designed to enhance the safety of children as they arrive at and leave the facility.

(b) A designated pickup and delivery zone, providing at a minimum one (1) parking space per twenty (20) children, shall be located in proximity ~~adjacent~~ to the child care structure in such a way that provides safe and clearly designated access ~~children do not have to cross vehicular travelways~~ to enter or exit the center.

5-610 Hospitals. The following standards shall apply to the development of hospitals:

(A) **Locational Criteria**

(1) All hospital sites shall have frontage on a public, hard surfaced road capable of accommodating the traffic generated by the site.

(2) Hospital structures shall be set back a minimum of 250 feet from County-designated Agricultural-Forestal districts.

(B) **Site Development Criteria.**

(1) Hospitals serving over one hundred (100) inpatients shall be served by public water and sewer systems.

(2) Principal structures shall be set back a minimum of 100 feet from property lines or shall meet the minimum yard setback requirements of the district within which it is located or the adjacent district setback requirements, whichever are greater.

(3) Accessory structures and parking shall be set back a minimum of 25 feet from any rights-of-way, private access easements, and property lines which adjoin agricultural or residential districts, or shall meet the minimum yard setback requirements of those adjoining districts, whichever are greater.

5-611 Hotel/Motel. The following standards shall apply to the development of hotel/motel:

(A) **Locational Criteria.**

(1) Hotel/Motel shall be located on, or with ready access to, collector or arterial roads.

(2) Hotel/Motel buildings and uses shall not be located in environmentally critical or sensitive areas as defined by the Comprehensive Plan.

(B) **Site Development Criteria.**

(1) Hotel/Motel uses shall be served by a public water and sewerage disposal system.

(2) Hotel/Motel uses shall be separated from agricultural, residential, or institutional uses by a landscape buffer with a minimum width of 100 feet, or the minimum width required by Section 5-1400 of this Ordinance, whichever is greater.

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

(A) Only ~~temporary~~ guests or occupants of the principal residence shall use the guest house.

(B) ~~Temporary guests may stay no longer than three (3) months within any twelve (12) month period.~~

(C) Guest houses may not be rented, operated for gain, or otherwise used as a separate dwelling.

(D) The floor area of any guest house shall not exceed the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 2,500 ~~1,500~~ square feet of gross floor area.

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

(A) No such accessory apartment or dwelling unit shall exceed the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 2,500 ~~1,200~~ square feet in gross floor area.

(B) Accessory apartments and dwelling units shall be permitted only on lots exceeding 20,000 square feet in area. Such lot size restrictions shall not apply in Rural Villages, Rural Hamlets and Countryside Villages. Further, in R-4 and R-8 zoning districts, accessory apartments and dwelling units shall be permitted on cluster or traditional design option lots, on lots less than 10,000 square feet in area.

(C) In districts other than A-10, AR-1, AR-2, A-3 and PD-CV, accessory apartments and dwelling units shall be located only on lots served by public sewer.

(D) Only one (1) accessory dwelling unit or apartment shall be permitted on a lot ~~meeting the minimum lot requirements of the zoning district in which it is located~~. One additional accessory apartment or dwelling unit is permitted on a parcel with an area of 20 acres or more.

(E) Accessory units may be located within an accessory building, agricultural structure, or in the principal structure.

(F) All of the use limitations of Section 5-102 shall be met.

(G) In the AR-1 and AR-2 Districts, one additional accessory dwelling shall be permitted for each 25 acres in excess of 20 acres. Additional dwellings may be permitted by special exception for seasonal labor.

5-614 Small Businesses.

(A) **Purpose and Intent.**

(1) **General.** The purpose of this section is to allow residents in the AR-1, AR-2, A-3, A-10, TR, CR, JLMA and PD-CV districts to locate and operate small-scale service and contracting businesses or lease such businesses, which preserve the rural and historic character of the districts and agriculture as an industry. It is the general intent of this Ordinance that commercial uses locate in and around existing urban areas that have adequate roads, public facilities and utilities. However, some small businesses may locate within these districts in order to provide economical and convenient

services to the rural area, to supplement farming as a source of income and to operate a home-based business where feasible. Some small businesses can operate in the rural areas with special designs and conditions that mitigate impacts on neighboring rural residential properties.

(2) **Allow Local, Small-Scale Businesses to Locate and Operate~~ at the Owner's Principal Place of Residence~~.** The intent of this Section is to allow local, small-scale businesses to locate and operate ~~at the owner's principal place of residence~~. It is not intended to permit franchises, branch facilities or other partial elements of larger enterprises that have other business facilities in other locations. Such larger scale enterprises, including expanding businesses which initially located in rural areas under the provisions of this Section, must locate in the County's industrial and commercial zoning districts where they will not adversely impact residential neighborhoods or agricultural activities.

(3) **Uses Temporary for Starting New Business.** The uses approved under the provisions of this section shall be considered temporary for the purpose of starting new businesses. Once a small business needs to expand its area, number of employees, or commercial and customer traffic beyond the capacity and character of the rural area, the business shall relocate to a location appropriately zoned for commercial, business or employment uses. The Board of Supervisors may impose appropriate conditions limiting the duration or transfer of special exceptions granted under the provisions of this Ordinance.

(4) **Adaptive Re-use of Farm Structures.** In addition to home occupations and small businesses, the adaptive re-use of farm structures for the intended use of home occupations and small businesses is allowed with respect to the use of small businesses.

(B) **Definitions**. For the purposes of Section 5-614, Small Businesses in the AR, RR, A-3, A-10, TR, CR, JLMA and PD-CV districts, terms used are defined under "Small Business" in Article 8 of this ordinance.

(C) **Permitted Small Business Uses**.

(1) ~~**Home Occupation.** Small businesses are permitted in AR, A-3, A-10, TR, CR, JLMA, and PD-CV districts, subject to the definition of "Home Occupation" contained in Section 5-400. Home Occupations are subject to the requirements contained in Section 5-400~~.

(2) ~~**Other.** In addition, s~~Small business uses, as listed in subsection D, which meet all of the conditions in Section 5-614(E) shall be allowed on lots of ten (10) acres or greater, subject to approval of a zoning permit/sketch plan, as defined in Section 5-614(H).

(D) **Small Business Uses Permissible by Special Exception.** Small businesses not meeting the criteria of Section 5-614(C) may be allowed by special exception, granted by the Board of Supervisors upon recommendation of the Planning Commission. Special exception applications made pursuant to this Section are subject to the procedures and standards

established in Section 6-1300 as well as to the uses, standards and restrictions that follow. The following uses may be approved as "small businesses" in the AR-1, AR-2, A-3, A-10, TR, CR, JLMA, and PD-CV zoning districts.

(1) Business service occupations.
(2) Personal service occupations.
(3) Repair service occupations.
(4) Contractors and contracting.
(3) Professional office-based services.
(4) Studios for fine arts and crafts.
(5) Antique sales and the sale of any goods or items produced on the premises.
(6) Except as provided above, no retail or wholesale commercial businesses are permitted.

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

(1) Standards and Restrictions for Small Business Uses.

	Acreage	No. of Employees	Heavy (On-Site)	EqBusiness (On-Site)	Vehi
(a)	0-3	1 maximum	none	2 maximum	
(b)	3 but <10	3 maximum	none	2 maximum	
(c)	10 but <50	4 maximum	2 maximum	4 maximum	
(d)	50 or greater	10 maximum	5 maximum	6 maximum	

(2) Regulations for ~~Accessory Buildings~~ Structures.

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

(3) Notwithstanding the limitations placed on home occupations in Section 5-400, 100% of an existing farm structure may be used. An approved zoning/building permit shall be received for the change in use.

(4) **Regulations for Storage Yards.**

Acreage	Size of Storage Yards

(a) 3-5 2,000 sq. ft. maximum
(b) 5 but <10 2,500 sq. ft. maximum
(c) 10 or greater 5,000 sq. ft. maximum for the initial 10 acres, plus an additional 1,000 sq. ft. for each additional 10 acres, not to exceed 15,000 sq. ft. maximum

(d) Storage yards shall be screened consistent with the requirements of Section 5-653(C) (Screening of Outdoor Storage and Storage Yards).

(5) **Setback requirements.**

(a) All ~~accessory buildings~~ structures or storage yards of less than 2,000 sq. ft. for uses allowed under this Section shall be set back a minimum of 100 feet from all lot lines.

(b) All ~~accessory building~~ structures or storage yards in excess of 2,000 sq. ft. shall be set back at least 300 feet from all lot lines.

(c) All ~~accessory building~~ structures or storage yards used for the storage of heavy equipment shall be set back at least 300 feet from all lot lines and 500 feet from existing residential dwellings.

(6) All businesses which use, or store on site, heavy equipment shall access a paved or all-weather state-maintained road.

(F) ~~**Conveyance.** Approval of a special exception or zoning permit pursuant to this section does not convey with the sale of the business or the property, except to a member of the immediate family, as defined in Article 8 of this ordinance.~~

(G) ~~**Modifications.** Those standards contained in Section 5-614(E) may be modified by the special exception procedures set forth in Section 6-1300 provided that the Board of Supervisors finds that the applicant's proposed modification to the regulations will improve on the existing regulations, or otherwise exceed the public purpose of the existing regulations. The Board may impose appropriate conditions to assure that the public purposes are satisfied.~~

(H) **Sketch and Site Plans.**

(1) **Sketch Plan.** A sketch plan is required as part of a zoning permit application for permitted small businesses. Sketch plans shall include a drawing of all aspects of the business operations including the size and dimensions of the residence; the size and dimensions of areas within the residence to be used for the business; size, dimensions, and location of any ~~accessory~~ structures, outdoor storage yards, and screening and buffering; size and dimensions of parking areas and signs if any; and the approximate location of any on-site major floodplain as determined from the County ~~RSCOD regulations and~~ flood plain map. In addition, the sketch plan shall include the required off-site information needed to illustrate conformance with the small business regulations, (Section 5-614), such as distances between storage yards, ~~accessory buildings~~ structures and adjacent residential structures and other buildings, the location and width of adjacent right-of-way, adjoining properties, and easements.

The sketch plan need not be drawn to scale, nor does it have to be prepared by a licensed professional. However, distances from structure to adjacent lot lines must be accurately depicted.

(2) **Special Exceptions.** Special exceptions may contain a condition for a site plan, in lieu of a sketch plan as defined herein, when the Board of Supervisors finds such a condition is necessary to mitigate potential off-site impacts of the proposed use. ~~The requirements for submission, review and approval of all site plans shall be in accordance with the specifications of the Land Subdivision and Development Ordinance (LSDO). Small business site plans for parcels greater than five (5) acres shall follow the preliminary/final site plan process set forth in Section 1244.05.~~

(I) **Signs.** Signs for permitted and special exception small businesses approved under Section 5-614 are subject to the regulations contained in Section 5-1200 of this Ordinance for "Business in AR-1, AR-2, A-3, A-10, CR, TR, JLMA and PD-CV Districts."

(J) **Applicability of District Regulations to Small Business Uses.**

(1) The AR-1, AR-2, A-3, A-10, TR, CR, JLMA and PD-CV district regulations and the general regulations which are consistent with these provisions shall apply to small business uses located in those districts.

(2) To the extent permitted by other provisions of the Loudoun County Zoning Ordinance, any use accessory and subordinate to a principal agricultural use shall not be affected by Section 5-614. In addition, nothing herein shall affect any legal nonconforming use as provided for in Article I.

(K) **Parking.**

(1) **General.** Parking shall be provided in accordance with Section 5-1102 when employees and customers are to be on the premises.

(2) **Buffering/Screening.** Parking areas shall be screened to comply with the requirements of Section 5-653(B).

(3) **Location.** No parking shall be permitted in a required yard or setback.

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

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

5-615 Farm Machinery Sales and Service.

(A) The establishment shall be located on a paved, state-maintained road not more than 1,000 feet from a primary state road.

(B) The structures, storage, and parking areas and/or the perimeter of the property shall have a Type Three (3) Buffer Yard to screen such areas from adjacent residential buildings.

(C) Buildings shall be set back a minimum of 75 feet from all property lines.

(D) Parking, driveways (other than entrance) and storage yards shall be set back a minimum 75 feet from the property line along any road frontage, and a minimum of 50 feet from all other property lines.

(E) Sites for such establishments shall not be less than three (3) nor more than ten (10) acres.

(F) Accessory retail sales shall be limited to farm and garden equipment parts and related tools and accessories. In no case shall the floor area devoted to the display and sale of such related tools and accessories be more than 15% of the floor area of the building site. No other non-farm equipment sales shall be permitted, including, but not limited to, lumber, hardware, building materials, or like items.

(G) No structure shall be located within 500 feet of an existing residential structure.

(H) The total Floor Area Ratio for all structures shall not exceed 0.1.

5-616 Utility Substations. The following standards shall apply to the development of utility substations.

(A) Utility substation, transmission.

(1) In all agricultural and residential districts, utility substations shall be located on lots of ~~three (3)~~ one (1) acre or more.

(2) In all commercial and industrial districts, utility substations shall be located on at least the minimum lot size of the district.

(B) Utility substation, distribution.

(1) In all agricultural and residential districts, utility substations shall be located on lots of one (1) acre or more.

(2) In all commercial and industrial districts, utility substations shall be located on lots of one (1) acre or more.

(C) All utility substations shall be located in areas consistent with the adopted Comprehensive Plan. A Commission Permit shall be required unless the utility substation is specially delineated in the Comprehensive Plan.

(D) All utility transmission and distribution substations and accessory storage yards shall have a minimum Type Four (4) Buffer Yard.

(E) Such utilities may be accessed by a private access easement.

5-617 Freestanding Convenience Food Stores. Except to the extent permitted on smaller lots in the Rural Commercial (RC) zoning district.

(A) Convenience food stores shall be located on lots of 50,000 square feet or greater.

(B) If a convenience food store is located at the intersection of two streets, the lot must have at least 200 feet of frontage on each street.

(C) Any convenience food store located within 200 feet of a residentially zoned, used, and/or planned district or land bay must provide an acoustical barrier, such as landscaping, berms, fences and/or walls, to attenuate noise to levels required by Section 5-1507.

5-618 Telecommunications Use And/Or Structures. The following performance standards shall be applied to telecommunication uses and/or structures.

(A) **Antennas.** Structure mounted and roof top mounted antennas and related unmanned equipment may be developed subject to the performance standards below to the extent permitted by right in the district use lists.

(1) Antennas and related unmanned equipment are permitted on an existing telecommunications monopole, telecommunications tower, or structure forty (40) feet or greater in height in all zoning districts subject to the performance standards outlined in this section.

(2) Notwithstanding the height requirements in Section 5-618(A)(1), antennas and related unmanned equipment are permitted in all zoning districts on buildings and structures owned or controlled by a public use or fire and/or rescue company.

(3) Such antennas and related equipment may exceed the maximum building height limitations, provided the use is in accordance with the development criteria herein.

(4) Omnidirectional or whip antennas shall not exceed twenty (20) feet in height or seven (7) inches in diameter and shall be of a material or color which matches the exterior of the building or structure.

(5) Directional or panel antennas shall not exceed five (5) feet in height or two (2) feet in width and shall be of a material or color which matches the exterior of the building or structure.

(6) Satellite and microwave dish antennas shall not exceed six (6) feet in diameter and shall be screened from public view.

(7) No commercial advertising shall be allowed on any antenna.

(8) Signals or lights or illumination shall not be permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.

(9) The related unmanned equipment structure(s) shall not contain more than 500 square feet of total gross floor area per user on each site. Structures shall not exceed 12 feet in height. If located within the structure upon which the antennas are mounted, they may be located in the areas which are excluded from the determination of net floor area without changing the exclusion of those areas from the calculation of the density of the structure. The structure shall be of a material or color which matches the exterior of the building or structure.

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(10) If the equipment structure is located on the roof of a building, the area of the equipment and structures shall not occupy more than twenty-five (25) percent of the roof area.

(B) **Monopoles.** Monopoles and related unmanned equipment structure(s) may be developed as a permitted or special exception use, as listed below:

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

(a) In all zoning districts, if located within an overhead utility transmission line right of way with existing structures greater than eighty (80) feet in height.

(b) In the PD-OP, GB, PD-GI, PD-SA, PD-IP, PD-RDP, or MR-HI zoning districts provided it is located 750 feet or greater from an adjoining residential district.

(c) In the AR, A-10, TR, JLMA-1, JLMA-2, JLMA-3, A-3, CR-1, CR-2, CR-3, CR-4, PD-TREC and RC zoning districts, when accessory to a fire or rescue station.

(2) **Monopoles, Special Exception Required.** Except as provided above, telecommunications monopoles shall be permissible subject to approval of a special exception and subject to the performance standards listed in Sections 5-618(B)(3) and 5-618(B)(4), in the following situations:

(a) In the AR-1, AR-2, A-10, TR, JLMA-1, JLMA-2, JLMA-3, A-3, CR-1, CR-2, CR-3, CR-4, PD-TREC and RC zoning districts, except as provided in Section 5-618(B)(1)(c), and in the CLI, PD-CC(CC), PD-CC(SC), PD-CC(RC), PD-TC, PD-UC, PD-TRC and PD-CV zoning districts.

(b) In the PD-OP, GB, PD-GI, PD-SA, PD-IP, PD-RDP, and MR-HI zoning districts when located 750 feet or closer from an adjoining residential district.

(c) In all zoning districts, except PD-H, R-districts, PD-AAAR, and PD-RV, as an accessory use to a fire and rescue station, except as provided in Section 5-618(B)(1)(c).

(d) In all zoning districts, within the right of way of a private toll road.

(3) **Monopoles, General Performance Criteria.** All telecommunications monopoles, whether permitted by right or permissible with the approval of a special exception application, shall be subject to the following criteria:

(a) The proposed telecommunications monopole shall be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. In addition, the facility shall be located in the interior of the property and areas of existing vegetation, if applicable, shall be used to screen the facility.

(b) New telecommunications monopoles shall be designed to accommodate at least three (3) providers, unless:

(i) Doing so would create an unnecessary visual impact on the surrounding area; or

(ii) No additional need is anticipated for any other potential user in the vicinity; or

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

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

(c) The height of such monopole, including antennas, shall not exceed 199 feet, as measured from the natural ground elevation.

(d) Satellite and microwave dishes attached to monopoles shall not exceed two (2) feet in diameter.

(e) Except as provided in Section 5-618(B)(3)(o) and Section 5-618(B)(4)(d), telecommunications monopoles shall not be located any closer than one (1) foot for every five (5) feet in height to any property line. Structures and buildings may be constructed within the setback areas of the monopole, provided other zoning standards are met.

(f) The related unmanned equipment structure(s) shall not contain more than 500 square feet of total gross floor area per telecommunications provider on each site. Structures shall not exceed 12 feet in height.

(g) Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, monopoles shall blend with the background.

(h) No signals or lights or illumination shall be permitted on a monopole, unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the County.

(i) No commercial advertising or signs shall be allowed on a monopole.

(j) A commission permit shall be required.

(k) No monopole shall be located within a County designated historic district.

(l) No monopole shall be located within a PD-H, or PD-RV zoning district except as provided in Section 5-618(B)(1)(a) and Section 5-618(B)(2)(d).

(m) All unused equipment and facilities from a commercial public telecommunications site shall be removed within 90 days of cessation of

commercial public telecommunication use and the site shall be restored as closely as possible to its original condition.

(n) Applicants for any commercial public telecommunications facility shall demonstrate that they have complied with applicable regulations of the FCC and the FAA. A finding from the FAA that the proposed facility is not a hazard or obstruction to aviation is necessary prior to the issuance of a zoning permit. If a proposed telecommunications facility is higher than 199 feet or within five (5) miles of the property boundary of either Dulles or Leesburg Airports, the applicant shall provide verification that: 1) the appropriate airport authority (Metropolitan Washington Airports Authority or the Town of Leesburg) has been notified in writing; and 2) the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation.

(o) When locating on a Loudoun County or Loudoun County Sanitation Authority site or fire and/or rescue company site: 1) the telecommunications equipment shall not interfere with the existing telecommunications equipment of the primary use; and 2) the setback provisions of Section 5-618(B)(3)(e) shall not apply. In addition, the landscaping/buffering provisions of the Ordinance may be reduced or waived if the site has been developed in accordance with Section 5-1409(G).

(p) Applicants proposing a new telecommunications monopole within one (1) mile of a County designated historic district or a Virginia Byway shall submit a minimum of three (3) visual simulations and written justification as to why the monopole could not be sited elsewhere. This requirement shall also be applied if a telecommunications monopole is proposed on a property listed on the National Register of Historic Places.

(q) Telecommunications monopoles shall not be located along ridge lines, but downslope from the top of ridge lines, to protect views of the Catoctin, Bull Run, Hogback, Short Hill, and Blue Ridge Mountains.

(r) Applicants shall submit documentation, in written and graphic form, regarding the service area to be provided by the proposed telecommunications monopole.

(4) **Monopoles, Additional Submission Requirements.** The following additional information shall be submitted by applicants for monopoles required to be approved by special exception.

(a) The applicant shall provide photoimagery or other visual simulation of the proposed telecommunications monopole shown with the existing conditions of the site. This simulation shall be provided from a minimum of three (3) perspectives. The applicant shall address how the facility can be designed to mitigate the visual impact on area residents, facilities, and roads.

(b) Except for areas where permitted by right, an applicant for a new commercial public telecommunication monopole shall demonstrate that location on an

existing telecommunications facility or structure greater than 40 feet in height is not feasible. The applicant shall evaluate telecommunications facilities and structures greater than 40 feet in height within a one (1) mile radius of the proposed facility within the Eastern Loudoun Urban Growth Area. Elsewhere in the County, the applicant shall evaluate these locations within a two (2) mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining infeasibility.

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

(i) Planned equipment would exceed the structural capacity of existing and approved telecommunications facilities, considering existing planned use of those facilities, and such facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;

(ii) Planned equipment will cause interference with other existing or planned equipment for that telecommunications facility, and that interference cannot be prevented at a reasonable cost;

(iii) Existing or approved telecommunications facilities do not have space on which planned equipment can be placed so as to provide adequate service; and

(iv) Existing and approved telecommunications facilities will not provide adequate signal coverage.

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

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

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

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

(a) In the MR-HI and PD-GI zoning districts if the tower is forty (40) feet or less in height and is mounted on an existing structure.

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

(a) In the A-25, A-10, AR-1, AR-2, TR, JLMA-1, JLMA-2, JLMA-3, A-3, CR-1, CR-2, CR-3, CR-4, RC, CLI, PD-CC(CC), PD-CC(SC), PD-CC(RC), PD-TC, PD-TREC and PD-TRC zoning districts.

(b) In the PD-OP, GB, PD-GI, PD-SA, PD-IP, PD-RDP, and MR-HI zoning districts.

(c) In all zoning districts, except PD-H, R-districts, PD-AAAR, PD-RV and PD-CV, as an accessory use to a fire and rescue station.

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

(a) The telecommunications tower shall be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. In addition, the facility shall be located in the interior of the property and areas of existing vegetation, if applicable, shall be used to screen the facility.

(b) New telecommunications towers shall be designed to accommodate at least three (3) providers, unless:

(i) Doing so would create an unnecessary visual impact on the surrounding area; or

(ii) No additional need is anticipated for any other potential user in the vicinity; or

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

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

(c) Telecommunications towers, including antennas, shall not exceed 199 feet, as measured at the natural ground elevation, unless the applicant can clearly demonstrate that the facilities of 199 feet or less cannot render needed services. At the applicant's expense, the County may have an independent analysis performed on the applicant's proposal.

(d) Satellite and microwave dishes attached to the towers shall not exceed six (6) feet in diameter.

(e) Except as provided in Section 5-618(C)(3)(o), towers shall be set back one (1) foot for every five (5) feet in height from the property line. Structures and

buildings may be constructed within the setback area of the tower, provided other zoning standards are met.

(f) The related unmanned equipment structure(s) shall not contain more than 500 square feet of total gross floor area per telecommunications provider on each site. Structures shall not exceed 12 feet in height.

(g) Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, telecommunications towers shall blend with the background.

(h) No signals or lights or illumination shall be permitted on a monopole, unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the County.

(i) No commercial advertising shall be allowed on the tower.

(j) A commission permit shall be required.

(k) No transmission tower shall be located within a County designated historic district.

(l) No tower shall be located within a PD-H or PD-RV zoning district.

(m) All unused equipment and facilities shall be removed from a commercial public telecommunications site within 90 days of cessation of commercial public telecommunication use and the site shall be restored as closely as possible to its original condition.

(n) Applicants for any commercial public telecommunications facility shall demonstrate that they have complied with applicable regulations of the FCC and the FAA. A finding from the FAA that the proposed facility is not a hazard or obstruction to aviation is necessary prior to the issuance of a zoning permit. If a proposed telecommunications facility is higher than 199 feet or within five (5) miles of the property boundary of either Dulles or Leesburg Airports, the applicant shall provide verification that: 1) the appropriate airport authority (Metropolitan Washington Airports Authority or the Town of Leesburg) has been notified in writing; and 2) the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation.

(o) When locating on a Loudoun County or a Loudoun County Sanitation Authority site or fire and/or rescue company site: 1) the telecommunications equipment will not interfere with the existing telecommunications use of the primary use; and 2) the setback provision of Section 5-618(C)(3)(e) does not apply. In addition, the landscaping and buffering provisions of the Ordinance may be reduced or waived if the site is developed in accordance with Section 5-1409(G).

(p) Applicants proposing a new telecommunications tower within one (1) mile of a County designated historic district or Virginia Byway shall provide a

minimum of three (3) visual simulations and written justification as to why the tower could not be sited elsewhere. This requirement shall also be applied if a telecommunications tower is proposed on a property listed on the National Register of Historic Places.

(q) Telecommunications towers shall not be located along ridge lines, but downslope from the top of ridge lines, to protect views of the Catoctin, Bull Run, Hogback, Short Hill, and Blue Ridge Mountains.

(r) Applicants shall submit documentation, in written and graphic form, regarding the service area to be provided by the proposed telecommunications tower.

(4) **Telecommunications Towers, Additional Submission Requirements.** The following additional performance standards shall apply to transmission towers when approved by special exception:

(a) The applicant shall provide photoimagery or other visual simulation of the proposed facility shown with the existing conditions of the site. This simulation shall be provided from a minimum of three (3) perspectives. The applicant shall address how the facility can be designed to mitigate the visual impact on area residents, facilities, and roads.

(b) Except for areas where permitted by right, an applicant for a new commercial public telecommunication monopoles shall demonstrate that location on an existing telecommunications facility or structure greater than 40 feet in height is not feasible. The applicant shall evaluate telecommunications facilities and structures greater than 40 feet in height within a one (1) mile radius of the proposed facility within the Eastern Loudoun Urban Growth Area. Elsewhere in the County, the applicant shall evaluate these locations within a two (2) mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining infeasibility.

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

(i) Planned equipment would exceed the structural capacity of existing and approved telecommunications facilities, considering existing planned use of those facilities, and such facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;

(ii) Planned equipment will cause interference with other existing or planned equipment for that telecommunications facility, and that interference cannot be prevented at a reasonable cost;

(iii) Existing or approved telecommunications facilities do not have space on which planned equipment can be placed so as to provide adequate service; and

(iv) Existing and approved telecommunications facilities will not provide adequate signal coverage.

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

(d) Applicants for new telecommunications towers shall demonstrate that a telecommunications monopole, of comparable transmission capabilities, can not be utilized or can not provide an equivalent level of service.

5-619 Rural ~~Agricultural~~ Corporate Retreat.

(A) **Purpose and Intent.** The purpose of this section is to provide for rural corporate retreat facilities that will be compatible with agriculture, forestry, open space and/or historic preservation.

(1) ~~The Rural Agricultural Corporate Retreat use is oriented toward the "think tank" facilities typically affiliated with today's high technologies and development. These facilities often require the quiet and tranquility associated wit rural settings.~~

(2) ~~The location of the Rural Agricultural Corporate Retreat use in the AR,A-3, A-10, TR-10, JLMA-3 and JLMA-20 zoning districts will afford the opportunity to preserve the rural and historic character of the zoning districts and will promote agriculture as an industry. The Corporate Retreat use will provide a means for agricultural activities to continue through and economic partnership.~~

(3) ~~It~~ The Rural Corporate Retreat is intended to promote the rural amenities of the AR, A-3, A-10, TR-10, JLMA-3 and JLMA-20 districts as an ideal work place ~~for "think tank" operations and to utilize the environmental, cultural, and aesthetic qualities to lure corporate users. Likewise, t~~The Rural ~~Agricultural~~ Corporate Retreat user is encouraged to incorporate existing structures, which could be restored and maintained into the retreat facilities to preserve the existing rural character.

(4) ~~The proximity of Loudoun's rural areas to excellent air transportation services has the potential to attract world wide corporate users. It is intended to utilize this asset to encourage the location of Rural Agricultural Corporate Retreats.~~

(5) Rural ~~Agricultural~~ Corporate Retreats shall be permitted in the AR, A-3, A-10, TR-10, JLMA-3 and JLMA-20 districts on the basis of land size and average daily users. Permitted Rural ~~Agricultural~~ Corporate Retreats shall meet specific development criteria outlined in subsection 5-619(C) below. Any Rural ~~Agricultural~~ Corporate Retreat that does not meet the criteria of subsection 5-619(C), may be permitted subject to special exception approval.

(6) The Rural ~~Agricultural~~ Corporate Retreat use shall not involve the handling or processing of hazardous or toxic materials. The Rural Corporate Retreat use shall comply with the applicable performance standards of Section 5-1500.

(B) ~~**Definitions.** For the purposes of Section 6-619, "Rural Agricultural Corporate Retreat, Accessory to Agricultural Uses, in the AR, A-3, A-10, JLMA-3 and JLMA-20 districts", is defined uner "Rural Agricultural Corporate Retreat, Accessory to Agricultural Uses" in Article 8 of this Ordinance.~~

(C) **Rural ~~Agricultural~~ Corporate Retreat~~, Accessory to Agricultural Uses,~~ Development Criteria.**

(1) **Minimum Acreage.** The minimum acreage shall be 50 acres.

(2) **Open Space.** A minimum of 75% of the total property acreage shall be kept in an agricultural, forestry, open space, and/or historic preservation use.

(3) **Frontage and Access.** The property on which the Rural Corporate Retreat is located shall have frontage and access on a state-maintained road.

(4) **Floor Area Ratio.** The maximum floor area ratio shall be ~~0.01~~ 0.04. The total acreage shall be used for determining the permitted floor area.

(5) **On-Site Food Services.** The retreat facilities may provide on-site food service for employees~~, trainees,~~ and ~~business~~ retreat visitors, but may not contain restaurant facilities open to the general public.

(6) **Setbacks.** All retreat facilities buildings shall be set back a minimum of 200 feet from adjacent properties.

(7) **Storage Areas.** Storage areas related to the retreat facilities shall be permitted.

(8) **Programs.** The retreat facilities use may include ~~associated~~ training programs, seminars, and ~~related~~ similar activities.

(9) **Special Events.** Special events shall receive approval pursuant to Section 5-500, unless the facility meets the requirements of Section 5-642~~specifically approved by special exception (Section 6-1300)~~..

(10) **Products Sold On-Site.** No products shall be sold on-site except those that are clearly incidental and integral to ~~the training programs and seminars~~ the purpose and program of the retreat.

(11) **One Principal Dwelling.** No more than one principal dwelling unit shall be permitted. Tenant dwellings shall be permitted in accord with Section 5-602.

(12) **On-Site Recreation.** The retreat facilities may provide on-site recreation facilities to be used solely by employees~~, trainees, and business~~ and visitors, but not by the general public.

(13) **Average Daily User and Acreage Ratio:** ~~25~~ 100 users per 50 acres. Notwithstanding, there shall be no more than ~~100~~ 450 users on greater than 200 acres without first securing special exception approval. The term Average Daily Users includes employees~~, trainees, and business~~ and visitors to the site. Service trips, such

as food or supply deliveries, package delivery, and similar trips are in addition to the average daily users.

(14) ~~**Remove Property from Land Use Program.** The portion of the property used as a Rural Agricultural Corporate Retreat shall be removed from the Land Use Program (Special Assessment for Land Preservation) for taxation purposes.~~

(15) **Exclusions.** Buildings or structures used exclusively for agricultural use, the principal dwelling unit, and tenant dwellings are excluded from these requirements and from the floor area ratio calculations.

(D) **Sketches, Site Plans, Special Exceptions and Statements of Use.**

(1) **Sketch Plan.** A sketch plan is required as a part of a zoning permit application for permitted Rural ~~Agricultural~~ Corporate Retreats. Sketches shall include an accurate drawing of all aspects of the Rural ~~Agricultural~~ Corporate Retreat including the size and dimensions of buildings; the size and dimensions of land area devoted to the Rural ~~Agricultural~~ Corporate Retreat use; the size and dimensions of the land to be maintained in agricultural, forestry, open space, and/or historic preservation use; the size and dimensions of parking areas; building setbacks; the size, dimension, and location of any signs; and the approximate location of any on-site major floodplain as determined from the County ~~RSCOD regulations and~~ flood plain map. In addition, the sketch plan shall include the required information needed to illustrate conformance with the Rural ~~Agricultural~~ Corporate Retreat regulations of this Section 5-619.

(2) ~~**Special Exception Review for Those Who Do Not Comply with Standards.** For Rural Agricultural Corporate Retreats that do not meet the development criteria contained in this subsection, special exception review, and approval, is required to determine the appropriateness of the use. Special exceptions may contain a condition for a site plan in lieu of a sketch plan as defined herein when the Board of Supervisors finds such a condition is necessary to mitigate potential off-site impacts of the proposed use.~~

(3) **Statement of Use.** For all Rural ~~Agricultural~~ Corporate Retreats, a statement of use shall be filed in conjunction with the sketch or site plan. The statement of use shall define the operations of the Rural ~~Agricultural~~ Corporate Retreat and shall outline how the use meets the development criteria.

(E) ~~**Modifications.** Those standards contained in Section 5-619(C) may be modified by the special exception procedures set forth in Section 6-1300 provided that the Board of Supervisors finds that the applicant's proposed modification to the regulations will improve on the existing regulations, or otherwise exceed the public purpose of the existing regulations. The Board may impose appropriate conditions to assure that the public purposes are satisfied.~~

5-620 Manufactured Housing. The following standards shall apply to the development of manufactured housing:

(A) Homes shall be a minimum of 900 square feet in floor area, and a minimum of 19 feet in width.

(B) Roofs shall be pitched with a minimum vertical rise of four inches for each twelve inches of horizontal run.

(C) Exterior materials shall be of a color, material and scale compatible with site-built, single family construction.

(D) Homes shall have a non-reflective roof material which is or simulates asphalt or wood shingles, tile or slate or other products as used in surrounding areas.

(E) All homes shall have a pitched roof with a minimum of either a 6" overhang and a 4" gutter or 12" overhand on the front and back and a minimum of 6" on the sides.

(F) Perimeter non-load bearing foundation enclosures shall be compatible with foundation materials on site-built residential structures, and shall be limited to masonry, stone or concrete.

(G) Homes shall have wheels, axles, transporting lights, and removable towing apparatus removed from the site, and shall be placed on a permanent foundation.

(H) Storage areas for RV unit shall be provided on a separate lot. If such lot is exterior to the development it shall be effectively buffered from the street and adjacent dwellings. If the storage area is located on an interior lot, the buffering shall not be required.

(I) Manufactured homes in the AR-1, AR-2, A-3, A-10, and TR-10 districts shall not be subject to this section.

(J) Nothing in this subsection shall be deemed to supersede valid restrictive covenants of record, except that a manufactured home built in accordance with the HUD code shall not be deemed a mobile home.

5-621 Public Utilities. Lot requirements for Municipal Corporations, VDOT, LCSA, Public Utilities and Public Service Corporations.

(A) In all zoning districts, public utilities shall be located on lots of ~~one (1)~~ <u>one half (1/2)</u> acre or more.

(B) All utility facilities shall have a minimum Type Four (4) Buffer Yard.

(C) Such utilities may be accessed by private access easement.

(D) <u>Utility Substations are governed by Section 5-616 of this Ordinance.</u>

5-622 Magazine Contained Explosive Facilities.

(A) **Purpose and Intent.** The intent of this section is to allow businesses with magazine contained explosives storage facilities to be located within the A-3 zoning district, while preserving the rural character of the district. A commercial business operation requiring a

magazine contained explosives facility shall be located in a commercial or industrial zoning district.

(B) **Effective Control.** In order to qualify for a special exception as a magazine contained explosives facility, the applicant shall demonstrate unified ownership/control of the parcel that is the subject of the special exception application and the commercial business operation cited in (A) above.

(C) **Site Development Criteria.**

(1) **Acreage.** The minimum gross acreage of a parcel used for storage of magazine contained explosives shall be 50 acres. A minimum of three acres shall be located outside of major floodplain. In no event shall the acreage be less than that necessary to comply with the regulations contained in the most current adopted edition of the "Virginia Statewide Fire Prevention Code" (VSFPC) and all other applicable state and local codes and ordinances whichever is more restrictive.

(2) **Setbacks.**

(a) **Adjacent to Roads.** No magazine facility or loading area shall be permitted closer than 500 feet to the right-of-way of a state maintained road or the minimum setback contained in the VSFPC, whichever is more restrictive.

(b) **Adjacent to Other Properties.** No magazine facility shall be permitted closer than 350 feet or the minimum setback contained in the VSFPC, whichever is more restrictive.

(3) **Access.** Magazine Contained Explosives Facilities may be located on lots accessed by private access easement.

(D) **Construction and Placement.** Construction and Placement of a magazine for the containment of explosives shall conform to all applicable State and Federal requirements.

(E) **Open Space.** Except for those areas established for the approved magazine facility on the special exception plat, the remainder of the parcel shall be maintained for agricultural, horticultural, and forestry uses during the term of the special exception. Uses and structures accessory to the magazine facility and an agricultural, horticultural, and/or forestry use on the property may be permitted, including security buildings, barns and one single family dwelling.

(F) **Conveyance.** Approval of a special exception or zoning permit pursuant to this section shall not convey with the transfer of the property or business which are the subject of these applications

5-623 PD-IP Private School Notification Standards

(A) **Purpose and Intent.** Operators of a private school located within a PD-IP District must notify all applicants, at the time of application, of the potential permitted and special exception uses within such a district.

(B) **Standard Notification.** The notification document shall include a list of the uses permitted within the industrial zone. The document shall include a section that requires prospective student's parent to sign a statement stating that they have reviewed or have been offered the opportunity to review this document. Said document shall remain on file at the school for the period of the student's enrollment.

5-624 Vehicle Wholesale Auction.

(A) **Locational Criteria.**

(1) Vehicle wholesale auctions shall be located on a public, paved road capable of accommodating the traffic generated by the use.

(2) Vehicle wholesale auctions shall be located on parcels where at least a portion of the parcel is located within the noise contour areas of the Airport Impact Overlay District, as existing at the time of initial site plan approval.

(3) Vehicle wholesale auctions shall be located on a parcel with an area of 50 acres or more.

(B) **Site Development Criteria.**

(1) Any car-carrier loading/unloading area and vehicle storage areas shall be located separately from the customer parking areas, and such areas shall be identified with directional signage.

(2) The use shall be served by public sewer.

(3) Car washing associated with the use shall utilize recycled water.

(4) The sale and/or storage of vehicles that are not in operating condition shall not be permitted.

(5) Outdoor vehicle storage, parking spaces, and loading spaces shall be specifically identified on an approved site plan and shall be limited to such areas.

(6) Outdoor vehicle storage shall be setback at least 100 feet from any road right-of-way.

(7) The test driving of all vehicles shall be conducted on-site.

(8) Notwithstanding the requirements of Section 5-1400, no structure shall be required in the rear or side Type 4 Buffer Yards when adjacent to areas of Dulles Airport.

(9) Vehicle wholesale auctions shall not be conducted before 8:00 a.m., after 6:00 p.m., or on Saturdays or on Sundays.

5-625 Winery, Commercial. Commercial wineries in the AR and JMLA districts shall comply with the following standards.

(A) **Intensity/Character.**

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

(2) **Wine Tasting Rooms and Accessory Food Sales.** Facilities for wine tasting rooms and accessory food sales (including a kitchen) shall not exceed ~~20~~ 49 percent of the total gross floor area of all structures at the commercial winery.

(3) **Hours of Operation.** Hours of operation shall be limited to 10:00 a.m. to 10:00 p.m.

(B) **Size of Use.**

(1) **Floor Area Ratio.** The floor area ratio for a commercial winery shall not exceed ~~0.02~~ 0.04.

(2) **Storage Yards.** The total area of storage yards shall not exceed 20 percent of the total area of the principal structure~~, and shall not be visible from any public right of way~~.

(C) **Location on Site/Dimensional Standards.** A commercial winery shall be set back at least 125 feet from all lot lines.

(D) **Landscaping/Buffering/Screening.**

(1) **Buffer.** The use shall comply with the landscaping and screening standards of Section 5-653(A).

(2) **Parking and Storage Areas.** Parking and storage areas shall be screened to comply with the requirements of Section 5-653(B).

(E) **Roads/Access Standards.**

(1) **General Access Standards.** A commercial winery shall comply with the road access standards of Section 5-654.

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

(3) **Vehicles/Equipment.** Commercial wineries that use heavy equipment shall have direct access to a paved public road.

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

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

(H) **Parking.**

(1) **General.** Parking and loading shall be provided as required by Section 5-1102.

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

5-626 Agriculture, Horticulture and Animal Husbandry.

(A) **Parcel Size.** Agriculture, Horticulture and Animal Husbandry uses shall be located on parcels 3 acres in size or larger.

(B) **Setbacks for Certain Structures.** No structure for housing livestock shall be located closer than 100 feet from any property line adjoining lots where a residential dwelling existing at the time of construction of the structure is the principal use, unless such residential dwelling is located more than 100 feet from the property line.

5-627 Agriculture Support Uses (Direct Association with Agriculture, Horticulture or Animal Husbandry).

(A) Intensity/Character.

(1) **In Association with On-Going Agriculture, Horticulture, or Animal Husbandry Use.** The agriculture support use (direct association) shall be allowed only in direct association with an on-going agriculture, horticulture, or animal husbandry use or activity.

(2) **Site Size.** The minimum lot area for any agriculture support use (direct association) shall be 5 acres.

(3) **Visitors/Customers/Parking Spaces.** The minimum lot area shall increase based on the number of visitors/customers attracted to the use, as follows:

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

(4) **Hours of Operation.** Hours of operation for any agriculture support use (direct association) shall be limited to the hours from 6:00 a.m. to 9:00 p.m.

(5) **Owner.** The agriculture support use (direct association) shall be operated or maintained by the owner or occupant of the land upon which the primary associated agriculture, horticulture, or animal husbandry use is being conducted.

(B) **Size of Use.**

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

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

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

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

(C) **Location on Site/Dimensional Standards.** Structures or storage areas of an agricultural support use (direct association) shall be set back from lot lines as follows:

Use	Lot Area (Min.)	Size of Structures (Max.)	Setback from Lot Lines
Level I—small scale	7 to 25 acres	12,000 square feet	60 ft.
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet	120 ft.
Level III—large scale	> 50, up to 100 acres	36,000 square feet	175 ft.

(D) **Landscaping/Buffering/Screening.**

(1) **Buffer.** The use shall comply with the landscaping and screening standards of Section 5-653(A).

(2) **Storage Areas.** All storage areas shall be screened and landscaped consistent with the standards of Section 5-653(C).

(E) **Road/Access Standards.**

(1) **General Access Standards.** An agriculture support use (direct association) shall comply with the road access standards of Section 5-654.

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

(3) **Vehicles/Equipment.** Any agricultural support use (direct association) that involves the use of or services heavy equipment shall have direct access to a paved public road maintained by the state. Direct access shall not be provided by a private easement.

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