

Z O N I N G O R D I N A N C E

O F

L O U D O U N C O U N T Y

Effective July 11, 1959

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May 11, 1969

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<u>Zone</u>	<u>Land Area of Lot</u>	<u>Frontage</u>	<u>Building Line Setback</u>	<u>Side Yard</u>	<u>Rear Yard</u>	<u>Accessory Building</u>
R-1 (Residential)	4-1.1	4-1.2	4-1.3	4-1.4	4-1.5	4-1.6
R-2 (Residential- Agricultural)	4A-1.1	4A-1.2	4A-1.3	4A-1.4	4A-1.4	4A-1.4
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A-1 (Agricultural- Restricted)	5-1.1	5-1.2	5-1.3	5-1.4	5-1.5	5-1.6
A-2 (Agricultural)	6-1.1	6-1.2	6-1.3	6-1.4	6-1.5	6-1.6
C-1 (Commercial)	7-1.1	7-1.2	7-1.3	7-1.4	7-1.5	7-1.6
I-1 (Industrial)	8-1.1	8-1.2	8-1.3	8-1.4	8-1.5	8-1.6
I-R (Industrial- Restricted)	8A-1.1.1	8A-1.2	8A-1.3	8A-1.4	8A-1.5	8A-1.6
I-P (Industrial- Park)	8B-1.1.1	8B-1.2	8B-1.3	8B-1.4	8B-1.5	8B-1.6
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R-1	8C-2.2.1	8C-2.2.2	8C-2.2.3	8C-2.2.4	8C-2.2.5	8C-2.2.6
R-30	8C-2.3.1	8C-2.3.2	8C-2.3.4	8C-2.3.4	8C-2.3.4	8C-2.3.4

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Industrial-Park I-P Art. 8B

Planned Community PC Art. 8C

USE TABLE

NOTE: In case of discrepancy between this table and the text, the text is controlling.

- OK - Means use is permitted without a permit of any kind
- L - Means Location Permit is required
- C - Means Commission Permit is required
- U - Means Use Permit and Certificate of Compliance are required
- SU - Means Special Use Permit and Certificate of Compliance are required
- Not - Means use is not permitted

Article No.	4	4A	5	6	7	8	See A'so
Zone	R-1	R-2	A-1	A-2	C-1	I-1	Section
(For R-3, I-R, I-P, and PC Zones see appropriate sections of Ordinance)	L	L	L	L	L	L	2-3
Accessory Buildings exceeding 500 sq. ft.	OK	OK	OK	OK	OK	OK	2-3
Accessory Buildings not exceeding 500 sq. ft.	OK	OK	OK	OK	OK	OK	2-3
Accessory Uses	OK	OK	OK	OK	OK	OK	2-4
Agricultural and Forestry (customary) structures and uses, except (a) any structure or device used for raising or feeding swine nearer than 200 feet, or dogs, poultry or other livestock nearer than 30 feet from the nearest property boundary line; (b) the storage of manure or odor producing substances nearer than 100 feet from the nearest property boundary line - but the foregoing shall not be construed to prevent the full use of the land for grazing	OK	OK	OK	OK	OK	OK	2-5; 2-27
Agricultural and Forestry (customary) structures and uses without the limitations above	Not	Not	Not	OK	Not	OK	2-5; 2-27
Airport, Helicopterport (Commercial)	Not	Not	Not	SU	Not	SU	9-19
Airport, Helicopterport, Flight Strip (Private and Non-Commercial)	Not	L	L	L	U	L	9-20
Amusement Park (Commercial)	Not	Not	Not	SU	SU	SU	2-16
Animal Hospital (See Veterinary Services)	Not	Not	Not	Not	Not	L	
Asphalt Mixing Plant	Not	Not	Not	Not	Not	L	2-41; 9-17; 2-4; 2-5
Automobile Graveyard (See Junk Yard)	Not	Not	Not	Not	L	L	9-14
Automobile Sales and Service Establishment	Not	Not	Not	Not	L	L	11-2.7
Bakery limited to 6 employees	Not	Not	Not	Not	Not	L	11-2.7
Bakery with over 6 employees	Not	Not	Not	Not	Not	L	11-2.7
Barrel and Stave manufacture	Not	Not	Not	Not	Not	L	11-2.7
Boarding House, Rooming, Fraternity or Sorority House	U	U	U	L	L	L	2-10
Borrow Pit for highway construction	U	U	U	U	U	U	

Article No. Zone	4 R-1	4A R-2	5 A-1	6 A-2	7 C-1	8 I-1	See Also Section
Feed and Grain Mill; Farm Supply Establishment	Not	Not	Not	U	L	L	11-2.7
Filling Station	Not	Not	Not	U	L	L	2-26; 9-13; 9-14
Fire Engine House	C	C	C	C	C	C	
Frozen food locker and freezer plant with slaughtering permitted only if it is in a connected building and primarily for freezing within the establishment	Not	Not	Not	U	L	L	11-2.7
Fruit processing and storage plant, limited to 25 employees	Not	Not	Not	U	L	L	
Fruit processing and storage plant	Not	Not	Not	U	L	L	11-2.7
Funeral parlor, undertaker	Not	Not	Not	Not	Not	U	
Garage (Commercial)	Not	Not	Not	U	L	L	11-2.7
Garage (Private) (See Accessory Buildings and Uses)	Not	Not	Not	Not	L	L	2-30; 9-14
Greenhouse, garden, plant nursery (Commercial)	Not	Not	Not	Not	L	L	2-3
Hog Farm	Not	U	U	OK	OK	OK	11-2.7
Home for Aged (see Hospital or Home Occupation)	Not	Not	Not	U	Not	U	2-34
Home Occupation	OK	OK	OK	OK	OK	OK	2-35; 11-2.7
Home, Nursing (see Hospital or Home Occupation)	OK	OK	OK	OK	OK	OK	
Home, Tourist	OK	OK	OK	OK	OK	OK	2-69; 11-2.7
Horseshow, "turkey shoot"	Not	OK	OK	OK	OK	OK	
Hospital	U	U	U	U	U	SU	2-36; 11-2.7
Hospital, Special Care	Not	Not	Not	SU	Not	SU	2-37; 11-2.7
Hotel	Not	Not	Not	SU	L	U	2-38; 11-2.7
Ice Manufacturing Plant	Not	Not	Not	Not	L	L	
Industrial Activities, Class A (see end of this table)	Not	Not	Not	SU	U	U	2-39; 11-2.7
Industrial Activities, Class B (see end of this table)	Not	Not	Not	Not	Not	SU	2-40; 11-2.7
Junk Yard, Automobile Graveyard	Not	Not	Not	SU	Not	U	2-41; 9-17; 2-4; 2-5
Kennel, if over 500 feet from any property line	Not	Not	Not	L	L	L	2-42
Kennel, if over 50 feet from any property line	Not	U	U	U	L	L	2-42
Laboratory, Testing Station (excluding engine or jet testing or other objectionable testing)	Not	Not	Not	U	L	L	
Laundry, Dry Cleaner	Not	Not	Not	U	U	L	11-2.7
Library, Art Gallery or other Public Building	Not	Not	Not	U	L	L	11-2.7
Livestock Sales or Auction Market	C	C	C	C	C	C	11-2.7
Monastery	Not	Not	Not	U	Not	U	11-2.7
Motel, with or without restaurant attached	Not	Not	Not	U	Not	SU	
Newspaper Establishment, limited to 50 employees	Not	Not	Not	SU	L	U	2-49; 9-11; 11-2.7
Office Buildings, Banks	Not	Not	Not	Not	L	L	11-2.7
Parks, playground, golf course, and similar activities (publicly owned)	Not	Not	Not	Not	L	L	11-2.7
	C	C	C	C	C	C	

Article No.
 Zone

4 4A 5 6 7 8
 R-1 R-2 A-1 A-2 C-1 I-1
 Section

Shop for blacksmithing, welding, machining, tinsmithing, woodworking, plumbing and repairs to such as furniture, small machines, radios and watches, provided such activity is not in the nature of a factory producing one or more product lines
 Shop, as described above, provided further that such activity is conducted by the resident on the premises, with only occasional assistance by employees
 Slaughter House (Commercial)
 Signs (See Article 12)
 Soft drink bottling plant, limited to 25 employees
 Soft drink bottling plant
 Stable (Commercial) provided no structure is within 50 feet of any property line
 Stone cutting and monument works
 Stores and shops, retail and wholesale
 Telephone - booth, not within a building (See Sec. 2-68)
 Terminal, truck and freight
 Theatre, indoor
 Theatre, indoor, motion picture
 Theatre or motion picture house, outdoor
 Tire recapping plant
 Tourist home
 Trailer, when located in a trailer camp used solely for housing employees on one construction job and for not over 2 years
 Trailer Camp, used solely for housing employees on one construction job
 Trailer, when located in a trailer camp and for not over 120 days during 12 consecutive months
 Trailer Camp (subject to Trailer Camp Ordinance)
 Trailers, not exceeding two per lot, provided they have the lot owners' consent - with no compensation - and not to remain on the lot for more than 30 days in 10 consecutive months
 Trailer (occupied) only one on a lot owned by the owner of the trailer, provided a dwelling is under construction for owner on the lot, and for not more than one year

Not Not Not U Not L L 11-2.7
 Not U L L L 11-2.7
 Not Not SU Not U 11-2.7
 Not Not U Not L 2-60 to 2-63; Art. 12
 Not Not Not Not L 11-2.7
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 U U U U U 2-71

Article No.....	4	4A	5	6	7	8	See Also
Zone	R-1	R-2	A-1	A-2	C-1	I-1	Section
Trailer Sales Establishment	Not	Not	Not	SU	L	L	2-74; 9-14
Trailer (unoccupied) only one on lot dwelt upon by the owner of the trailer	OK	OK	OK	OK	OK	OK	2-72
Trailer (unoccupied)	Not	Not	Not	U	L	L	2-72
Trap or skeet shoot (Commercial), including gunning of birds or animals for compensation	Not	Not	Not	SU	Not	SU	
Turkey Shoot	Not	OK	OK	OK	OK	OK	
Undertaker	Not	OK	OK	OK	OK	OK	
Utility; public (whether publicly or privately owned)	Not	Not	Not	U	L	L	11-2.7
Veterinary services or animal hospital, provided no structure used in connection therewith is within 50 feet of any property line	C	C	C	C	C	C	
Warehouse	Not	U	U	L	L	L	2-42
Wayside Stand	Not	Not	Not	Not	L	L	11-2.7
Yard for Coal, Wood, Lumber, Builders' Supplies	OK	OK	OK	OK	OK	OK	2-76; 9-15
Yard, Contractors' Equipment	Not	Not	Not	U	L	L	11-2.7
Zoo, museum, snake farm (Commercial)	Not	Not	Not	SU	L	L	11-2.7
Other structures or uses of land not provided for in the zone	Not	Not	Not	SU	U	U	11-2.7

NOTE: Industrial Activity Class A is any commercial enterprise not listed above and not included in the definition of Industrial Activity Class B

Industrial Activity Class B shall include the following commercial enterprises:

Aircraft manufacture, assembly or testing, including engine testing,

Boiler works, heavy machine shop,

Crematory; dead animal processing, fat rendering,

Fertilizer Plants, (excluding Mixing Plant),

Grease and Oil Recovery Plant,

Metal Smelting and Refining,

Motor Vehicle manufacture and assembly,

Paper, Pulp or Board Mill,

Petroleum Refinery and Processing of by-products,

Manufacture of -

Cement, Plaster, Lime Products,

Coke,

Explosives, Fireworks, Matches,

Glue Sizing, Gelatine,

Lamp Black,

Linoleum and flooring other than wood flooring,

Rayon, Nylon, Glass and other Synthetic Fibers,
Roofing,
Rubber products, or reclaiming,
Soap,
Sugar,
Textiles,

Also any commercial enterprise not specifically provided for in the Use Table above which normally employs more than 25 people or which is or may become obnoxious or offensive (as determined by the Planning Commission) by reason of the emission of odor, dust, smoke, noise, gas fumes, light, cinders, vibrations, refuse matter or waste.

ZONING ORDINANCE OF LOUDOUN COUNTY
(Effective July 11, 1959)

AN ORDINANCE regulating and restricting the location, construction, height and use of structures and the use of land in Loudoun County, Virginia, other than in the incorporated towns thereof, and for said purposes dividing the County into districts. This ordinance shall be known and may be cited as the "ZONING ORDINANCE OF LOUDOUN COUNTY."

ARTICLE I - AUTHORITY, ENACTMENT
INTERPRETATION, PURPOSES AND INTENT

1-1 AUTHORITY AND ENACTMENT:

This Ordinance, as follows is hereby ordained, enacted and published by the Board of Supervisors of Loudoun County, Virginia pursuant to the provisions of Chapter 24, Title 15, Article 2, Sections 15-844 through 15-854, Code of Virginia, 1950, and amendments thereto, it being specifically stated therein that "this article shall be liberally construed to the end that the health, safety, order, prosperity, conservation of natural resources and general welfare shall be furthered."

1-2 LIBERAL INTERPRETATION:

Likewise, this Ordinance shall be liberally construed to further the intent and purposes hereinafter set forth, and its provisions shall be held to be only the minimum requirements adopted for such purposes.

1-3 PURPOSES AND INTENT:

This Ordinance is a part of and is intended to implement the Master Plan of Loudoun County. Its intent is to further the following purposes:

- 1-3.1 To safeguard, promote or improve, for the residents of Loudoun County, health, safety, order, prosperity, conservation of natural resources and general welfare.*
- 1-3.2 To promote conditions favorable to good transportation, good morals and good recreational, educational, and cultural opportunities.**

* Reference: Sections 15-844 and 15-854 of the Code of Virginia

** Reference: Section 15-920 of the Code of Virginia.

Art. 1 - Authority, Enactment, Interpretations,
Purposes, and Intent.

1-3.3 To guide and accomplish a coordinated, adjusted and harmonious development of Loudoun County, and in so doing to provide adequate open spaces for traffic, recreation, light and air, and for the distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience and prosperity.*

*Reference: Sections 15-920 and 15-781 of the Code of Virginia.

ARTICLE 2 - DEFINITIONS AND INTERPRETATIONS

2-1 INTERPRETATION BY COMMISSION:

In case of any dispute over the meaning of a word, phrase or sentence, whether defined herein or not, the Planning Commission is hereby authorized to make a definitive determination thereof which shall be binding, being guided in such determination by the purposes and intent of this Ordinance as set forth in Sections 1-3 and 15-5.

2-2 WORDS AND TERMS IN GENERAL:

For the purpose of this Ordinance, certain words and terms used herein shall be interpreted or defined as set forth in the following Sections of this Article; words used in the present tense include the future tense; the singular includes the plural, and the plural the singular, unless the natural construction of the word indicates otherwise; the word "person" shall include the words partnership, association, firm, and corporation; the word "shall" is mandatory and not advisory; any reference to this Ordinance includes all ordinances amending or supplementing the same; and all distances and areas refer to measurements in a horizontal plane unless otherwise stated.

2-3 ACCESSORY BUILDING: A subordinate building, the use of which is customarily incidental to that of the main building on the lot.

2-4 ACCESSORY USE: A use customarily incidental and subordinate to the principal use, or to the main building, and located on the same lot with such principal use or main building, but excluding signs and sawmills. By way of illustration, but not by way of limitation, the following are accessory uses, when conducted in a manner as limited by the foregoing: (1) to dwellings and agriculture: non-commercial home garden, greenhouse, garage, stable, radio, and television station including transmission, farm pond; (2) to a commercial garage: filling station activities, including sale of soft drinks, cigarettes and candy, but not a restaurant or junk yard.

2-5 AGRICULTURE: The production of crops, fruit, livestock, fowl, bees, fish, milk, trees, shrubbery and flowers, including horticulture and gardening, but excluding dwellings, hog farms, dump heaps, junk yards and sawmills as defined herein.

2-6 REPEALED EFFECTIVE DECEMBER 2, 1964.

2-7 AUTOMOBILE GRAVEYARD: See Junk Yard.

Art. 2 - Definitions and Interpretations

- 2-8 BASEMENT: That portion of a building the floor of which is not less than two feet below the ground, and the ceiling of which is not less than four feet six inches above the ground.
- 2-9 BOARD: Board of Zoning Appeals of Loudoun County, Virginia
- 2-10 BOARDING HOUSE: A building other than a hotel where meals and lodging are regularly served by pre-arrangement for compensation for five or more persons, not ordinarily open to transient guests in contradistinction to hotels, restaurants and tourist homes which are open to transients.
- 2-11 BUILDING: Any structure having a roof supported by columns or walls. When separated by division walls without openings from the ground up to the roof, any portion of such building, except a multi-family dwelling, shall be deemed a separate building.
- 2-12 BUILDING, MAIN: The building in which is conducted the main or principal use upon the lot on which said building is situated.
- 2-13 BUILDING LINE: A line showing the minimum distance by which any structure (exclusive of signs and filling station islands) must be separated from the front lot line or from the center line of the right of way on which the lot fronts.
- 2-14 CABIN: Single Cabin - A motel, or part thereof, consisting of a single building with only one room for sleeping.
Double Cabin - A motel or part thereof consisting of a single building with two rooms for sleeping.
- 2-15 CELLAR: That portion of a building the ceiling of which is entirely below or less than four feet six inches above the ground.
- 2-16 COMMERCIAL: (1) Of or pertaining to business, (2) having financial compensation, profit, or profit motive by any device whatsoever as a primary or important aim, or as a necessary part of an activity for its continuance. Thus a community swimming pool supported mainly by admission fees would be a "commercial" swimming pool.
- 2-17 COMMUNITY: The people residing and owning property in Loudoun County, Virginia, particularly those closest to the area in question who have similar or common interests; neighborhood.
- 2-18 DUMP HEAP: Any area where trash, garbage, or other waste or scrap material is dumped or deposited.
- 2-19 DWELLING: Any building, or portion thereof, containing one or more families, which is designed for residential purposes, except hotels, motels, boarding houses, lodging houses, tourist cabins, trailers and tents.

Art. 2 - Definitions and Interpretations

- 2-20 DWELLING, ONE FAMILY: A building containing not more than one dwelling unit.
- 2-21 DWELLING, TWO FAMILY: A dwelling arranged or designed to be occupied by not more than two families and containing only two dwelling units.
- 2-22 DWELLING, MULTI-FAMILY: A building containing three or more dwelling units.
- 2-23 DWELLING, PORTABLE: A dwelling designed and constructed to be easily movable or portable by means of wheels, jacks or skids, but which is not ordinarily suitable for use upon highways and is not a trailer as defined in this Ordinance.
- 2-24 DWELLING UNIT: A building or portion thereof designed for occupancy by not more than one family and having cooking facilities.
- 2-25 FAMILY: One or more persons occupying a premises and living in a single dwelling unit, or housekeeping unit, as distinguished from an unrelated group of persons occupying a boarding house, lodging house, tourist home, motel club or hotel.
- 2-26 FILLING STATION: Any area of land, including structures thereon, that is used or designed to be used for the supply of fuel for the propulsion of motor vehicles and which may include customary facilities for washing, greasing and servicing of such vehicles, including minor repairs, and customary facilities for the comfort of transients such as toilets, wash rooms, and dispensaries for such articles as cigarettes, candy, packaged food and soft drinks.
- 2-27 FORESTRY: The growing or harvesting of trees, including their transportation to market, but excluding sawmills.
- 2-28 FRONTAGE: The minimum width of a lot measured, from one side lot line to the other, along a straight line on which no point shall be further away from the street upon which the lot fronts than the building line as defined and required herein, provided that where the front line of the lot adjoins the inside of a curve, no point on said straight line shall be closer to the street upon which the lot fronts than the building line.
- 2-29 FRONT LOT LINE: In the case of a lot fronting on a street which is not a part of said lot, the front lot line shall mean the front boundary line. In the case of a lot fronting on a street which is a part of the lot, the street being on a right of way in said lot, the front lot line shall be the right of way boundary line on which the lot fronts.

Art. 2 - Definitions and Interpretations

- 2-30 GARAGE: A building or portion thereof, designed or used for servicing, repairing, equipping, renting, selling or storing motor-driven vehicles.
- 2-31 REPEALED EFFECTIVE DECEMBER 2, 1964
- 2-32 HEALTH OFFICIAL: The head of the Loudoun County Health Department or his designated deputy.
- 2-33 HIGHWAY ENGINEER: The Resident Engineer in Loudoun County, Virginia, of the Department of Highways of Virginia, or his designated deputy.
- 2-34 HOG FARM: The keeping of hogs fed primarily on garbage transported from other lots to the lot where the hogs are kept.
- 2-35 HOME OCCUPATION: An occupation carried on by the occupant or resident of the premises or dwelling which is clearly a secondary use of the premises and does not change the character thereof. By way of illustration, but not by way of limitation, a home occupation includes the following when conducted in a manner as limited by the foregoing: nursing care; antique sales; confectionary making and preparation of foodstuffs; hairdressing; photography; service rendered by doctors, lawyers, architects, and veterinarians, but the latter does not include maintaining a kennel or animal hospital.
- 2-36 HOSPITAL: An institution rendering medical, surgical, obstetrical or convalescent care, including, unless otherwise provided herein, nursing homes, homes for the aged and sanatoriums, but in all cases excluding institutions primarily for mental or feeble-minded patients, epileptics, alcoholics or drug addicts. (Certain nursing homes, and homes for the aged may be home occupations if they comply with the definition herein.)
- 2-37 HOSPITAL - SPECIAL CARE: An institution rendering care primarily for mental or feeble-minded patients, epileptics, alcoholics, or drug addicts.
- 2-38 HOTEL: Any building or portion thereof which contains ten or more sleeping rooms, each having its access from a central inner-corridor, or hall, which are designed or intended to be used, or hired primarily by transient occupants for compensation, and in which ordinarily no provision is made for cooking in any individual room or suite.

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- 2-39 INDUSTRIAL ACTIVITY, CLASS A: Any commercial enterprise which is (1) not specifically listed or provided for in Articles 4,5,6,7, and 8 hereof, and is (2) not a Class B Industrial Activity as herein defined.
- 2-40 INDUSTRIAL ACTIVITY, CLASS B: Class B Industrial Activity shall include the following commercial enterprises:
- Aircraft manufacture, assembly or testing, including engine testing, boiler works, heavy machine shop, crematory, dead animal processing, fat rendering, fertilizer plants, (excluding mixing plant), grease and oil recovery plant, metal smelting and refining, motor vehicle manufacture and assembly, paper, pulp or board mill, petroleum refinery and processing of by-products.
- Manufacture of:
- Cement, plaster, lime products, coke, explosives, fireworks, matches, glue sizing, gelatine, lamp black, linoleum, and flooring other than wood flooring, rayon, nylon, glass and other synthetic fibers, roofing, rubber products, or reclaiming, soap, sugar, textiles, and any commercial enterprise not specifically provided for in Articles 4,5,6, 7, and 8 hereof which normally employs more than 25 people or which is or may become obnoxious or offensive (as determined by the Planning Commission) by reason of the emission of odor, dust, smoke, noise, gas fumes, light, cinders, vibrations, refuse matter or waste.
- 2-41 JUNK YARD: Land or structures used for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials; the term "Junk Yard" shall include the term "Automobile Graveyard" as defined in Chapter 304, Acts of 1938 of the State of Virginia, but shall not include the storage or keeping of farm machinery or parts thereon.
- 2-42 KENNEL: A place prepared to house, board, breed, handle or otherwise keep or care for dogs or cats in return for compensation, provided that this shall not include premises occupied by a veterinarian where animals are kept solely for treatment.
- 2-43 LAND AREA: The area of a lot, or tract, exclusive of the area normally occupied by a pond, river, or branch thereof.
- 2-44 LOT: A parcel of land considered as a unit devoted to a certain use, or occupied, or to be occupied, by a main building or group of buildings and accessory buildings

Art. 2 - Definitions and Interpretations

that are united by a common interest or use, together with such yards, open spaces, lot width, and lot area as may be required by this Ordinance.

- 2-45 LOT, CORNER: A lot abutting on two or more streets at their intersection. The shortest side fronting upon a street shall be considered the front of the lot, and the longest side fronting upon a street shall be considered the side of the lot.
- 2-46 LOT, DEPTH OF: The average horizontal distance between the front and rear lot lines.
- 2-47 LOT OF RECORD: A parcel of land separately described or designated on a deed or plat of subdivision lawfully recorded in the office of the Clerk of the Circuit Court of Loudoun County, Virginia.
- 2-48 LOT, WIDTH OF: The average horizontal distance between the side lot lines.
- 2-49 MOTEL: A group of attached or detached buildings containing individual sleeping rooms, each having direct outside access and with garage attached, parking space conveniently located close by, designed for or intended to be used, for compensation, by automobile tourists and transients.
- 2-50 MOTEL UNIT: Accommodations in a motel for one party consisting of one sleeping room only with bath attached. A kitchen may be attached.
- 2-51 NON-COMMERCIAL: (1) Not pertaining to business, (2) having nominal or no financial compensation involved. Thus a country club supported primarily by membership dues with a golf course which admits guests for customary greens fees would be conducting a "non-commercial" golf course.
- 2-52 NON-CONFORMING USE: A use which lawfully occupied land or a structure immediately prior to the effective date of this Ordinance but which does not conform with this Ordinance.
- 2-53 NON-CONFORMING STRUCTURE: A structure lawfully existing immediately prior to the effective date of this Ordinance which does not conform with this Ordinance or which is occupied by a non-conforming use.
- 2-54 OFF-STREET PARKING AREA, PARKING LOT: Space provided for vehicular parking outside the street right of way.

Art. 2 - Definitions and Interpretations

- 2-55 OFF-STREET PARKING UNIT: A space suitable for parking one automobile, not less than 10 feet wide by 20 feet long, and including adequate driveways, if necessary, to connect such space with a public right of way. Space within a building, or upon a roof, allocated for parking, shall be included and considered a part of the required units.
- 2-56 PLANNING COMMISSION: The Planning Commission of Loudoun County, Virginia.
- 2-57 RETAIL STORES AND SHOPS: Buildings or land used for display and sale of merchandise at retail or for the rendering of personal services, including, but not limited to, the following: barber shop, beauty parlor, drug store, newsstand, food store, candy shop, milk dispensary, drygoods and notions store, antique store and gift shop, hardware store, household appliance store, furniture store, florist, optician, music and radio store, tailor shop; but specifically excluding coal, wood and lumber yards.
- 2-58 SAWMILL, TYPE A: A portable sawmill located on a lot for a period of not more than 120 days for the processing of timber cut primarily from that lot.
- 2-59 SAWMILL, TYPE B: Any commercial sawmill other than a Type A sawmill as defined herein.
- 2-60 SIGNS: Any device for visual communication out-of-doors which is used for the purpose of bringing the subject thereof to the attention of the public, but not including, when standing alone, a flag, emblem, badge, or insignia of any nation, or governmental unit.
- 2-61 SIGN - AREA OF: The area of a sign shall be determined from its outside measurements including any wall work incidental to its decoration, but excluding as a part the height and overall width of supports, unless such supports are used to attract attention. In the case of a sign where lettering appears back to back, that is, on opposite sides of the sign, the area shall be considered to be that of only one face. In the case of an open sign made up of individual letters, figures, or designs, the spaces between the same shall be included.
- 2-62 SIGN -TEMPORARY: A sign advertising a candidacy for public office or an event of public interest, such as a public or general election, church or public meeting, fair, horse-show, turkey shoot, entertainment for charitable purposes and other similar social activities of temporary duration or non-recurring nature.

Art. 2 - Definitions and Interpretations

- 2-63 SIGN - ILLUMINATED: A sign, or any part of a sign, which is illuminated, externally or internally, by lights from a source located for the specific purpose of such lighting.
- 2-64 STORE: Except as otherwise herein defined, any structure for the retail sale of commodities. (See also "Retail Store" and "General Store, Country", "Wayside Stand".)
- 2-65 STORY: That portion of a building, other than the basement, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, the space between the floor and the ceiling next above it.
- 2-66 STORY, HALF: A space under a sloping roof, which has the lines of intersection of a roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use.
- 2-67 STREET: A public or private thoroughfare which affords the principal means of access to abutting property. A minor street is one used and/or intended for local access only and which does not carry through traffic or serve as a collector to bring traffic from other minor streets to secondary or primary highways.
- 2-68 STRUCTURE: Anything constructed or erected which requires permanent location in or on the ground, or attachment to something having permanent location in or on the ground, including but not limited to signs and porches, but excluding steps, fences, posts and poles, portable bus-stop stations and portable telephone booths. Any excavation necessary for the erection of a structure shall be deemed a part of that structure.
- 2-69 TOURIST HOME: A dwelling in which overnight accommodations are provided or offered for not exceeding six transient guests for compensation.
- 2-70 TOWN HOUSE - DWELLING: A dwelling unit forming one of a group of three or more one family dwellings in attached buildings, each of which is separated from the others by division walls without doors, windows, or other provision for human passage or visibility through such walls from the ground to the roof, and having roofs which may extend from one such dwelling unit to another.

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- 2-71 TRAILER: Any vehicle used or constructed for use as a conveyance upon highways, so designed and constructed as to permit occupancy thereof as a dwelling or sleeping place for one or more persons.
- 2-72 TRAILER (OCCUPIED): A trailer which is not a trailer (unoccupied) as hereinafter defined.
- 2-73 TRAILER (UNOCCUPIED): A trailer in which no one sleeps or dwells.
- 2-74 TRAILER CAMP: Any site, lot, field or tract of land upon which is located one or more trailers, or which is held out for the location of any trailer, (regardless of whether or not compensation of any kind is made for such location), including a trailer camp used for housing of employees during a construction job or similar temporary project, but not including property on which are located with the owner's consent not more than two trailers where no compensation therefore is paid or allowance of any kind is made to anyone, and not including property used to park one or more trailers in which no one sleeps or dwells.
- 2-75 TRAILER SALES ESTABLISHMENT: Land used for parking trailers (unoccupied) and displaying or offering them for sale.
- 2-76 TRAILER SPACE: The ground within a trailer camp laid out and required for the accomodation of one trailer.
- 2-77 WAYSIDE STAND: Any structure, not exceeding 400 square feet in ground floor area, or land used for the sale or offering for sale by the owner, or his family or tennant, on any farm of agricultural or horticultural produce, livestock or merchandise coming from a home occupation and produced solely on said farm and which is clearly a secondary use of the premises and does not change the character thereof.
- 2-78 YARD: An open space, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided herein. A lawful sign shall not be deemed to obstruct or occupy a yard.
- 2-79 YARD, FRONT: An open unoccupied space on the same lot with a main building between the front line of the building (exclusive of steps) and the frontline of the lot, or street line, and extending across the full width of the lot.
- 2-80 YARD, REAR: A space, unoccupied except by an accessory building or accessory use as herein permitted, between the rear line of the main building (exclusive of steps) and the rear line of the lot extending the full width of the lot.

Art 2 - Definitions and Interpretations

2-81 YARD, SIDE: An open unoccupied space on the same lot with a main building between the side line of the building (exclusive of steps) and the side line of the lot and extending from the front yard line to the rear line of the building.

2-82 ZONING ADMINISTRATOR: The person designated to be the Zoning Administrator under this Ordinance.

ARTICLE 3 - COMPLIANCE - ESTABLISHMENT OF
DISTRICTS OR "ZONES" - ZONING MAP

- 3-1 COMPLIANCE: No land or structure shall be used or constructed except in compliance with this Ordinance, and no structure shall be altered or extended except in such manner that the resulting structure will be in compliance with this Ordinance.
- 3-2 ESTABLISHMENT OF DISTRICTS: For the purposes of this Ordinance, the unincorporated areas of Loudoun County are hereby divided into districts or "Zones" as follows:
- Zone R-2 (Residential-Agricultural)
 - Zone R-1 (Residential)
 - Zone A-1 (Agricultural-Restricted)
 - Zone A-2 (Agricultural)
 - Zone C-1 (Commercial)
 - Zone I-1 (Industrial)
 - Zone I-R (Industrial-Restricted)
 - Zone I-P (Industrial-Park)
- 3-3 ZONING MAP: The location and boundaries of the aforesaid Zones are hereby established as shown on a set of maps entitled "Zoning Map of Loudoun County, Virginia," dated July 10, 1959, bearing the legend "approved and adopted by the Board of Supervisors of Loudoun County on July 10, 1959", and signed by the Clerk of the Board of Supervisors, and as the same may be amended subsequent to the adoption thereof. This set of maps, hereinafter called the Zoning Map, accompanies and is hereby declared to be a part of this Ordinance. The said Zoning Map and all its notations, dimensions, and designations shown thereon shall be as much a part of this Ordinance as if the same were fully described herein.
- 3-4 ZONING MAP CHANGES: Whenever any change has been made in the aforesaid Zones or Zoning Map by action of the Board of Supervisors such change shall be incorporated into such Zoning Map at such time and in such manner as the Board of Supervisors may prescribe, but any such change shall have the effect of law upon its legal adoption whether or not it has been shown on said Zoning Map.
- 3-5 BOUNDARIES: Unless zone boundary lines are fixed by dimensions or otherwise clearly shown or described, and where uncertainty exists with respect to the boundaries of any of the zones as shown on the Zoning Map, the following rules shall apply.

Art. 3 - Compliance - Establishment of District or "Zones" -
Zoning Map

- 3-5.1 Where zone boundaries are indicated as approximately following or being at right angles to the center line of streets, highways, alleys, or railroad main tracks, such following lines, center lines, or lines at right angles to such center lines shall be construed to be such boundaries as the case may be.
- 3-5.2 Where zone boundaries are so indicated that they approximately follow lot or property lines, such property lines shall be construed to be said boundaries.
- 3-5.3 Where a zone boundary is indicated to follow a river, creek or branch or other body of water, said boundary shall be construed to follow the center line of low water or at the limit of jurisdiction of Loudoun County
- 3-5.4 If no distance, angle, curvature description or other means is given to determine a boundary line accurately, the same shall be determined by use of the scale shown on said Zoning Map, and in case of dispute in the use thereof, the determination of the County Surveyor, or his deputy, shall be final.

- 4-1 The following regulations shall apply in every R-1 Zone:

4-1.1 Lot Area: Except as otherwise provided in this Ordinance, the minimum area for a lot containing a two family dwelling shall be 30,000 square feet of land area for each two family dwelling; and the minimum area for a lot containing other structures or uses, including a one family dwelling, shall be 20,000 square feet of land area for each such structure or use; except, however,

4-1.1.1 For lots which are served with both public* water supply and public* sewage disposal, in each case meeting the requirements of all applicable laws, ordinances and regulations, the minimum area for a lot containing a two family dwelling shall be 15,000 square feet of land area for each two family dwelling; and the minimum area for a one family dwelling, shall be 10,000 square feet of land area for each such structure or use; and,

4-1.1.2 For lots which are served with either public* water supply or public* sewage disposal meeting the requirements of all applicable laws, ordinances and regulations, the minimum area for a lot containing a two family dwelling shall be 20,000 square feet of land area for each two family dwelling; and the minimum area for a lot containing other structures or uses, including a one family dwelling, shall be 15,000 square feet of land area for each such structure or use.

4-1.1.3 In all cases the Zoning Administrator shall require such greater area as may be stipulated by the Health Official as necessary to provide for sanitation complying with health regulations or in the absence thereof to insure proper sanitation as determined by the Health Official; and in any case where a Commission Permit, Use Permit or Special Use Permit is required by the provisions of this Ordinance, the lot area shall conform to the area stipulated in such permit.

4-1.2 Frontage: Where, as required in Section 4-1.1, the minimum lot area is 30,000 square feet, the minimum frontage shall be 100 feet, where the minimum lot area is less than 30,000 square feet, but at least 15,000 square feet, the minimum frontage shall be 80 feet; where the minimum lot area is 10,000 square feet, the minimum frontage shall be 75 feet; except that in the case of a corner lot the frontage shall be 10 feet more, in each case, than the minimum figures required in the foregoing.

*See Section 13-1.

Art. 4 - Requirements in R-1 (Residential) Zone

4-1.3 Building Line Setback: The building line shall be at a minimum distance of 125 feet from the center line of the right of way where the street is a Primary State Highway, and elsewhere at a minimum distance of 60 feet, but in no case shall said line be less than 35 feet from the front boundary line of a lot. The building line may be fixed at a greater distance than the minimum specified in the previous sentence if the Commission, upon recommendation by the Health Official, or Highway Engineer, finds it necessary in the interest of health or safety.

4-1.4 Side Yards: In the case of any lot the area of which is less than 15,000 square feet, the minimum side yard shall be 8 feet and the total width of the two required side yards shall be not less than 20 feet. In all other cases the minimum side yard shall be 10 feet and the total width of the two required side yards shall be not less than 25 feet.

4-1.5 Rear Yards: The minimum rear yard shall be 20 feet.

4-1.6 Accessory Buildings: No accessory building shall be nearer than 5 feet from any lot line and if it is within 10 feet of any lot line it shall be not more than one stor high.

4-1.7 Use Regulations:

4-1.7.1 Uses Permitted Without a Permit: Only the following uses of land or structures shall be permitted without requiring a permit of any kind, provided that set-back requirements and all other requirements of this Ordinance are complied with:

Accessory buildings not exceeding 500 square feet in ground floor area,

Accessory uses,

Customary agricultural and forestry structures and uses

except (a) any structure or device used for raising or feeding swine nearer than 200 feet, or dogs, poultry or

other livestock nearer than 30 feet from the nearest property boundary line; (b) the storage of manure or

odor producing substances nearer than 100 feet from the nearest property boundary line, but the foregoing shall

not be construed to prevent the full use of the land for grazing,

Home occupation,

Art. 4 - Requirements in R-1 (Residential) Zone.

Non-commercial recreational structures and uses such as swimming pools, tennis courts, archery, skating rinks, golf courses,
Street-side bus stop station, but excluding any commercial activity therein,
Tourist home,
Trailer (unoccupied): one only on a lot which is dwelt upon by the owner of the trailer,
Trailers, not to exceed two per lot, provided that they are located on the lot with the consent of the owner thereof but without the payment of compensation of any kind to any, and provided they shall not remain thereon for more than 30 days within any consecutive 10 months,
Wayside stand.

4-1.7.2 Uses Requiring a "Location Permit": The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 hereof and the structure or use conforms therewith:

Accessory buildings exceeding 500 square feet in ground floor area,
One family dwellings; and on a lot occupied by a one family dwelling, separate accommodations for persons employed on the premises,
Two family dwellings,
Church or similar place of worship, parish house,
Private school for not over 25 pupils.

4-1.7.3 Uses Requiring a "Commission Permit": The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 hereof, and the use or structure conforms therewith:

Community center,
Fire engine house,
Public building or structure,
Public road, park, or other public way,
Public library, art gallery,
Publicly owned park, playground or golf course, and similar activities,
Public school,
Public utility (whether publicly or privately owned),
Pipe lines and pumping stations of public utilities, for water, oil, coal or sewage, natural gas measurement, regulation, compressor, control and distribution stations, including storage of propane or natural gas underground, local warehouse or office space, and mixing or other accessory equipment incidental thereto, and gas transmission pipelines 10 inches or more in diameter, located in the public right of way or easements, but not

Art. 4 - Requirements in R-1 (Residential) Zone

ordinary transmission or distribution mains or facilities, Railroads and railroad yards, sewage disposal plant for public use.

- 4-1.7.4 Uses Not Permitted Except as Special Exceptions: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a "Use Permit" shall be required pursuant to Section 14-3, and a "Certificate of Compliance" shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

Borrow pit for road construction,

Circus, carnival or similar temporary activity,

Boarding house, rooming house, fraternity or sorority house,

Private club, or lodge, excluding any which has as its chief activity any service customarily carried on as a business,

Hospital,

Parking lot,

Private school for over 25 pupils,

Trailer (occupied): one only on a lot which is owned by the owner of the trailer, provided a dwelling is under construction for the owner on said lot, and provided further that in no event shall said trailer remain on said lot for more than one year.

- 4-1.7.5 Signs: Only such signs shall be permitted as conform to the requirements of Article 12.

- 4-1.7.6 Other Uses: Structures, or uses of land or structures, not provided for in this Section 4-1.7 shall not be permitted.

ARTICLE 4A - REQUIREMENTS IN R-2
(RESIDENTIAL-AGRICULTURAL) ZONE

- 4A-1. The following regulations shall apply in every R-2 Zone.
- 4A-1.1 Lot Area: Except as otherwise provided in this Ordinance, the minimum area of a lot shall be 1 acre of land area; provided that the Zoning Administrator shall require such greater area as may be stipulated by the Health Official as necessary to provide for sanitation complying with health regulations or in the absence thereof to insure proper sanitation as determined by the Health Official; and provided further that in any case where a Commission Permit, Use Permit or Special Use Permit is required by the provisions of this Ordinance, the lot area shall conform to the area stipulated in such permit.
- 4A-1.2 Frontage: The minimum frontage shall be 125 feet.
- 4A-1.3 Building Line Setback: The building line shall conform with the requirements of Section 4-1.3
- 4A-1.4 Other Regulations: The regulations contained in the following sections shall apply also to every R-2 Zone. 5-1.4, 5-1.5, 5-1.6, and 5-1.7.

ARTICLE 4B - REQUIREMENTS IN R-17.5
(RESIDENTIAL) ZONE

The following regulations shall apply in every R-17.5 Zone.

4B-1 Lot Area: All lots not in a County approved subdivision shall have a minimum area of seventeen thousand five hundred square feet. In approved subdivision, lots shall have an average area of seventeen thousand five hundred square feet and a minimum lot area of fifteen thousand five hundred square feet.

All R-17.5 lots shall be served by public sewage disposal and public water supply systems designed, constructed and maintained in accordance with the requirements and standards of the Loudoun County Sanitation Authority.

4B-2 Frontage: (Width) Lots shall have a minimum frontage of one hundred feet, except corner lots shall have a minimum frontage of one hundred fifteen feet.

4B-3 Building Lines: The building line shall be a minimum distance of 125 feet from the right-of-way line of an existing four lane primary highway and 200 feet from the right-of-way line of a two lane primary highway and elsewhere at a minimum of 60 feet from the center line of the abutting street or highway, but in no case shall said line be less than 35 feet from the front lot line.

4B-4 Side Yards: shall be a minimum of 12 feet on any one side and the total width required of the two side yards shall be 30 feet.

4B-5 Rear Yards: shall be a minimum of 20 feet.

4B-6 Height Limit: The maximum height of a structure in any R-17.5 district shall be 35 feet.

4B-7 Off-Street Parking Requirements: Off-street parking facilities shall be provided for as specified under Article 11-2.

4B-8 Uses Permitted Subject to Location Permit:

- (a) Accessory buildings and structures
- (b) All buildings for agricultural uses, except that the keeping of livestock, fowl and animal ferae naturae on any lot less than two acres is prohibited.
- (c) Churches and uses appurtenant thereto, including Sunday School subject to approval of a Site Plan of each development, but excluding specifically schools of general instruction and schools of special instruction.
- (d) Automobile parking, as specified in Article 11.

Art. 4B - Requirements in R-17.5 (Residential) Zone

- (e) One-family dwellings.
- (f) Public recreation uses.
- (g) Signs, as specified in Article 12.
- (h) Non-commercial recreational structures and uses such as swimming pools, tennis courts, archery, skating rinks, golf courses, for the sole use of occupants and guest of R-17.5 development.

4B-9 Uses Permitted Without a Permit: Only the following uses of land and structures shall be permitted without a permit, provided that all other requirements of this Ordinance and other applicable ordinances and regulations of Loudoun County are complied with:

- (a) Street-side bus stop stations, but excluding any commercial activity therein.

4B-10 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Article 14 of this Ordinance and the use or structure conforms therewith:

All those uses which are permitted in Section 4-1.7.3 of this Ordinance if a Commission Permit is obtained.

4B-11 Uses Not Permitted Except as Special Exceptions: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a "Use Permit" shall be required pursuant to Section 14-3 and a "Certificate of Compliance" shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

- (a) Home Occupations.
- (b) Parking Lot.
- (c) Real Estate Office operating solely in connection with the development or sale of property within a R-17.5 district.

Effective
May 24, 1967

ARTICLE 5 - REQUIREMENTS IN A-1
(AGRICULTURAL, RESTRICTED) ZONES

5-1 The following regulations shall apply in every A-1 Zone:

5-1.1 Lot Area: Except as otherwise provided in this Ordinance, the minimum area of a lot shall be 3 acres of land area, except that (a) a minimum of one acre of land area shall be permitted for churches and rectories and (b) in cases where a 1 acre minimum would avoid hardship or otherwise be meritorious, the Board of Supervisors will entertain specific applications to change the three acre minimum to a 1 acre minimum and will act on such applications in conformity with the provisions of Article 18 hereof; provided the Zoning Administrator shall require such greater area as may be stipulated by the Health Official as necessary to provide for sanitation complying with health regulations or in the absence thereof to insure proper sanitation as determined by the Health Official; and provided further that in any case where a Commission Permit, Use Permit, or Special Use Permit is required by the provisions of this Ordinance, the lot area shall conform to the area stipulated in such permit.

5-1.2 Frontage: The minimum frontage of a lot 3 acres or more in area shall be 200 feet and a lot less than 3 acres in area shall be 125 feet.

5-1.3 Building Line Setback: The building line shall conform with the requirements of Section 4-1.3

5-1.4 Side Yards: The minimum side yard shall be 15 feet.

5-1.5 Rear Yards: The minimum rear yard shall be 25 feet.

5-1.6 Accessory Buildings: No Accessory building shall be nearer than 15 feet from any lot line.

% L.& Use Regulations:

5-1.7.1 Uses Permitted Without a Permit: Only the following uses of land or structures shall be permitted without requiring a permit of any kind, provided that setback requirements and all other requirements of this Ordinance are complied with:

All those which are permitted without requiring a permit of any kind in an R-1 Zone (Section 4-1.7.1), and also Horse show, "Turkey Shoot."

Art. 5 - Requirements in A-1 (Agricultural-Restricted) Zones

5-1.7.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 hereof and the structure or use conforms therewith:

All those which are permitted in an R-1 Zone, if a Location Permit is obtained (Section 4-1.7.2), and also
Sawmill, Type A,
Private airport, helicopter port, flight strip, as provided in Section 9-20.

5-1.7.3 Uses Requiring "Commission Permit": The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 hereof, and the use or structure conforms therewith:

All those which are permitted in an R-1 Zone, if a Commission Permit is obtained (Section 4-1.7.3)

5-1.7.4 Use Permit Required: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a Use Permit shall be required pursuant to Section 14-3 and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

All those which are permitted in an R-1 Zone, under the provisions of Section 4-1.7.4, and
Cemetery, provided no grave shall be less than 200 feet from the center line of any highway
Commercial greenhouse, plant nursery, garden
Commercial stable, provided no structure used in connection therewith shall be within 50 feet of any property line,
Kennel, provided no structure used in connection therewith shall be within 500 feet of any property line,
Veterinary service or animal hospital, provided that no structure used in connection therewith shall be within 50 feet of any property line,
Indoor theatre,
Non-commercial fairground or race track.

5-1.7.5 Special Use Permit Required: The following uses of land OR STRUCTURES SHALL NOT BE PERMITTED EXCEPT AS SPECIAL exceptions. For each use a Special Use Permit shall be required pursuant to Section 14-3, and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

Art. 5 - Requirements in A-1 (Agricultural, Restricted) Zones

Recreation area, any establishment operated as a commercial enterprise in which seasonal facilities are provided for all or any of the following: boating, camping, fishing, hunting, picnicking, riding, skiing, swimming and activities incidental and related to the foregoing, but not including miniature golf courses, golf driving ranges, any mechanical amusement device, hotels, motels, lodges, cabins or similar buildings for transient occupancy.

5-1.7.6 Signs: Only such signs shall be permitted as conform to the requirements of Article 12 hereof.

5-1.7.7 Other Uses: Structures, or uses of land or structures, not provided for in this Section 5-1.7 shall not be permitted.

All those which are permitted in an R-1 Zone, as provided in Article 4-1.7.3.

5-1.7.8 Use of Land: The following uses of land or structures shall not be permitted except as specified hereunder. For each use a use permit shall be required pursuant to Section 14-3 and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

All those which are permitted in an R-1 Zone, under the provisions of Section 4-1.7.4, and
Commercial, provided no drive shall be less than 200 feet from the center line of any highway
Commercial greenhouse, plant nursery, garden
Commercial stable, provided no structure used in connection therewith shall be within 50 feet of any property line
Kennel, provided no structure used in connection therewith shall be within 50 feet of any property line
Veterinary service or animal hospital, provided that no structure used in connection therewith shall be within 50 feet of any property line
Indoor theatre
Non-commercial fairground or race track

5-1.7.9 Use of Land: The following uses of land or structures shall not be permitted except as specified hereunder. For each use a use permit shall be required pursuant to Section 14-3, and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

ARTICLE 6 - REQUIREMENTS IN A-2
(AGRICULTURAL) ZONES

- 6-1 The following regulations shall apply in every A-2 Zone:
- 6-1.1 Lot Area: The lot area requirements set forth in Section 5-1.1 shall apply also to every A-2 Zone, except that a minimum of one acre of land area shall be permitted also for frozen food locker plants, creameries, feed and grain mills and parking lots.
- 6-1.2 Frontage: The frontage requirements set forth in Section 5-1.2 shall apply also to every A-2 Zone.
- 6-1.3 Building Line Setback: The building line shall conform with the requirements of Section 4-1.3
- 6-1.4 Side Yards: No regulations
- 6-1.5 Rear Yards: No regulations.
- 6-1.6 Accessory Buildings: No regulations
- 6-1.7 Use Regulations:
- 6-1.7.1 Uses Permitted Without a Permit: Only the following uses of land or structures shall be permitted without requiring a permit of any kind, provided that set-back requirements and all other requirements of this Ordinance are complied with:
- All those which are permitted in an A-1 Zone without requiring a permit of any kind (Section 5-1.7.1), except that all customary agricultural and forestry structures and uses shall be permitted without the restrictions in Sections 4-1.7.1, and also
- Commercial greenhouse, plant nursery, garden, dump heap owned or operated under the direction of the Board of Supervisors of Loudoun County as provided in Section 15-70.7 Code of Virginia,
- Parking lot,
- Trailer, when located in a trailer camp used solely for housing of persons employed on one construction job, or similar temporary project, and the families of such employees, provided that no such trailer shall remain in such camp for more than two years,
- Trailer, when located in a trailer camp, for a period not exceeding 120 days during any 12 consecutive months.
- 6-1.7.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 hereof and the structure or use conforms therewith:

Art. 6 - Requirements in A-2 (Agricultural) Zones

All those which are permitted in an A-1 Zone, if a Location Permit is obtained (Section 5-1.7.2) and also Boarding house, rooming house, fraternity or sorority house, Circus, carnival or similar temporary activity, Non-commercial fairground, race track Kennel, provided that no structure used in connection therewith shall be within 500 feet of any property line, Private school for over 25 pupils, Shop for blacksmithing, welding, machining, tinsmithing, woodworking, plumbing, and repairs to such as furniture, small machines, automobiles, radios and watches, provided such activity is conducted by the resident on the premises with only occasional assistance by employees, Commercial stable, provided that no structure used in connection therewith shall be within 50 feet of any property line, Veterinary services or animal hospital provided that no structure used in connection therewith shall be within 50 feet of any property line.

6-1.7.3 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 hereof, and the use or structure conforms therewith:

All those which are permitted in an R-1 Zone, if a Commission Permit is obtained (Section 4-1.7.3)

6-1.7.4 Uses Not Permitted Except as Special Exceptions:

6-1.7.4.1 Use Permit Required: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a Use Permit shall be required pursuant to Section 14-3, and a Certificate of Compliance shall be required pursuant to Section 14-4 and the structure or use shall conform therewith:

All those which are permitted in an A-1 Zone under the provisions of Section 5-1.7.4, and Bottle filling and capping plant limited to 25 employees, Bulk gasoline and petroleum storage plant, Cannery limited to local agricultural products, and to 25 employees, Convent, monastery, Creamery, milk bottling and distributing, Dairy products manufacture and processing limited to 25 employees, Dump heap, Farm machinery sales and service establishment, provided that no machinery or vehicles (other than customers' transient automobiles and trucks) are parked or stored closer to the center line of any public road than 150 feet.

Art. 6 - Requirements in A-2 (Agricultural) Zones

Farm supply establishment,
Feed and grain mill,
Frozen food locker and freezer plant with slaughtering permitted only if it is in a connected building and primarily for freezing within the establishment,
Filling station,
Fruit processing and storage plant, limited to 25 employees,
Funeral parlor, undertaker,
Hog farm,
Hospital,
Kennel, provided no structure used in connection therewith shall be within 50 feet of any property line,
Laboratory, testing station (excluding engine or jet testing or other objectionable testing),
Laundry, dry cleaners,
Livestock sales and auction market, Restaurants,
Sawmill, Type B, but not closer than 1,000 feet from an R-1 or A-1 Zone,
Shop for blacksmithing, welding, machining, tinsmithing, woodworking, plumbing, and repairs to such as furniture, small machines, radios and watches, provided such activity is not in the nature of a factory producing one or more product lines,
Soft drink bottling plant, limited to 25 employees,
Stone cutting and monument works,
Theatre, indoor,
Theatre, indoor motion picture,
Trailer camp used solely for housing of persons employed on one construction job or similar temporary project, and the families of such employees,
Trailer (unoccupied),
Yard for Coal yard, Wood yard, Lumber Yard, Building Material yard.

6-1.7.4.2 Special Use Permit Required: The following uses of land or structures shall not be permitted except as special exception. For each such use a Special Use Permit shall be required pursuant to Section 14-3, and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

All those which are permitted in an A-1 Zone under the provisions of Section 5-1.7.5, and
Airport, helicopterport (commercial),
Amusement park (commercial)
Commercial recreational structures and uses such as swimming pools, tennis courts, archery, skating rinks, golf course, miniature golf course, golf driving range, baseball park, arenas, race track, fairground, Contractor's equipment yard, Dwelling, portable,

Art. 6 - Requirements in A-2 (Agricultural) Zones

Hospital-special care, Hotel, industrial activities, Class A
Junk yard, Motel with or without restaurant attached,
Museum, Zoo, Snake farm (commercial), Quarry, mine, rock
crusher, screening plant,
Radio and television station (commercial)
Sand and gravel recovery, and cleaning plant,
Slaughter house (commercial),
Theatre or motion picture house, outdoor,
Trailer camp, subject to Trailer Camp Ordinance of
Loudoun County
Trailer sales establishment,
Trap or skeet shoot (commercial), including gunning of
birds or animals for compensation,
Truck and freight terminal

6-1.7.5 Signs: Only such signs shall be permitted as conform to the requirements of Article 12 hereof.

6-177.6 Other Uses: Structures, or uses of land or structures, not provided for in this Section 6-1.7 shall not be permitted.

ARTICLE 6A - REQUIREMENTS IN R-3 (MULTI-FAMILY) ZONES

- 6A-1 R-3 Zone (Multi-Family, Low Density Residential): The following regulations shall apply in every R-3 Zone:
- 6A-2 Lot Area: Any use permitted in the R-3 Zone shall be located on a lot of record approved in conformity with the requirements of the Loudoun County Subdivision Ordinance having a net area of at least 12,000 square feet, and there shall be at least 3,000 square feet of lot area per dwelling unit.
- 6A-3 Frontage: Interior lots shall have a minimum frontage of at least 85 feet, corner lots at least 100 feet, and any lot used for more than one multi-family building shall have a minimum frontage of at least 125 feet.
- 6A-4 Building Coverage: Not more than 30% of the net lot area shall be occupied by multi-family buildings.
- 6A-5 Building Lines: No structure shall be built less than 30 feet from any lot or property line, nor shall any structure be built less than 125 feet from the center line of the right of way of a Primary State Highway, or 60 feet from the center line of any abutting street, existing or proposed.
- 6A-5.1 Distance Between Multi-Family Buildings: Where two or more multi-family buildings are located on a single lot or parcel, the minimum distance between main buildings having opposing walls shall be 50 feet, except that in the case of buildings having opposing, overlapping walls, the overlapping portions of which do not exceed 15 feet in length, the distance between buildings shall be at least 35 feet.
- 6A-6 Building Height Limit: The maximum height of any main building shall be 40 feet measured from the average grade line of all corners. In the case of a building having a gable, hip, or gambrel roof, an additional height not exceeding 8 feet shall be permitted, said height to be measured to the mean height level between eaves and ridge of such roof. The maximum height of any accessory building shall be 15 feet, measured as aforesaid.
- 6A-7 Off-Street Parking Requirements: One and one-half (1 1/2) off-street parking units for each dwelling unit shall be provided on the premises. None of these required spaces shall be located within the minimum required front yard, and not more than 50 percent of the total area of the minimum required side and rear yards shall be occupied by parking spaces, access roads to, from, and between such spaces, drives, turn-arounds or other surfaces designed for vehicular use. In computing the required space for off-street parking purposes, an area of 200 square feet per

Art. 6A - Requirements in R-3 (Multi-Family) Zones

vehicle shall be assumed, exclusive of adequate ingress, egress, and interior driveways.

6A-8 Use Regulations:

6A-8.1 Uses Permitted Without a Permit: Only the following uses of land or structures shall be permitted without requiring a permit of any kind, provided that all other requirements of this Ordinance and other applicable ordinances of Loudoun County are complied with:

Accessory buildings not exceeding 500 square feet in ground floor area,

Non-Commercial recreational structures and uses such as swimming pools, tennis courts, skating rinks, golf courses, for the sole use of multi-family dwelling unit tenants and their guests,

Street-side bus stop station, but excluding any commercial activity therein.

6A-8.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 of this Ordinance and the structure or uses conforms therewith:

Accessory buildings exceeding 500 square feet in ground floor area,

Church or similar place of worship, parish house,

Dwellings, multi-family, including a business office in a multi-family dwelling for the sole purpose of conducting business incidental to the rental, operation, service and maintenance of said dwellings. All multi-family dwellings shall be served by public sewage disposal and public water supply systems designed, constructed and maintained in accordance with the requirements and standards of the Loudoun County Sanitation Authority.

6A-8.3 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 of this Ordinance and the use or structure conforms therewith:

All those uses which are permitted in Section 4-1.7.3 if a Commission Permit is obtained.

6A-8.4 Signs: Only such signs shall be permitted as conform to the requirements of Article 12 of this Ordinance.

7-1 The following regulations shall apply in every C-1 Zone:

7-1.1 Lot Area: Unless otherwise provided in this Ordinance, the minimum land area of any lot shall be 6,000 square feet; except, however, that for lots which are not served with both public* water supply and public* sewage disposal in each case meeting the requirements of all applicable laws, ordinances and regulations, the minimum land area of any lot shall be 15,000 square feet, and in all cases the Zoning Administrator shall require such greater area as may be stipulated by the Health Official as necessary to provide for sanitation complying with health regulations or in the absence thereof to insure proper sanitation as determined by the Health Official; and in any case where a Commission Permit, Use Permit or Special Use Permit is required by the provisions of this Ordinance, the lot area shall conform to the area stipulated in such permit.

7-1.2 Frontage: Interior lots shall have a minimum frontage of 80 feet, corner lots shall have a minimum frontage of 100 feet.

7-1.3 Building Line Setback: No structure shall be built less than 30 feet from the front property line, nor less than 125 feet from the center line of a Primary State Highway, or less than 60 feet from the center line of any abutting street, existing or proposed.

7-1.4 Side Yards: No regulations, except that in any case where the lot abuts any residential zone the minimum side yard shall be 25 feet on that side. In the case of a corner lot, the requirements of section 7-1.3 above shall apply to the street side.

7-1.5 Rear Yards: No requirement, except that in any case where the lot abuts any residential zone, the minimum rear yard shall be 30 feet.

7-1.6 Accessory Buildings: No accessory buildings or structures shall be built less than 15 feet from any lot or property line.

7-1.7 Use Regulations:

7-1.7.1 Uses Permitted Without a Permit: Only the following uses of land or structures shall be permitted without requiring a permit of any kind, provided that set-back requirements and all other requirements of this Ordinance are complied with:

*See Section 13-1

Art. 7 - Requirements in C-1 (Commercial) Zones

All those which are permitted in an A-1 Zone without requiring a permit of any kind (Section 5-1.7.1), and also
Commercial greenhouse, garden, plant nursery,
One or two dwelling units in a store or office building,
Parking lot,
Trailer, when located in a trailer camp used solely for housing of persons employed on one construction job, or similar temporary project, and the families of such employee provided that no such trailer shall remain in such camp for more than two years,
Trailer, when located in a trailer camp, for a period not exceeding 120 days during any 12 consecutive months.

7-1.7.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 hereof and the structure or use conforms therewith:

Accessory buildings exceeding 500 square feet in ground floor
Automobile sales and service establishment,
Bakery limited to 6 employees,
Boarding house, rooming house, fraternity or sorority house
Bowling alley, pool room (commercial)
Church or similar place of worship, parish house,
Circus, carnival or similar temporary activity
Private club or lodge, excluding any which has as its chief activity any service customarily carried on as a business,
Creamery, milk bottling and distributing,
Dairy products, manufacture and processing limited to 25 employees,
Farm machinery sales and service establishment, provided that no machinery or vehicles (other than customers' transient automobiles and trucks) are parked or stored closer to the center line of any public street than 150 feet,
Feed and grain mill, farm supply establishment, Filling station,
Frozen food locker and freezer plant with slaughtering permitted only if it is in a connected building and primarily for freezing within the establishment.
Fruit processing or storage plant limited to 25 employees,
Funeral parlor, undertaker, Garage, Hotel, Ice manufacturing plant,
Kennel, veterinary services, or animal hospital, provided that no structure used in connection therewith shall be within 50 feet of any property line, Laundry, dry cleaner
Motel with or without restaurant,
Newspaper establishment limited to 50 employees,
Office buildings, banks
Printing shop limited to 10 employees,
Radio and television station (commercial)
Restaurant,
Sawmill, Type A,

Art. 7 - Requirements in C-1 (Commercial) Zones

School (private)
Shops for blacksmithing, welding, machining, tinsmithing, woodworking, plumbing, and repairs to such as furniture, machines, radios and watches, provided such activity is not in the nature of a factory producing or assembling one or more product lines, Stable (commercial),
Stone cutting and monument works,
Stores and shops (retail and wholesale)
Trailer sales establishments,
Trailer (unoccupied)
Indoor theatre or motion picture house,
Warehouse,
Yards for coal, wood, lumber, builders' supplies, contractors' equipment.

7-1.7.3 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 hereof, and the use or structure conforms therewith:

All those which are permitted in an R-1 Zone, if a Commission Permit is obtained (Section 4-1.7.3)

7-1.7.4 Uses Not Permitted Except as Special Exceptions:

7-1.7.4.1 Use Permit Required: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a Use Permit shall be required pursuant to Section 14-3 and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

Private airport, helicopterport, flight strip
(non-commercial)
Borrow pit for road construction
Bottled gas storage and service,
Bulk gasoline and petroleum storage
Dairy products, manufacture and processing, Dance hall
(commercial)
Dwelling, one or two family,
Fairground, race track (non-commercial), hospital,
Industrial activities, Class A.
Laboratory, testing station (excluding engine or jet testing or other objectionable testing),
Sawmill, Type B, not closer than 1,000 feet from an R-1, R-2, or A-1 Zone,
Terminal, truck or freight,
Trailer, (occupied): one only on a lot which is owned by the owner of the trailer, provided a dwelling is under construction for the owner on said lot and provided further that in no event shall said trailer remain on said lot for more

Art. 7 - Requirements in C-1 (Commercial) Zones

than one year.

Trailer camp used solely for housing of persons employed on one construction job or similar temporary project, Zoo, museum, snake farm (commercial)

- 7-1.7.4.2 Special Use Permit Required: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a Special Use Permit shall be required pursuant to Section 14-3 and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith;

Amusement park (commercial)

Commercial recreational structures and uses such as swimming pools, tennis courts, archery, skating rinks, golf courses, miniature golf courses, golf driving ranges, baseball parks, arenas, race tracks, and fairgrounds, Dwelling, portable, Outdoor motion picture theatre, Trailer camp, subject to Trailer Camp Ordinance of Loudoun County.

- 7-1.7.5 Signs: Only such signs shall be permitted as conform to the requirements of Article 12 hereof.

- 7-1.7.6 Other Uses: Structures, or uses of land or structures, not provided for in this Section 7-1.7 shall not be permitted.

ARTICLE 8 - REQUIREMENTS IN I-1 (INDUSTRIAL) ZONES

- 8-1 The following regulations shall apply in every I-1 Zone:
- 8-1.1 Lot Area: The lot area shall be sufficient to meet the off-street parking and truck-loading requirements as set forth in Section 8A-1.8.3 in addition to the area required by main and accessory buildings, yards, and planted buffer strips, provided that in no case shall any lot unserved by public water supply and public sewerage approved by the Loudoun County Sanitation Authority have an area of less than twenty thousand (20,000) square feet, and if approved public water supply or public sewerage is available to serve such lot its area may be not less than fifteen thousand (15,000) square feet, and if both approved public water supply and public sewerage are available to serve such lot its area may be not less than ten thousand (10,000) square feet.
- 8-1.2 Frontage: Each lot shall have a frontage of at least seventy-five (75) feet, provided that if neither approved public water supply and public sewerage are available to serve the lot its frontage shall be at least one hundred (100) feet.
- 8-1.3 The building line shall conform with the requirements of Section 7-1.3
- 8-1.4 Side Yards: No side yard is required, provided that on a corner lot the side building line shall conform with the requirements of Section 7-1.3 and provided further that when a lot adjoins a lot in any residential or agriculture zone there shall be a side yard at least twenty-five (25) feet in width adjoining such residential or agricultural land, and such side yard shall be landscaped with grass and/or other plant material or trees and thereafter maintained and no minimum side yard shall be used for the storage or display of materials, for parking or storing of vehicles, or loading or unloading of trucks. If any side yard is required for any of the foregoing purposes there shall be constructed and maintained a light-tight wall or fence not less than six (6) and not more than eight (8) feet in height along a line not less than twenty-five (25) feet from and generally parallel to the side lot line and the area between such wall or fence and the side lot line shall be landscaped and maintained as aforesaid. Such fence or wall shall not extend into any minimum front yard
- 8-1.5 Rear Yard: No rear yard is required, provided that when a lot adjoins along its rear line a lot in any residential or agricultural zone there shall be a rear yard at least twenty-five (25) feet in depth and all of the provisions of Section 8-1.4 regarding use of such yard and landscaping fences and walls shall apply.

Art. 8 - Requirements in I-1 (Industrial) Zones

8-1.6 Accessory Buildings: Accessory Buildings shall not encroach on any required minimum front, side or rear yard.

8-1.7 Use Regulations:

8-1.7.1 Uses Permitted Without a Permit: Only the following uses of land or structures shall be permitted without requiring a permit of any kind, provided that setback requirements and all other requirements of this Ordinance are complied with:

All those which are permitted in a C-1 Zone, without requiring a permit of any kind (Section 7-1.7.1), dump heap owned or operated under the direction of the Board of Supervisors of Loudoun County as provided by Section 15-707, Code of Virginia, and customary agricultural and forestry structures and uses without the limitations prescribed under Section 4-1.7.1.

8-1.7.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 hereof and the structure or use conforms therewith:

Airport, helicopterport, flight strip as provided in Section 9-20, (private),
Asphalt mixing plant, Bakery, Barrell and stave manufacture, Bottled gas storage and service, Bottle filling and capping, Brewery, distillery, Bulk gasoline and petroleum storage, Cannery limited to local agricultural products and to 25 employees,
Concrete mixing plant, Dairy products, manufacture and processing,
Fruit processing or storage plant, limited to 25 employees, Laboratory, testing station (excluding engine or jet testing or other objectionable testing), Sand or gravel recovery screening plant, Sawmill, Type B, but not closer than 1,000 feet from an R-1, R-2, or A-1 Zone, Soft drink bottling plant, Terminal, truck or freight, Tire recapping plant, and also all those which are permitted in a C-1 Zone if a Location Permit is obtained (Section 7-1.7.2) except the following: Hotel, motel, commercial bowling alley or pool room and private school.

8-1.7.3 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 hereof, and the use or structure conforms therewith:

All those which are permitted in an R-1 Zone, if a Commission Permit is obtained (Section 4-1.7.3)

8-1.7.4 Uses Not Permitted Except as Special Exceptions:

Art. 8 - Requirements in I-1 (Industrial) Zones

8-1.7.4.1 Use Permit Required: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a Use Permit shall be required pursuant to Section 14-3 and a Certificate of Compliance shall be required pursuant to Section 15-4 and the structure or use shall conform therewith:

Borrow pit for road construction, Bowling alley, pool room, dance hall, cannery limited to local agricultural products, Dump heap, Dwelling, one and two family, Fairgrounds, race track, Fruit processing and storage plant, Hog farm, Hotel, Industrial activities, Class A, Junk yard, livestock sales or auction market,

Motel with or without restaurant, Private school, Slaughter house, Trailer (occupied): One only on a lot which is owned by the owner of the trailer, provided a dwelling is under construction for the owner of said lot and provided further that in no event shall said trailer remain on said lot for more than one year, Trailer camp used solely for housing of persons employed on one construction job or similar temporary project, Zoo, museum, snake farm.

8-1.7.4.2 Special Use Permit Required: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a Special Use Permit shall be required pursuant to Section 14-3 and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

All other structures or uses of land or structures not otherwise provided for in Section 8-1.7 except multi-family dwellings.

8-1.7.5 Signs: Only such signs shall be permitted as conform to the requirements of Article 12 hereof.

8-1.8 Additional Minimum Requirements and Performance Standards:

8-1.8.1 Land to Building Ratios:

8-1.8.1.1 Coverage: The area of land remaining after all applicable requirements have been met with respect to front and side building lines; front, side and rear yards; off-street parking and truck-loading area, and access thereto, may be covered by buildings.

8-1.8.1.2 Floor Area: No regulations.

8-1.8.2 Height of Building and Structures: The provisions of Section 8A-1.8.2 shall apply.

Art. 8 - Requirements in I-1 (Industrial) Zones

8-1.8.3 Off-Street Parking and Loading, Outdoor Storage and Rail Facilities;

The requirements of Article 11 as modified by Section 8A-1.8.3 shall apply.

8-1.8.4 Building Construction: The provisions of Section 8A-1.8.4 shall apply.

8-1.8.5 Landscaping; No landscaping is required except as provided in Sections 8-1.4 and 8-1.5

8-1.8.6 Performance Standards: The provisions of Section 8A-1.8.6 shall apply.

8-1.8.6.1 Before any building or use may be erected or established in which the application of performance standards is required, there shall be submitted to the Board of Supervisors applicable notarized certificates as provided for in Section 8A-1.9 (j) (2) indicating compliance with the said performance standards.

ARTICLE 8A - REQUIREMENTS IN I-R (INDUSTRIAL -
RESTRICTED) ZONES

- 8A-1 The following regulations shall apply in every I-R Zone:
- 8A-1.1 Zone Area: Any I-R zone hereafter established shall have an area of at least one hundred (100) acres.
- 8A-1.1.1 Within such I-R Zone each main building and its accessory buildings hereafter erected shall be located on a lot having an area of at least five (5) acres, provided that in cases where the side and/or rear line of such lot adjoins land in any residential or agricultural zone there shall be such additional area as may be required to provide a buffer strip at least one hundred (100) feet wide along the entire length of the common boundary line between such lot and the residential or agricultural land to provide for additional width and/or depth of side and/or rear yards as set forth in Sections 8A-1.4 and 8A-1.5 hereof.
- 8A-1.2 Frontage: Each I-R Zone shall have frontage on a public street. No frontage on or access to minor residential streets shall be permitted.
- 8A-1.2.1 Each main building shall front on a public street or on a private street with road design and construction in compliance with the requirements of the Virginia Department of Highways, as evidenced by written approval of the Highway engineer and shall be located on a lot having frontage of at least four hundred (400) feet on said street.
- 8A-1.3 Building Line Setback: For a main building fronting on a primary highway or on any other bounding highway or street, the building line shall be at a minimum distance of one hundred fifty (150) feet from the center line of the street and at least one hundred (100) feet from the front lot line and one hundred (100) feet from the edge of right-of-way of any expressway.
- 8A-1.4 Side Yards: The minimum side yard width shall be fifty (50) feet except that a corner lot shall have the same side yard setback as provided in 8A-1.3; and provided further that if an adjoining lot, parcel or tract is in any residential or agricultural zone the minimum side yard width shall be one hundred fifty (150) feet, and the one hundred (100) feet of width immediately adjoining such residential or agricultural land shall, as far as practicable, be left in its natural state and when necessary to supplement existing trees or other natural growth shall be screenplanted to provide a sight and sound barrier. If, at any time, the adjoining land ceases to be in a residential or agricultural zone the planting in the buffer strip may be eliminated and the side yard width reduced to fifty (50) feet.

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- 8A-1.5 Rear Yards: The minimum rear yard shall be fifty (50) feet provided that when a lot adjoins along its rear line a residential or agricultural zone the minimum rear yard depth shall be one hundred fifty (150) feet and the one hundred (100) feet of depth immediately adjoining such residential or agricultural land shall be left in its natural state and where necessary to supplement existing trees or other natural growth shall be screenplanted to provide a sight and sound barrier. It, at any time, the adjoining land ceases to be in the residential or agricultural zone, the planting in the buffer strip may be eliminated and the rear yard depth reduced to fifty (50) feet.
- 8A-1.6 Accessory Buildings: The minimum front, side and rear yard established by Sections 8A-1.3, 8A-1.4, and 8A-1.5 shall not be encroached upon by any accessory building.
- 8A-1.7 Use Regulations:
- 8A-1.7.1 Uses Permitted Without a Permit: Use for agriculture and forestry is authorized without a permit.
- 8A-1.7.2 Uses Requiring a Location Permit: No location permits are required.
- 8A-1.7.3 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 hereof, and the use or structure conforms therewith:
- 8A-1.7.4 Uses Not Permitted Except as Special Exceptions: No uses are permitted as special exceptions.
- 8A-1.7.5 Uses Requiring a "Board of Supervisors Permit": The uses of land, buildings or structures for any of the purposes permitted in the I-R Zone shall require the issuance of a Board of Supervisors Permit as provided for in Article 14-7 as supplemented by this Article.
- 8A-1.7.5.1 Permitted Uses: Permitted uses include scientific research and development establishment; the manufacture, processing, fabrication, assembly and distribution of products such as scientific instruments, communications equipment, drugs and medicines, photographic equipment, lithographing and printing establishments, heliports and other industrial uses which can meet the performance standards and other minimum requirements set forth herein; Retail stores and services, sales and show rooms for the display or sale of goods, the manufacture, processing, fabrication, assembly or development of which is permitted on the premises;

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Recreational uses of non-commercial nature, limited to those for use of employees whose work is done within the I-R Zone;

Signs as provided for in Article 12, provided that no sign shall be permitted in any minimum front yard at a point less than fifty (50) feet from a street right-of-way line or, in the case of any expressway, one hundred (100) feet from the right-of-way line, and provided further that such signs, if illuminated, shall have no moving, intermittent or flashing display and shall contain no colored illumination;

Other uses, except prohibited uses, which meet the requirements of Sections 8A-1.8 and 15-5 and which the Board of Supervisors finds consistent with the intent and requirements imposed by this Ordinance.

8A-1.7.5.2 Prohibited Uses: The following uses are prohibited: Boarding houses, cabins trailers and tourist camps, except that there may be permitted a temporary trailer camp solely for the housing of persons employed during the period of construction or development of the premises and then only in full compliance with the Trailer Camp Ordinance of Loudoun County;

Commercial recreational uses;

Dwellings of any kind, except temporary or portable structures in connection with a permitted agricultural or forestry use or for the housing of persons employed during the period of construction or development of the premises, and dwellings and quarters for bonafide caretakers or watchmen employed by and serving one or more of the uses within an I-R Zone;

Hospital, except non-commercial dispensaries, emergency care facilities and infirmaries solely for the benefit, convenience and use of employees whose work is done within the I-R Zone.

Schools and colleges except training schools in connection with a permitted use;

Abattoirs, asphalt mixing plant, bulk gasoline and petroleum storage, concrete mixing plant, contractors' storage yard, dump heaps, fuel storage yard, junk yard, livestock sales or auction market, lumber yard, mineral extraction, quarries, sand or gravel recovery, screening plant except that in connection with site preparation for a permanent permissible use sand and gravel may be removed for processing elsewhere, sawmill (type B) slaughter house, stock yard, zoo museum, or snake farm, and any use which, in the judgment of the Board of Supervisors, does not meet the performance or other standards and minimum requirements imposed by this Ordinance.

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8A-1.8 Additional Minimum Requirements and Performance Standards;

8A-1.8.1 Land to Building Ratios:

8A-1.8.1.1 Coverage: The total area of land occupied by all main and accessory buildings or structures on any lot shall not exceed thirty (30%) percent of the total lot area, exclusive of any area required as a buffer strip as provided for in Section 8A-1.1.1

8A-1.8.1.2 Floor Area: The total area of floor space of all main and accessory buildings on any lot shall not exceed forty-five (45%) percent of the total lot area, exclusive of any area required as a buffer strip as provided for in Section 8A-1.1

8A-1.8.2 Height of Buildings and Structures: No building or structure shall exceed a height of three (3) stories or forty-five (45) feet, provided that such limitation shall not apply to smoke stacks, vents, bulkheads, airconditioning facilities, radio and television antenna, towers required for scientific equipment, flagpoles and structures similar to the foregoing

8A-1.8.3 Off-Street Parking, Loading, Outdoor Storage and Rail Facilities:

Off-street parking facilities shall be provided in accordance with the requirements of Article 11 except as modified herein:

8A-1.8.3.1 Employee Parking Unit Ratio: In connection with any use in an I-R Zone there shall be one (1) off-street parking unit (OPU) for each one and one-half (1 1/2) employees, or one for each two (2) employees on combined major and second shifts, plus one (1) visitor parking space for each ten (10) employees.

8A-1.8.3.2 No Parking Except Visitor's Beyond Building Line: No off-street parking area shall be located beyond a front building line nor beyond a side building line on a corner lot nor within a minimum side or rear yard except that in a front yard not more than twenty (20%) percent of the total area may be used for visitor parking and minor deliveries. Off-street parking areas shall, as far as practicable, be so designed and arranged as to be obscured from view (except for access points) from a bounding highway and to this end such areas shall have walls, fences or landscaping on the street side to provide a sight and sound barrier. All off-street parking areas shall be surfaced with bituminous or other dust-free material.

8A-1.8.3.3 Off-Street Truckloading Requirements: Off-street truck-loading space shall be provided on the basis of one (1) space for the first ten thousand (10,000) square feet or fraction thereof of building floor area, and one (1) space

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for each additional twenty thousand (20,000) square feet of floor area. Truckloading spaces shall have a horizontal width of at least fourteen (14) feet, a horizontal depth of at least forty-eight (48) feet and an overhead clearance of at least fourteen (14) feet.

- 8A-1.8.3.4 Minimum Side Yards Not To Be Used For Truckloading: No off-street truckloading area shall be located on the street side of a building nor shall it occupy any minimum side or rear yard. Off-street truckloading areas shall, as far as practicable, be so designed and arranged as to be obscured from view (except for access points) from any bounding highway, and to this end such areas shall have a wall or fence (with necessary access openings) and landscaping.
- 8A-1.8.3.5 Outdoor Storage of Material: Outdoor storage of materials shall be confined to screened locations and obscured from view from any bounding highway or street, and none shall be permitted in any front yard nor in any side yard of a corner lot nor in any minimum side yard. Such storage of materials shall not occupy more than ten (10%) percent of the lot nor exceed a height of fifteen (15) feet.
- 8A-1.8.3.6 Rail Facilities: No trackage or railroad facilities of any kind shall be located on the street side of any building nor in any minimum side yard, but if located at the side of a building the area devoted to such use shall be obscured from view from any bounding street or highway by a fence or wall and screenplanting.
- 8A-1.8.4 Building Construction: All buildings erected on any lot and any additions or alterations thereto shall be of permanent construction. Grotesque designs intended primarily as advertising attractions shall be prohibited.
- 8A-1.8.5 Landscaping: Except for necessary walks, driveways and permitted front parking areas, all front and side yards on the street side of a building shall be planted in grass or other ground cover and flowers, shrubs, trees and other plant material. Foundation planting and any planting used for screening purposes shall be evergreen.
- 8A-1.8.6 Performance Standards: No use shall hereafter be established or conducted in any I-R Zone in any manner in violation of the following standards of performance:
- 8A-1.8.6.1 Noise: All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency, or shrillness. In no case shall the sound-pressure level of noise radiated from any establishment, measured at the nearest lot line, exceed the values in any octave band of frequency set forth in Table I or in Table I as modified by the correction factors provided in Table II. The sound-pressure level shall be measured with a sound level meter and an octave band analyzer conforming to standards established by the

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American Standards Association.

Table I

Maximum Permissible Sound Pressure Levels Measured at Lot Lin

Frequency Band: Cycles per Second	Sound Pressure Levels Decibels re 0.0002 dyne per CM ²
20-75	74
76-150	62
151-300	57
301-600	51
601-1200	47
1201-2400	42
2401-4800	38
4801-10,000	35

Table II
Correction Factors

Condition	Correction in Decibels
On a site contiguous to or across a street from the boundary of any residential zone established by this Ordinance or by the Zoning Ordinance of any other County or any municipality	Minus 5
Operation between the hours of 10 p.m. and 7 a.m.	Minus 5
Noise of impulsive character (e.g., hammering)	Minus 5
Noise of periodic character (e.g., hum or screech)	Minus 5
Noise source operated less than	
20% in any one-hour period	Plus 5*
5% in any one-hour period	Plus 10*
1% in any one-hour period	Plus 15*

*Apply only one of these corrections. All other corrections (including any one of the starred corrections) are cumulative.

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- 8A-1.8.6.2 Vibration: No vibration that can be detected at the lot line without the aid of instruments shall be permitted. Vibration caused by any use of any lot shall not result in an acceleration exceeding 0.1g nor shall it produce a combination of amplitudes and frequencies on any building or structure beyond the "safe" range of Table 7, United States Bureau of Mines Bulletin No. 442, entitled "Seismic Effects of Quarry Blasting". The methods and equations of said Bulletin No. 442 shall be used to compute all values for the enforcement of this subsection.
- 8A-1.8.6.3 Smoke: There shall not be discharged into the atmosphere from any operation on any lot visible gray smoke of a shade darker than No. 2 on the Ringleman Smoke Chart as published by the United States Bureau of Mines, except that visible gray smoke of a shade not darker than No. 3 on said chart may be emitted for not more than four (4) minutes in any period of thirty minutes. These provisions applicable to visible gray smoke shall also apply to visible smoke of any other color but with an equivalent apparent opacity.
- 8A-1.8.6.4 Other Air Pollutants: There shall not be discharged into the atmosphere from any operation on any lot fly ash, dust, dirt, fumes, vapors, or gases to any extent that could result in damage to the public health or to animals or vegetation or to other forms of property, or which could cause any excessive soiling at any point; and in no event shall there be any such discharge of solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas or air, nor of acid gases in excess of 0.2% by volume. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to stack temperatures of five hundred (500) degrees Fahrenheit and fifty (50%) percent excess air.
- 8A-1.8.6.5 Odor: There shall not be discharged or permitted to escape into the atmosphere from any operation on any lot odorous or noxious gas or any other odorous or noxious material in such quantity as to be offensive beyond the premises from which such odors emanate. As a guide in determining such quantities of offensive odors, Table III (Odor Thresholds), Chp. 5, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists Association, Inc., Washington, D.C. shall be used.
- 8A-1.8.6.6 Radioactivity: There shall be no radioactive emission that would be dangerous to the health and safety of persons on or beyond the premises where such radioactive material is used.

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Determination of existence of such danger and the handling of radioactive materials, the discharge of such materials into the atmosphere and streams and other water, and the disposal of radioactive wastes shall be by reference to and in accordance with applicable current regulations of the Atomic Energy Commission, and in the case of items which would affect aircraft navigation or the control thereof, by applicable current regulations of the Federal Aviation Agency, and any applicable laws enacted by the General Assembly of the Commonwealth of Virginia.

8A-1.8.6.7 Electrical Interference: There shall be no electrical disturbance emanating from any lot that would adversely affect the operation of any equipment on any other lot or premises and in the case of any operation that would affect adversely the navigation or control of aircraft the current regulations of the Federal Aviation Agency shall apply.

8A-1.8.6.8 Liquid or Solid Wastes: There shall be no discharge of any liquid or solid wastes from any establishment into any stream except as authorized by the Loudoun County Sanitation Authority and/or the Board of Supervisors, nor shall any wastes, debris or other discarded material be permitted to accumulate in any yard or open space on the premises.

8A-1.8.6.9 Glare and Heat: No direct or sky-reflected glare, whether from flood lights or from high-temperature processes such as combustion, welding or otherwise so as to be visible beyond the lot line, shall be permitted except for signs, parking lot lighting and other lighting permitted by this Ordinance or required by any other applicable regulation, ordinance or law. There shall be no discharge of heat or heated air from any establishment so as to be detectable beyond the lot line.

8A-1.9 Plan Submission: Plans and documents to accompany applications for Board of Supervisors permit as provided for in Section 14-7 shall include the following: A plan for development of the lot on which the proposed use is to be located showing: (a) lot boundaries and dimensions, location, width, grade and treatment of all frontage or bounding street, north point and scale and on an insert a location map showing the relation of the proposed use to others in the I-R Zone. (b) location and dimensions of all buildings and structures including walls, fences and signs. (c) areas proposed for off-street parking, off-street truckloading areas, access roads, walks and dimensions thereof.

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(d) any areas proposed for open storage and tables indicating number of parking and loading spaces and other pertinent data., (e) the location of utilities including water, wells (if any), sewerage, septic tanks (if any) gas, oil, electrical and power lines., (f) railroads and on-stie rail facilities such as sidings, spurs, etc., (g) the existing topography and proposed grading plan, including any existing water courses, streams or other bodies of water (existing and proposed), (h) planting and landscaping plan, including screenplanting and on perimeter lots in an I-R Zone the wooded and supplementary plantings in areas set aside as buffer strips., (i) Preliminary floor plans and elevations and specifications of all buildings, including in tabular form the building areas, and an architectural perspective drawing of the project as it will appear from its principal street frontage., (j) a series of statements on forms provided therefor by the Board of Supervisors showing:

1. compliance with the minimum requirements and performance standards in this Article signed by the owner of the proposed development or, in the case of a corporation, an officer thereof.
2. notarized certificates signed by persons who, by education and/or experience, are qualified and recognized experts in the field or fields relating to the several performance standards, stating that the performance standards set forth in Sections 8A-1.8.6.1 to 8A-1.8.6.9 inclusive can be met by the equipment proposed to be installed to accomplish the objectives of the said standards.

8A-2 Establishment of an I-R Zone:

8A-2.1 Who May Initiate Amendment to Zoning Map: Any amendment to the zoning map to establish thereon an I-R Zone may be initiated by the Board of Supervisors, the Planning Commission or by one or more property owners. The applicant shall file with the Board of Supervisors a general plan showing:

(a) the area proposed for inclusion in the I-R Zone, with boundaries and dimensions, north point and scale, and an insert vicinity map. The area covered by the application need not be restricted to property boundaries but should include logical areas deemed suitable for inclusion in the I-R Zone.

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(b) All highways, roads, streets, railroads, bounding or within the proposed I-R Zone, streams and other water areas, wooded areas, and structures.

(c) Proposed development plan showing all proposed streets street or highway widenings and relocation, existing and proposed water and sewer lines, pattern of proposed lot layout, proposed lead tracks and other rail facilities.

(d) Existing and proposed utility lines (gas, oil, electrical and power).

(e) Any other data, including statements describing the project, that will assist the Planning Commission and the Board of Supervisors in appraising the project.

ARTICLE 8B - REQUIREMENTS IN I-P (INDUSTRIAL-PARK)
ZONES

- 8B-1 The following regulations shall apply in every I-P Zone:
- 8B-1.1 Zone Area: Any I-P Zone hereafter established shall have an area of at least one thousand (1000) acres.
- 8B-1.1.1 Within such I-P Zone each main building and its accessory buildings hereafter erected shall be located on a lot having an area of at least ten (10) acres, except as provided in Sections 8B-1.7.2 and 8B-1.7.5.1 (b).
- 8B-1.2 Frontage: No regulations, except as provided under Sections 8B-1.7.2 and 8B-1.7.5.1 (b)
- 8B-1.3 Building Line Setback: No main building or accessory building shall be less than one hundred eighty (180) feet from the center line of any public street or less than one hundred (100) feet from the front lot line or less than one hundred (100) feet from the edge of right of way of any expressway.
- 8B-1.4 Side Yards: No regulations except that a corner lot other than one abutting on a railroad right of way shall have the same yard setback as provided in 8B-1.3; and provided further that if an adjoining lot, parcel or tract is in any residential or agricultural zone the minimum side yard width shall be one hundred fifty (150) feet and the one hundred (100) feet of width immediately adjoining such residential or agricultural land shall, as far as practicable, be left in its natural state and when necessary to supplement existing trees or other natural growth shall be screen-planted to provide a sight and sound barrier. If, at any time, the adjoining land ceases to be in a residential or agricultural zone, the planting in the buffer strip may be eliminated and the side yard width reduced to fifty (50) feet.
- 8B-1.5 Rear Yards: No regulations, except that when a lot adjoins along its rear line a residential or agricultural zone the minimum rear yard depth shall be one hundred fifty (150) feet and the one hundred (190) feet of depth immediately adjoining such residential or agricultural land shall be left in its natural state and where necessary to supplement existing trees or other natural growth shall be screen-planted to provide a sight and sound barrier. If, at any time, the adjoining land ceases to be in the residential or agricultural zone, the planting in the buffer strip may be eliminated and the rear yard depth reduced to fifty (50) feet.
- 8B-1.6 Accessory Buildings: The minimum front, side and rear yards established by Sections 8B-1.3, 8B-1.4, and 8B-1.5 shall not be encroached upon by any accessory building.

Art. 8B- Requirements in I-P (Industrial-Park) Zones

8B-1.7 Use Regulations:

8B-1.7.1 Uses Permitted Without a Permit: Accessory buildings not exceeding 500 square feet in ground floor area, accessory uses, and uses for agriculture and forestry are authorized without a permit.

8B-1.7.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 hereof and the structure or use conforms therewith:

Accessory buildings exceeding 500 square feet in ground floor area but not exceeding one half the ground floor area of the main building,

Dwellings only in connection with bona fide agricultural operations or as living quarters for bona fide caretakers and/or watchmen and their families. In the case of any such dwelling, the minimum frontage shall be 125 feet, the building line shall conform with the requirements in Section 4-1.3, and the minimum lot area, as provided in Section 8B-1.1.1, may be reduced to one (1) acre.

8B-1.7.3 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 hereof, and the use or structure conforms therewith:

All uses except prohibited uses as set forth in Section 8B-1.7.5.2 which are permitted in an R-1 Zone if a Commission Permit is obtained.

8B-1.7.4 Uses Not Permitted Except As Special Exceptions: No uses are permitted as special exceptions.

8B-1.7.5 Uses Requiring a "Board of Supervisors Permit": The uses of land, buildings or structures for any of the purposes permitted in an I-P Zone except as provided in Sections 8B-1.7.1, 8B-1.7.2, and 8B-1.7.3, shall require the issuance of a Board of Supervisors Permit as provided for in Article 14-7 and as supplemented by this Article.

8B-1.7.5.1 Permitted Uses: Permitted uses include research, experimental, testing and development establishments; the manufacture, processing, fabrication, assembly, distribution and sale of such products as, but not limited to, scientific and precision instruments, electronic, communication and computation equipment, drugs and medicines and other pharmaceuticals, photographic

Art. 8B-Requirements in I-P (Industrial-Park) Zones

equipment, lithographic and printing, heliports and other industrial uses which can meet the performance standards and minimum requirements set forth herein.

Recreational uses of a non-commercial nature primarily for the use of employees in the I-P Zone or in connection with a permitted use in said Zone.

Retail stores, services, sales and show rooms for the display or sale of goods and merchandise, the manufacture, fabrication or development of which is permitted on the premises;

Accessory buildings the ground floor area of which exceed one half the ground floor area of the main building, warehouses and storage buildings, office buildings for occupancy primarily by personnel related to the industrial activity within the I-P Zone;

Signs as provided for in Article 12, provided that no sign shall be permitted in any minimum front yard at a point less than fifty (50) feet from a street right-of-way line or, in the case of an expressway, one hundred (100) feet from the right-of-way line, and provided further that such signs, if illuminated, shall have no moving, intermittent or flashing display and shall contain no colored illumination;

Other industrial uses, except prohibited uses, which meet the requirements of Sections 8B-1.8 and 15-5 and which the Board of Supervisors finds consistent with the intent and requirements imposed by this Ordinance;

Permitted uses include also the following but the minimum lot area provisions of Section 8B-1.1.1 shall not apply. In all cases the provisions of Section 8-1.2, 8-1.3, 8-1.4, 8-1.5, and 8-1.6 shall apply as minimum standards as well as all other applicable provisions of this Ordinance such as those in Article 11 and Sections 9-13 and 9-14.

Requirements for lot area, frontage, width, depth, shape and orientation, the minimum setback lines and off-street service and parking for each such following permitted use shall meet the requirements of Section 15-5 and shall be consistent, as determined by the Board of Supervisors, with the intent and requirements of this Ordinance and such requirements if greater than the minimums required specifically in this Ordinance shall be controlling;

Art. 8B- Requirements in I-P (Industrial-Park) Zones

Gasoline Filling Stations on lots not less than one (1) acre, Hotels, Motels, Restaurants, Public convenience and service facilities, retail sales and consumer service establishments on lot not less than two (2) acres.

8B-1.7.5.2 Prohibited Uses: The following uses are prohibited:

Boarding houses, cabins, trailers and tourist camps, except that there may be permitted a temporary trailer camp solely for the housing of persons employed during the period of construction or development of the premises and then only in full compliance with the Trailer Camp Ordinance for Loudoun County; Commercial recreational uses; Dwellings, except those used in connection with bona fide agricultural operations or as living quarters for bona fide caretakers and/or watchman and their families; Hospital, except non-commercial dispensaries, emergency care facilities and infirmaries primarily for the benefit, convenience and use of employees whose work is done within the I-P Zone; Schools and colleges except those in connection with a permitted use; Abattoirs, asphalt mixing plant, bulk gasoline and petroleum storage, concrete mixing plant, contractors' equipment storage yard, dump heaps, fuel storage yard, junk yard, livestock sales or auction market, lumber yard, mineral plant except that in connection with site preparation for a permanent permissible use sand, gravel and rock may be removed for processing elsewhere, sawmill (type B) slaughter house, stockyard, zoo, museum or snake farm, and any use which, in the judgment of the Board of Supervisors, does not meet the performance or other standards and minimum requirements imposed by this Ordinance or which is inconsistent with the intent and purposes of this Ordinance.

8B-1.8. Additional Minimum Requirements and Performance Standards:

8B-1.8.1 Land to Building Ratios:

8B-1.8.1.1 Coverage: The total area of land occupied by all main and accessory buildings or structures on any lot shall not exceed twenty-five (25) percent of the total lot area.

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8B-1.8.1.2 Floor Area: The total area of floor space of all main and accessory buildings on any lot shall not exceed forty-five (45) percent of the total lot area.

Art. 8B - Requirements in I-P (Industrial-Park) Zones

8B-1.8.2 Height of Buildings and Structures:

8B-1.8.2.1 No building shall exceed a height of forty-five (45) feet at the front, side, and rear building lines. Within the buildings lines, the height of buildings may be forty-five (45) feet or a height, at any point, equal to one-third the horizontal distance of said point from the nearest lot line whichever is greater. In no event shall the height of any building exceed one hundred feet, provided that such limitation shall not apply to smokestacks, vents, bulkheads, air-conditioning facilities, radio and television antenna, towers required for scientific equipment, flagpoles and structures similar to the foregoing, except that in an airport approach area the regulations set forth in Section 8B-1.8.2.2 shall apply.

8B-1.8.2.2 Height Restrictions in Airport Approach Areas: In airport approach areas the height limit of all buildings and structures, including smokestacks, vents, bulkheads, and any other projections into the air shall be limited to provide a clear glide path of fifty-to-one from the end of the usable runway.

8B-1.8.3 Off-Street Parking and Loading Facilities: Dust-proofed and properly drained off-street parking and loading facilities shall be provided in amounts sufficient to meet the needs of all persons associated with the permitted use, either employees, customers, suppliers, or visitors.

8B-1.8.4 Outdoor Storage of Material: Outdoor storage of materials shall be confined to screened locations and obscured from view from any bounding highway, and in the case of lots less than 30 acres, none shall be permitted in any front yard nor in any side yard of a corner lot nor in any minimum side yard. Such storage of materials shall not occupy more than ten (10) percent of the lot, nor exceed a height of 15 feet.

8B-1.8.5 Building Construction: All buildings erected on any lot and any additions or alterations thereto shall be of a permanent construction and such design as to insure the architectural harmony and unity of the industrial park. Grotesque designs intended primarily as advertising attractions shall be prohibited.

8B-1.8.6 Landscaping: The area of any lot not otherwise improved by structures or buildings, parking areas, walks, driveways, etc., shall be planted in grass, shrubs, trees and other comparable ground cover, which landscaped areas shall be maintained at all times.

Art. 8B - Requirements in I-P (Industrial-Park) Zones

8B-1.8.7 Performance Standards: It is the intent of this Ordinance to prevent any building, structure or land in the I-P Zone from being used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazardous condition; noise or vibration; smoke, dust, odor, or other form of air pollution, electrical or other disturbance; flare or heat; liquid or solid refuse or wastes; condition conducive to the breeding of rodents or insects; or other substance, condition or elements in a manner or amount as to adversely affect the surrounding area. Any use permitted under the I-P Zone may be undertaken and maintained if it conforms to all county regulations including the regulations of this section referred to herein as "Performance Standards". No use shall hereafter be established or conducted in any I-P Zone in any manner in violation of the following "Performance Standards".

8B-1.8.7.1 Noise: All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no case shall the sound-pressure level of noise radiated from any establishment, measured at the nearest lot line, exceed the values in any octave band of frequency set forth in Table I or in Table I as modified by the correction factors provided in Table II. The sound-pressure level shall be measured with a sound level meter and an octave band analyzer conforming to standards established by the American Standards Association.

TABLE I

Maximum Permissible Sound Pressure Levels Measured at Lot Line

Frequency Band: Cycles per Second	Sound Pressure Levels Decibels re 0.0002 dyne per CM ²
20-75	74
76-150	62
151-300	57
301-600	51
601-1200	47
1201-2400	42
2401-4800	38
4801-10,000	35

TABLE II

CORRECTION FACTORS

Conditions	Correction in Decibels
On a site contiguous to or across a street from the boundary of any residential zone established by this Ordinance or by the Zoning Ordinance of any other county or any municipality	Minus 5
Operation between the hours of 10 p.m. and 7 a.m.	Minus 5
Noise of impulsive character (e.g., hammering)	Minus 5
Noise of periodic character (e.g., hum or screech)	Minus 5
Noise source operated less than	
20% in any one-hour period	Plus 5*
5% in any one-hour period	Plus 10*
1% in any one-hour period	Plus 15*
*Apply only one of these corrections. All other corrections (including any one of the starred corrections) are cumulative.	

8B-1.8.7.2 Vibration: No vibration that can be detected at the lot line without the aid of instruments shall be permitted. Vibration caused by any use on any lot shall not result in an acceleration exceeding 0.1g nor shall it produce a combination of amplitudes and frequencies on any building or structure beyond the "safe" range of Table 7, United States Bureau of Mines Bulletin No. 442, entitled "Seismic Effects of Quarry Blasting." The methods and equations of said Bulletin No. 442 shall be used to compute all values for the enforcement of the subsection.

8B-1.8.7.3 Smoke: There shall not be discharged into the atmosphere from any operation on any lot visible gray smoke of a shade darker than No. 2 on the Ringleman Smoke Chart as published by the United States Bureau of Mines, except that visible gray smoke of a shade not darker than No. 3 on said chart may be emitted for not more than four (4) minutes in any period of thirty (30) minutes.

These provisions applicable to visible gray smoke shall also apply to visible smoke of any other color but with an equivalent apparent opacity.

8B-1.8.7.4 Other Air Pollutants: There shall not be discharged into the atmosphere from any operation on any lot fly ash, dust, dirt, fumes, vapors or gases to any extent that could result in damage to the public health or to animals or vegetation or to other forms of property, or which could cause any excessive soiling at any point; and in no event shall there be any such discharge of solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas or air, nor of acid gases in excess of 0.2% by volume. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to stack temperatures of five hundred (500) degrees Fahrenheit and fifty (50%) percent excess air.

8B-1.8.7.5 Odor: There shall not be discharged or permitted to escape into the atmosphere from any operation on any lot odorous or noxious gas or any other odorous or noxious material in such quantity as to be offensive beyond the premises from which such odors emanate. As a guide in determining such quantities of offensive odors, Table III (Odor Thresholds), Chapter 5, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists Association, Inc., Washington, D.C. shall be used.

8B-1.8.7.6 Radioactivity: There shall be no radioactive emission that would be dangerous to the health and safety of persons on or beyond the premises where such radioactive material is used. Determination of existence of such danger and the handling of radioactive materials, the discharge of such materials into the atmosphere and streams and other water, and the disposal of radioactive wastes shall be by reference to and in accordance with applicable current regulations of the Atomic Energy Commission, and in the case of items which would affect aircraft navigation or the control thereof, by applicable current regulations of the Federal Aviation Agency, and any applicable laws enacted by the General Assembly of the Commonwealth of Virginia.

Art. 8B- Requirements in I-P (Industrial-Park) Zones

8B-1.8.7.7 Electrical Interference: There shall be no electrical disturbance emanating from any lot that would adversely affect the operation of any equipment on any other lot or premises and in the case of any operation that would affect adversely the navigation or control of aircraft, the current regulations of the Federal Aviation Agency shall apply.

8B-1.8.7.8 Liquid or Solid Wastes: There shall be no discharge of any liquid or solid wastes from any establishment into any stream except as authorized by the Loudoun County Sanitation Authority and/or the Board of Supervisors, nor shall any wastes, debris or other discarded material be permitted to accumulate in any yard or open space on the premises.

8B-1.8.7.9 Glare and Heat: No direct or sky-reflected glare, whether from flood lights or from high-temperature processes such as combustion, welding, or otherwise so as to be visible beyond the lot line, shall be permitted except for signs, parking lot lighting and other lighting permitted by this Ordinance or required by any other applicable regulation, ordinance or law. There shall be no discharge of heat or heated air from any establishment so as to be detectable beyond the lot line.

8B-1.9 Plan Submission: Plans and documents to accompany applications for Board of Supervisors permit as provided for in Section 14-7 shall include the following:

- (a) All plans and documents relating to the proposal as are necessary to show the location, use and extent thereof.
- (b) Railroads and on-site rail facilities such as sidings, spurs, etc.
- (c) A series of statements on forms provided therefor by the Board of Supervisors showing:

- (1) Compliance with the minimum requirements and performance standards in this Article signed by the owner of the proposed development or, in the case of a corporation, an officer thereof.
- (2) Notarized certificates signed by persons who, by education and/or experience, are qualified and recognized experts in the field or fields relating to the several performance standards, stating that the performance standards set forth in Sections 8B-1.8.7.1 to 8B-1.8.7.9 inclusive can be met by the equipment proposed

Art. 8B- Requirements in I-P (Industrial-Park) Zones

to be installed to accomplish the objectives of the said standards.

8B-2 Establishment of an I-P Zone:

8B-2.1 Who May Initiate Amendment to Zoning Map: Any amendment to the Zoning Map to establish thereon an I-P Zone may be initiated by the Board of Supervisors, the Planning Commission or by one or more property owners. The applicant shall file with the Board of Supervisors a general plan showing:

(a) The area proposed for inclusion in the I-P Zone, with boundaries and dimensions, north point and scale, and an insert vicinity map. The area covered by the application need not be restricted to property boundaries but should include logical areas deemed suitable for inclusion in the I-P Zone.

(b) All highways, roads, streets, railroads, bounding or within the proposed I-P Zone, streams and other water areas, wooded areas, and structures.

(c) Proposed development plan showing all proposed public streets, street or highway widenings and re-location, existing and proposed water and sewer lines, pattern of proposed lot layout, proposed lead tracks and other rail facilities.

(d) Existing and proposed utility lines (gas, oil, electric and power).

(e) Any other data, including statements describing the project, that will assist the Planning Commission and the Board of Supervisors in appraising the project.

ARTICLE 8C - PC (PLANNED COMMUNITY) ZONE

8C-0 Purpose and Intent of Zone: This zone is intended to permit, as a part of the development of the County and at locations in conformity with the pattern adopted as public policy by the General Plan, planned communities under the carefully controlled standards herein provided. Such communities are intended to be limited to areas of adequate highway access, with public water and sewer, and otherwise adapted to such large-scale community planning as would assist the County in developing logical patterns of residential, commercial, and industrial development, and to assist the County in retaining desirable open areas and in planning the necessary public facilities, and to encourage the reservation of land for public purposes.

The objective of planned communities is the protection of residential properties by providing centers of community convenience and service, together with a variety of housing accommodations and a variety of land uses which shall be in an orderly relationship to one another.

8C-1 Requirements in PC (Planned Community) Zone: The following regulations shall apply in every PC Zone.

8C-1.1 Area: Land areas included in the PC Zone shall contain a minimum of 1,000 contiguous acres. Additional land areas may be added to an existing PC Zone in accordance with the procedure hereinafter provided. Public sewage disposal and public water supply shall be provided for all areas included in the P.C. Zone, in compliance with the provisions of Article 13 of the Zoning Ordinance and the requirements and standards of the Loudoun County Sanitation Authority.

8C-2 Use Regulations: All uses permitted in R-2, A-1, A-2, C-1, I-1, I-R, and I-P Zones may be permitted in similarly zoned areas within the PC Zone subject to all applicable requirements of each zone in which such use is permitted, except that dwellings of any kind shall be prohibited in any C-1 or I-1 Zone within a PC Zone, and further subject to any additional requirements of the PC Zone and all other applicable regulations of this Ordinance and other ordinances of Loudoun County.

In addition to the foregoing uses, the following zoning classification uses applicable only within the PC Zone, are permitted in the PC Zone, subject

Art. 8C- PC (Planned Community) ZONE

as aforesaid to all applicable requirements of each zone and all other applicable regulations of this Ordinance and other ordinances of Loudoun County.

8C-2.1 R-0.5 Zone (One Family Detached): The following regulations shall apply in every R-0.5 Zone:

8C-2.1.1 Lot Area: Each main building hereafter erected, together with its accessory buildings, shall be located on a lot having a net area of at least 15,000 square feet, provided that the average net area of all lots created by any subdivision in the R-0.5 Zone in which said lot is located shall be at least 20,000 square feet.

8C-2.1.2 Frontage: Interior lots shall have a minimum frontage of 85 feet. Corner lots shall have a minimum frontage of 100 feet.

8C-2.1.3 Building Line Setback: The building line shall be at a minimum distance of 125 feet from the center line of the right-of-way of a Primary State Highway, and elsewhere at a minimum distance of 60 feet, but in no case shall said line be less than 35 feet from the front lot line. The building line may be fixed at a greater distance than the minimums specified above if the Commission, upon recommendation by the Health Official or Highway Engineer, finds it necessary in the interest of health or safety.

8C-2.1.4 Side Yards: The minimum side yard shall be 10 feet and the total width of the two required side yards shall be not less than 25 feet, except that, in the case of a corner lot, the minimum side yard on the street side shall be determined in the same manner specified for building line setback in Section 8C-2.1.3 of this Article.

8C-2.1.5 Rear Yards: The minimum rear yard shall be 25 feet.

8C-2.1.6 Accessory Buildings: Accessory buildings shall be located in the rear yard only and shall be at least 5 feet from any lot line and if within 10 feet of any lot line shall be not more than one story high.

8C-2.1.7 Use Regulations:

8C-2.1.7.1 Uses Permitted Without a Permit: Only the following uses of land or structures shall be permitted without requiring a permit of any kind, provided that all

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other requirements of this Ordinance and other applicable ordinances of Loudoun County are complied with:

All those uses which are permitted without requiring a permit of any kind in an R-1 Zone (Section 4-1.7.1).

8C-2.1.7.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 of this Ordinance and the structure or use conforms therewith:

Accessory buildings exceeding 500 square feet in ground floor area,
One family dwellings,
Church or similar place of worship, parish house,
Private school for not over 25 pupils.

8C-2.1.7.3 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 of this Ordinance, and the use or structure conforms therewith:

All those uses which are permitted in an R-1 Zone (Section 4-1.7.3) if a Commission Permit is obtained.

8C-2.1.7.4 Uses Not Permitted Except as Special Exceptions: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a Use Permit shall be required pursuant to Section 14-3 of this Ordinance, and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

Borrow pit for road construction,
Circus, carnival or similar temporary activity,
Boarding house, rooming house, fraternity or sorority house,
Private club, or lodge, excluding any which has as its chief activity any service customarily carried on as a business,
Hospital, Parking lot, Private school for over 25 pupils,
Trailer (occupied): one only on a lot which is owned by the owner of the trailer, provided a dwelling is under construction for the owner on said lot, and provided further that in no event shall said trailer remain on said lot for more than one year.

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- 8C-2.1.8 Signs: Only such signs shall be permitted as conform to the requirements of Article 12 of this Ordinance.
- 8C-2.2 Special Requirements Applicable to the R-1 Zone within a PC Development Zone: The following requirements are applicable to every R-1 Zone within a PC Zone approved under the provisions of this Article.
- 8C-2.2.1 Lot Area: Each main building hereafter erected, together with its accessory buildings, shall be located on a lot having a net area of at least 8,000 square feet, provided that the average net area of all lots created by any subdivision in the R-1 Zone within the PC Zone in which said lots are located shall be at least 11,000 square feet.
- 8C-2.2.2 Frontage: Interior lots shall have a minimum frontage of 70 feet. Corner lots shall have a minimum frontage of 80 feet.
- 8C-2.2.3 Building Line Setback: The building line shall be at a minimum distance of 125 feet from the center line of the right of way of a Primary State Highway, and elsewhere at a minimum distance of 50 feet, but in no case shall said line be less than 25 feet from the front lot line. The building line may be fixed at a greater distance than the minimums specified above if the Commission, upon recommendation by the Health Official or Highway Engineer, finds it necessary in the interest of health or safety.
- 8C-2.2.4 Side Yards: The minimum side yard shall be 8 feet and the total width of the two required side yards shall be not less than 20 feet, except that in the case of a corner lot, the minimum side yard on the street side shall be determined in the manner specified for building line setbacks in Section 8C-2.2.3 above.
- 8C-2.2.5 Rear Yard: The minimum rear yard shall be 25 feet.
- 8C-2.2.6 Accessory Buildings: Accessory buildings shall be located in the rear yard only and shall be at least 5 feet from any lot line, and if within 10 feet of any lot line shall be not more than one story high.
- 8C-2.2.7 Use Regulations:
- 8C-2.2.7.1 Uses Permitted Without a Permit: Only the following uses of land or structures shall be permitted without

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requiring a permit of any kind, provided that all other requirements of this Ordinance and other applicable ordinances of Loudoun County are complied with:

All those uses which are permitted without requiring a permit of any kind as specified in Section 4-1.7.1 of this Ordinance.

8C-2.2.7.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 of this Ordinance and the structure or use conforms therewith:

Accessory buildings exceeding 500 square feet in ground floor area,
One family dwellings,
Church or similar place of worship, parish house,
Private school for not over 25 pupils

8C-2.2.7.3 Uses Requiring a Commission Permit: The following uses of land or structures shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 of this Ordinance, and the use or structure conforms therewith:

All those which are permitted in Section 4-1.7.3 if a Commission Permit is obtained.

8C-2.2.7.4 Uses Not Permitted Except as Special Exceptions: The following uses of land or structures shall not be permitted except as special exceptions. For each such use a Use Permit shall be required pursuant to Section 14-3 of this Ordinance, and a Certificate of Compliance shall be required pursuant to Section 14-4, and the structure or use shall conform therewith:

Borrow pit for road construction,
Circus, carnival or similar temporary activity
Private club, or lodge, excluding any which has its chief activity any service customarily carried on as a business,
Hospital, Parking lot, Private school for over 25 pupils,
Trailer (occupied): one only on a lot which is owned by the owner of the trailer, provided a dwelling is under construction for the owner on said lot, and provided further that in no event shall said trailer remain on said lot for more than one year.

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8C-2.2.8 Signs: Only such signs shall be permitted as conform to the requirements of Article 12 of this Ordinance.

8C-2.3 R-30 Zone (Multi-Family, Low Density Residential):
The following regulations shall apply in every R-30 Zone within a PC Zone approved under the provisions of this Article:

8C-2.3.1 Lot Area: Any use permitted in the R-30 Zone other than townhouses shall be located on a lot having a net area of at least 12,000 square feet, and there shall be at least 3,000 square feet of lot area per dwelling unit. Town house lots shall conform to the area requirements of Section 8C-2.4.1 of this Article.

8C-2.3.2 Frontage: Interior lots other than townhouse lots shall have a minimum frontage of at least 85 feet, corner lots at least 100 feet and any lot used for more than one multi-family dwelling building shall have a minimum frontage of at least 125 feet. Individual town house lots may front on a dedicated public street or on a 30 foot minimum public access easement. If town house lots front on a public access easement, such easement shall be recorded as part of the townhouse lot subdivision and shall be improved with a 20 foot minimum width paved road, unobstructed by parking, with paving designed and constructed in accordance with standards approved by the County; or with a 10 foot minimum width concrete sidewalk. Such public access easement shall be included in and subject to the requirements for common areas under Section 8C-2.4.7 of this Article.

8C-2.3.3 Building Coverage: On lots other than townhouse lots not more than 30 percent of the net lot area shall be occupied by multi-family dwelling buildings. Townhouse buildings shall not occupy more than 50 percent of the net lot area of the individual townhouse lot.

8C-2.3.4 Building Lines: No structure, other than townhouses on approved townhouse lots, shall be built less than 30 feet from any lot or property line, nor shall any such structure be built less than 125 feet from the center line of the right of way of a Primary State Highway.

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8C-2.3.5 Distance Between Multi-Family Dwelling Buildings: Where two or more multi-family dwelling buildings are located on a single lot or parcel, the minimum distance between main buildings having opposing walls shall be 50 feet, except that in the case of buildings having opposing, overlapping walls, the overlapping portions of which do not exceed 15 feet in length, the distance between buildings shall be at least 35 feet.

8C-2.3.5.1 Courts: No court shall have a width of less than 50 feet. Enclosed courts are prohibited.

8C-2.3.6 Building Height Limit: The maximum height of any main building shall be 30 feet measured from the average grade line of all corners. In the case of a building having a gable, hip, or gambrel roof, an additional height not exceeding 8 feet shall be permitted, said height to be measured to the mean height level between eaves and ridge of such roof. The maximum height of any accessory building shall be 15 feet, measured as aforesaid.

8C-2.3.7 Off Street Parking Requirements: Except for town houses on approved town house lots, one and one-half off street parking units for each dwelling unit shall be provided on the premises. None of these required spaces shall be located within the minimum required front yard and not more than 50 percent of the total area of the minimum required side and rear yards shall be occupied by parking spaces, access roads to, from, and between such spaces, drives, turn-arounds or other surfaces designed for vehicular use. In computing the required space for off street parking purposes, an area of 200 square feet per vehicle shall be assumed, exclusive of adequate ingress, egress, and interior driveways.

8C-2.3.8 Use Regulations:

8C-2.3.8.1 Uses Permitted Without a Permit: Only the following uses of land or structure shall be permitted without requiring a permit of any kind, provided that all other requirements of this Ordinance and other applicable ordinances of Loudoun County are complied with:

Accessory buildings not exceeding 500 square feet in ground floor area,
Accessory uses

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Non-commercial recreational structures and uses such as swimming pools, tennis courts, skating rinks, golf courses, for the sole use of multi-family dwelling tenants and their guests, Street-side bus stop station, but excluding any commercial activity therein.

- 8C-2.3.8.2 Uses Requiring a Location Permit: The following uses of land or structures shall be permitted only if a Location Permit is obtained as provided in Section 14-1 of this Ordinance and the structure or use conforms therewith.

Accessory buildings exceeding 500 square feet in ground floor area, Multi-family dwellings,
Town Houses
Church or similar place of worship, parish house

- 8C-2.3.8.3 Uses Requiring a Commission Permit: The following uses of land or structure shall be permitted only if a Commission Permit is obtained as provided in Section 14-2 of this Ordinance and the use or structure conforms therewith:

All those uses which are permitted in Section 4-1.7.3 if a Commission Permit is obtained.

- 8C-2.4 Special Requirements for Town Houses within the R-30 Zone: All requirements of the R-30 Zone shall apply to town houses within such zone with the following modifications.

- 8C-2.3.1 Lot Area and Density: Any town house group or cluster shall be located on a tract of land having a net area of at least 12,000 square feet, and there shall be at least 3,000 square feet of net lot area within the town house development tract for each town house dwelling unit. Each town house dwelling unit shall be located on a separate, approved lot with no requirement for minimum area, however, in no case shall the development exceed twelve (12) dwelling units per gross acre, with gross acreage defined as all land within the exterior boundaries of the tract or section of tract within the R-30 Zone being developed in town houses, including all lots public or private streets, parking lots, open space, and other uses established as part of the development. At least thirty (30) percent of the net lot area required for each town house dwelling unit shall be placed in common areas and regulated under the requirements of Section 8C-2.4.7 of this Article. No town house structure shall contain more than ten (10) dwelling units.

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- 8C-2.4.2 Frontage: Each town house lot shall have a minimum frontage of at least 20 feet and all town house units, except end units and those on corner lots, shall occupy the full width of the lot.
- 8C-2.4.3 Building Line: The building shall be at a minimum distance of 125 feet from the center line of a Primary State Highway and elsewhere at a minimum distance of 15 feet from the front lot line of the individual town house lot, whether such lot fronts on a public or private street, or a public access easement.
- 8C-2.4.4 Side Yards: On a town house lot other than a corner lot, there shall be a minimum side yard of 10 feet for the end residence in a town house group or cluster. In the case of a town house corner lot the minimum side yard on the street side shall be determined in the same manner specified for the building line in Section 8C-2.4.3 of this Article.
- 8C-2.4.5 Rear Yards: The minimum rear yard for a town house lot shall be thirty (30) feet.
- 8C-2.4.6 Off Street Parking Requirements: One and one-half off street parking units for each dwelling unit shall be provided within each section of R-30 Zone being developed in town houses. None of these required parking areas shall be located on a town house lot except that a garage constructed as an integral part of a town house building may be used to partially meet the parking requirement. No required off street parking space shall be located more than 200 feet from the dwelling unit it is intended to serve.
- 8C-2.4.7 Common Areas: Areas in town house developments designed to meet the minimum lot area requirements or for the Common use and enjoyment of town house occupants, but not in the ownership of such occupants, shall be conveyed to a non-profit corporate ownership authorized under the laws of the State of Virginia and maintained for the common use of all such occupants. The members of such non-profit corporate ownership shall be the owners of all the lots in the town house development, and such areas are to be held, used and maintained at the expense of the corporate ownership for the parking, access roads, walkways, and recreational purposes of the owner members. Prior to the approval of a town house development, the owner or developer shall present a plan, proper agreements, bonds, and covenants acceptable to the Board of Supervisors that provide for the development and maintenance of such common areas.

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8C-2.4.8 Variations in Building Lines and Exteriors: Town house groups or clusters shall be so designed that not more than three (3) adjoining dwelling units in the same group have the same building line, unbroken ridge line, or the same architectural design treatment of facades. Required building line variation shall be at least two feet at the foundation.

8C-3 Average Lot Size - Density Control Development:

8C-3.1 Purpose: The purpose of this subsection is to provide, within the PC Zone, an alternate method of development for land zoned R-1 or R-0.5 to encourage subdivisions with varying lot sizes so as to allow home owners a choice of lot sizes according to their needs, and to preserve open space, tree cover, recreation areas, outstanding natural topography, and to prevent soil erosion by permitting varying lot sizes according to the nature of the terrain within the development.

8C-3.2 Lot Averages, Special Requirements: The following regulations shall apply in any R-1 or R-0.5 Zone within the PC Zone in which the average lot size method of subdivision and development is used:

(a) To control what may be included on a subdivision plat for the purposes of the average net lot area requirement, the Board of Supervisors, upon recommendation of the Commission, may exclude from such average any lot or lots which by reason of size, shape, or location or for other good cause, are not reasonably suitable for single family residential development, or said Board may require replatting of such lots. Said Board may also require that lots adjoining major highways, railways, multiple family, commercial or industrial zoning, or adjacent to the boundary of the development, be at least 20,000 square feet in net lot area in the R-0.5 Zone or at least 11,000 square feet in net lot area in the R-1 Zone.

(b) In determining lot averages, the area contained in any one building lot double or more the average size required shall be used in computing lot averages only upon approval of the Board of Supervisors and subject to such recorded restrictions as deemed necessary by said Board on the final Plat.

(c) Land within said subdivision not platted into building lots may be counted in the average net lot area when such land is dedicated to public use for school sites, parks, recreation, or other public purpose, and such dedication has been approved by the Board of Supervisors on the Final Plat. Areas reserved in perpetuity for parks, recreation, or other similar community use facilities may also be counted in computing average net lot area, at the discretion of the Board of Supervisors and subject to such deed covenants or other requirements deemed necessary by said Board to insure proper use, development and maintenance of said land or facilities. Areas dedicated for public roads, streets, sidewalks, crosswalks, utility and storm drainage rights of way, and for location of other necessary facilities appurtenant thereto shall not be included in the average.

(d) In determining lot averages, an accumulation of excess area from the building lots in one subdivision may be transferred to the building lots in an adjoining subdivision in the same zone only upon approval of the Board of Supervisors. Land in either the R-0.5 or R-1 Zone which is dedicated or reserved as provided in Section 8C-3.2 (c) above may be used in computing building lot averages in either the R-0.5 or R-1 Zone provided that the average net area of all of the building lots in any subdivision plat, together with all plats previously approved in the same subdivision, shall be not less than the average required in the particular zone.

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Procedure for Filing Application: Application for a zoning map amendment for a PC Zone may be initiated by one or more property owners owning contiguous land, by the Planning Commission, or by the Board of Supervisors. In addition to the requirements of the applicable provisions of Article 18 of this Ordinance, all applications for reclassification to the PC Zone shall include six copies of a proposed development plan drawn to a scale of 1 inch equals not more than 500 feet, prepared by a professional land planner, civil engineer or similar qualified person, which shall show by map and statement as applicable the following data:

(a) The land area proposed to be included in the planned community with bearings and distances shown on all boundary lines. The plan shall be clearly and accurately divided into classifications of the Zoning Ordinance showing the proposed locations of each zone with the plan. Existing zoning classifications shall also be shown.

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- (b) Existing topograph of the property at not less than 5 foot contour intervals.
- (c) The location of existing structures on the property and a description of the type of structure, or such other information as will enable a determination of the nature of such existing improvements.
- (d) Proposed location and areas for commercial and industrial structures and uses.
- (e) Accurate location and areas proposed for school sites, parks, playground, recreation areas and other areas proposed to be dedicated to public use or reserved in perpetuity for community use.
- (f) Preliminary street plan showing right-of-way widths, with a designation of the types and classifications of streets to be built.
- (g) Proposed lot layout and types of dwellings in general form, definite form to be determined when the preliminary subdivision plat is submitted.
- (h) Preliminary plan of storm drainage flow and proposed storm and sanitary sewer systems for the development.
- (i) all malls and other open space and major natural features such as ponds, lakes, water courses and wooded areas, and plans for pedestrian walks, if any.
- (j) A tabulation of the gross acreage; total net area excluding roads; acreage and percentage of various land uses; number of various types of dwelling units; density per gross acre for the various residential uses in each zone; and the total residential density per gross acre within the PC Zone.
- (k) Proposed development schedule for various types of dwellings, commercial, and industrial facilities.

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Amendment Procedure: The development plan, together with the proposed zoning map amendment shall be filed in accordance with the requirements of Article 18 of this Ordinance. The effect of a decision to grant by the Board of Supervisors is to rezone each area within the planned development to the zone designated on the plan. The said Board may grant the zoning in whole or in part and may redefine boundaries or redesignate zones to such classifications as it may deem necessary to carry out the intent of this Article, if supported by the record and if accurate zone boundaries are delineated in the record.

- 8C-6 Additions to PC Zone: Additional land may be considered for inclusion in the PC Zone if contiguous to, and forming a logical addition to, an existing PC Zone. The procedure shall be the same as for an original application and all of the requirements of this Article shall apply except the minimum acreage requirement.
- 8C-7 Deviations from Plan: No substantial deviation from the plans so approved shall be permitted without approval in accordance with the requirements of this Article and Article 18. Any such deviation without such approval shall serve automatically to revoke the original approval and to make void any reclassification of land or other action taken pursuant to the provisions of this Article.
- 8C-8 Rezoning Upon Failure to Proceed with Plan: Within four years after the final decision approving a planned community zone, or any time after four years from the recording of such plan, the Board of Supervisors on its own motion is authorized to determine whether or not construction and progress in such planned community zone has been sufficient to justify continuation of the zone. The Board of Supervisors is then authorized on its own motion in accordance with the procedure for rezoning to rezone in whole or part the property back to its original zoning or to place the property in whole or part in such other classification as may be in the interest of the public health, welfare and safety, or good zoning practice.
- 8C-9 Exhibit Houses and Display Areas: Upon application by a developer to erect exhibit or sample houses, sales offices, and other structures for display within the PC Zone, the Board of Supervisors may authorize the issuance of such temporary permits as it deems necessary for the erection and use of said structures, provided that no such structures shall be used for dwelling purposes until such time as the land and improvements thereon have been inspected and approved as complying with all applicable ordinances and regulations of Loudoun County.

ARTICLE 9 - SUPPLEMENTARY REGULATIONS APPLICABLE
TO ALL ZONES*

- 9-1 Hunting, Trapping, Fishing: Nothing in this Ordinance shall be deemed to prevent lawful hunting, trapping and fishing in Loudoun County.
- 9-2 Conflicts with Other Laws: Whenever a requirement of this Ordinance is at variance with a requirement of any other lawfully adopted rule, regulation, or ordinance, the more restrictive or that imposing the higher standard shall govern.
- 9-3 Repairs: So long as a structure is used, or is eligible for use in a lawful manner, repairs and replacements shall be permitted without a permit of any kind.
- 9-4 Limits Not to be Exceeded: Subject to the provisions of Article 10, no building or land shall be used to house more families nor to produce greater heights, less frontage, less unoccupied lot area, smaller or narrower yards and courts than prescribed herein for such building in the zone in which it is located.
- 9-5 Duplication: No yard or open space provided about any structure for the purpose of complying with this Ordinance shall again be considered as a yard or open space for any other building for the purpose of complying with this Ordinance.
- 9-6 Reduction of Lot Size: No lot which is now, or may be hereafter built upon as herein required, shall be reduced in area so that the area, yards and open spaces will be smaller than herein prescribed.
- 9-7 Coverage of a Lot by Buildings: No building or group of buildings, together with accessory buildings, shall cover more than seventy (70%) percent of the lot area, provided that this regulation shall not apply to a building or structure used for commercial purposes in a C-1 Zone and provided further that the permissible coverage for industrial buildings shall be in accordance with the applicable provisions of Sections 8-1.8.1, 8A-1.8.1, and 8B-1.8.1.
- 9-8 Dwellings: All dwellings shall conform to the following requirements.

*See also Articles 10, 11, 12, and 13.

Art. 9 - Supplementary Regulations Applicable to All Zones

- 9-8.1 Land Subject to Flooding or Erosion: No dwelling shall be constructed, nor shall a permit of any kind be issued, for a dwelling on land in such proximity and relative elevation to an open stream or drainage channel that the surface of such land is subject to periodic or recurring flooding, or subject to the danger of erosion of the land underlying such dwelling. Nothing herein shall prohibit the owner of such land from lawfully filling, draining or otherwise improving his land so as to eliminate the danger of flood or erosion and thereafter from using such land for a residence. In order to determine whether or not a permit should be issued under this Section, the Zoning Administrator, in appropriate cases, may require a topographic survey of a lot, and opinions of the County Engineer, Health Official or any other county official, or the Highway Engineer.
- 9-8.2 Area: No dwelling which contains less than 600 square feet of floor area for living purposes shall be built, erected or moved onto a lot unless such structure conforms to the requirements governing Dwellings, Portable.
- 9-9 REPEALED EFFECTIVE DECEMBER 2, 1964.
- 9-10 Signs: Signs shall conform with the requirements of Article 12 hereof.
- 9-11 Motels, Cabins, Tourist Courts: Motels, cabins and tourist courts shall conform to the following minimum requirements:
- 9-11.1 They shall not constitute a nuisance.
- 9-11.2 There shall be a minimum lot area for each dwelling unit, exclusive of the proprietor's dwelling, office and accessory buildings, of at least 2,000 square feet for each motel unit.
- 9-11.3 No motel, cabin or accessory building shall be located within 50 feet of any property line or within 50 feet of any gasoline vending point.
- 9-11.4 Each motel unit shall have one toilet, one wash basin, and one shower or bath tub, all properly vented.
- 9-11.5 No motel unit shall be erected having a floor area of less than 200 square feet including bath.

Art. 9 - Supplementary Regulations Applicable to All Zones

- 9-11.6 In the case of cabins, the minimum floor area exclusive of porches shall be 220 square feet for single cabins and 400 square feet for double cabins; each plot for a cabin shall have a minimum area exclusive of driveways of 2,000 square feet for single cabins and 4,000 square feet for double cabins; each plot for a cabin shall have a minimum depth of 30 feet and frontage on a driveway of at least 20 feet in width; each cabin shall be so located on its plot that there is at least 15 feet of clear space between it and any other cabin or building other than a garage; and the number of cabins shall not exceed that of the plots authorized by the Board of Zoning Appeals.
- 9-11.7 Motels and cabins constructed or enlarged after the effective date of this Ordinance shall be subject to such annual license fee as the Board of Supervisors may fix.
- 9-12 Trailer Camps: All trailer camps shall conform to the requirements of the Trailer Camp Ordinance of Loudoun County.
- 9-13 Filling Station, Gasoline Pumps: No part of any gasoline pump or filling station island shall be placed closer to any public right of way than 20 feet, or to any required side yard than 12 feet.
- 9-14 Safety Curbs: In the case of any filling station, automobile service station, parking lot, off-street parking area, display or sales area for motor vehicles of any type where there is the possibility of any overhang of motor vehicles upon any public right of way, there shall be erected a safety curb to prevent such overhang, such curb being of masonry construction at least 7 inches in height and 6 inches in width.
- 9-15 Wayside Stand: Nothing herein shall be construed to prevent the construction and operation of a wayside stand within any Zone.
- 9-16 Dump Heap: No part of any dump heap, other than one owned or operated under the direction of the Board of Supervisors of Loudoun County as provided in Section 15-707, Code of Virginia, of 100 square feet or more shall be permitted within 1,000 feet of any public highway, dwelling, barn or food handling establishment unless covered by a sanitary fill.
- 9-17 Junk Yard, Automobile Graveyard: No part of any junk yard or automobile graveyard occupying more than 1,000 square feet of land area shall be located less than 1,000 feet from any public highway right of way and

Art 9 - Supplementary Regulations Applicable to All Zones

shall be screened from view from all highways and adjacent property.

9-18 Outdoor Theatre or Movies: Outdoor theatre or motion picture theatres shall conform to the following requirements:

9-18.1 No parking space or structure pertaining to such theatre shall be located closer to any residence than 500 feet or closer to any highway right of way line than 50 feet or adjoining property line than 50 feet.

9-18.2 The area accessible to patrons' vehicles shall be treated with suitable material to prevent dust.

9-18.3 The vehicular circulation shall be designed to permit only one-way traffic within the boundaries of the tract.

9-18.4 Ingress and egress from the highway shall be so designed and constructed as to provide safe traffic movement.

9-18.5 The theatre screen shall face so that the face is not visible from any highway within 1500 feet.

9-18.6 Individual loud-speakers for each car shall be provided and no central loud-speaker shall be permitted.

9-18.7 Exits and aisles and passageways leading to them shall be kept adequately lighted at all times when open to the public.

9-18.8 Separate toilet facilities shall be provided consisting of not less than two flush toilets and one wash stand for each sex, and the water and sewerage system shall have the approval of the Health Official.

9-18.9 Such theatres shall be subject to such annual license fee as the Board of Supervisors may fix.

9-18 Aircraft Fields (commercial): Land used commercially for the landing and take off of airplanes, helicopters, gliders or other aircraft, and structures and business uses in connection therewith shall conform to the following regulations:

9-19.1 No such land shall be used unless approved by the Planning Commission and after giving full consideration to:

Art. 9 - Supplementary Regulations Applicable to All Zones

- 9-19.1 (a) whether the proposed location is included and in accordance with the Master Plan of Loudoun County,
- (b) any certificate from the Civil Aeronautics Administration that the installation is
1. necessary,
 2. that it is properly located in accordance with Civil Aeronautics Administration regulations
 3. that the area is sufficient to meet Civil Aeronautics Administration requirements for the class of airport proposed,
- (c) whether the application therefore is accompanied by a detailed general arrangement plan showing all reasonable pertinent information, and
- (d) whether substantial damage to adjacent property owners will be effected by the aircraft field, damage being considered to include among other things, disturbance to animals, property values, and humans,
- (e) the purposes and intent of this Ordinance (Section 1-3) are satisfied
- 9-19.2 Any approval granted in accordance with the foregoing Section shall be applicable only to the class of airport proposed in the application therefor.
- 9-19.3 In approving any such commercial aircraft field the Planning Commission may condition such approval upon the construction, installation and/or maintenance of such access roads, planting, fencing or other reasonable things as may be deemed necessary to safeguard the general community interest and welfare.
- 9-19.4 Any such commercial aircraft field shall be subject to such annual license fee as the Board of Supervisors may fix.
- 9-20 Aircraft Fields (private and non-commercial): Land used privately for the landing and take-off of airplanes, helicopters, gliders or other aircraft, and structures used in connection therewith, when operated without fees and solely for the use of the owner of the land and his guests shall not be subject to the regulations governing commercial aircraft fields. Hangars for aircraft belonging to the owner shall be considered as if they were garages for housing the owner's cars.

ARTICLE 10 - NON- CONFORMING USES AND STRUCTURES

- 10-1 Non-Conforming Uses: Except as provided in Section 12-5 the lawful use of any land or structure existing immediately prior to the effective date of this Ordinance or any amendment thereof may be continued although such use or the structure in which it is being conducted does not conform with this Ordinance or such amendment.
- 10-2 Extension: A non-conforming use shall not be extended to any land or structure which was not occupied by such use on the effective date of this Ordinance or amendment thereof, and a non-conforming structure shall not be enlarged unless both the structure and the use thereof will be in compliance with this Ordinance, except that a one family dwelling may be enlarged provided its building setback line, side and rear yard lines are not in violation of the Zoning Ordinance and it meets the requirements of Section 10-7.
- 10-3 Restoration: A non-conforming structure damaged or destroyed by any cause beyond the control of the owner thereof may be repaired or restored provided such repair or restoration is begun within one year following such damage or destruction.
- 10-4 If a permit for the construction or alteration of a structure has been lawfully obtained prior to the effective date of this Ordinance, under the Zoning Ordinance then in effect, or if construction has begun, prior to the effective date of this Ordinance, such land or structure may be used for the purpose for which the permit was issued. Provided that in either event the building must be substantially completed and the use established within one year following the effective date of this Ordinance.
- 10-5 Discontinuance: Whenever a non-conforming use of land has been discontinued for a period of one year, such use shall not thereafter be reestablished, and any future use shall be in conformity with the provisions of this Ordinance. Whenever a non-conforming use of land has been changed to a conforming use, a non-conforming use shall not thereafter be reestablished.
- 10-6 Effect of Amendments to Text or Map: Whenever the Zoning Map, or the text of this Ordinance, is amended in such a manner that a lawful use existing at the time of such amendment thereafter is a violation of this Ordinance as a result of such amendment, such use shall be a non-conforming use as that term is used in this Ordinance.

Art. 10 Non-Conforming Uses and Structures

- 10-7 New Construction on Non-Conforming Lots: ^{any} Notwithstanding any other provisions of this Ordinance, and lot lawfully created among the land records of Loudoun County (either by plat or by deed) prior to the effective date of this Ordinance may have constructed upon it, and it may be used for, a one family dwelling in any Zone subject to obtaining a Location Permit as provided in Section 14-1 hereof, and such a dwelling shall be deemed to be in compliance with this Ordinance for the purposes of said Section 14-1; provided its building line, side lot, and rear lot lines are not in violation of the requirements of this Ordinance, and that the requirements of all applicable laws, ordinances and regulations pertaining to sanitation, water supply and sewage disposal are satisfied; provided further that if the owner of said lot owns additional adjoining land which is not required to satisfy any yard requirements in connection with any other use, then such land shall be treated for the purpose of this Section as part of said lot.
- 10-8 Highway Realignment or Condemnation: Any lot, which by reason of realignment of a Federal or State Highway or by reason of condemnation proceedings, has been reduced in size to an area less than that required by law, shall be considered a non-conforming lot subject to the provisions and uses set out in Section 10-7; and any lawful use or structure existing at the time of such highway realignment or condemnation proceedings shall be a non-conforming use or structure as that term is used in this Ordinance.

ARTICLE 11 - OFF-STREET PARKING REQUIREMENTS

- 11-1 Off-Street Parking for Existing Structures and Uses: Off-street parking space being maintained in connection with any existing structure or use shall be maintained so long as said structure or use remains, unless an equivalent space is provided conforming to the requirements of this Article; provided, however, that this regulation shall not require the maintenance of more off-street parking space than is required herein for a new structure or use identical to the said existing structure or use, other than those specified herein.
- 11-2 Off-Street Parking: There shall hereafter be provided and satisfactorily maintained by the owner of the property on which is located any main building, structure or land use created, erected, altered or increased in capacity by over 25 percent after the effective date of this Ordinance, off-street parking space surfaced with gravel, stone, asphalt or concrete, together with means of ingress and egress by vehicles to the premises in accordance with the following regulations:
- 11-2.1 The surfacing requirements of Section 11-2 shall not apply to one or two family dwellings and to tourist homes.
- 11-2.2 Unless separated from any public highway by a substantial fence or barrier at least 18 inches high of safety curbs as described in Section 9-14 hereof, off-street parking units shall be located at a distance of not less than 25 feet from any public highway right of way.
- 11-2.3 All required off-street parking units and loading spaces shall be provided back of any building line or side street building line.
- 11-2.4 All ingress and egress of off-street parking units and loading spaces shall be made through approved driveway cuts or openings and all such units and spaces shall be connected by a permanently constructed and maintained driveway to the public street. No such driveway opening shall be located within 10 feet of the intersection of any two street property lines.
- 11-2.5 Every off-street parking unit provided as required pursuant to this Article shall be on the same lot with the structure or use in connection with which it is required or within 400 feet thereof.

Art. 11 - Off-Street Parking Requirements

- 11-2.6 In addition to the requirements for units of off-street parking hereinafter set forth, there shall be provided in conjunction with every commercial and industrial activity adequate space for standing, loading or unloading facilities of a parking bay of not less than 12 feet in width, 45 feet in length and 14 feet in height for every 20,000 square feet or fraction thereof in excess of 8,000 square feet of land used for commercial and industrial activity.
- 11-2.7 Off-Street Parking Units Required: The number, or basis for computing the number, of off-street, parking units (hereinafter referred to as "OPU") which shall be provided, as a minimum, in accordance with this Article 11 for the following structures and uses are set forth in the following paragraphs; provided, however, that in the case of a combination of uses or structures the total requirements for off-street parking units shall be the sum of the requirements for each use or structure, and when the regulations indicate that a fractional space is required, any fraction less than one-half may be disregarded and any fraction one-half or over shall require one OPU:
- (a) For one and two-family dwellings, one OPU for each dwelling unit; for multi-family dwellings, as required in the R-30 and PC (R-30) Zones.
 - (b) For hotels - one OPU for each two guest rooms,
 - (c) For hospitals, nursing homes, sanatoriums, or similar institutions - one OPU for each four beds,
 - (d) For motels and tourist homes - one OPU plus one OPU for each guest sleeping unit,
 - (e) For church, school, or university auditoriums, and for theatres, general auditoriums, stadiums and other similar places of assembly - one OPU for each ten seats contained in the structure, provided, however, that in connection with any auditorium, arena skating rink or other similar place of assembly in which there are no fixed seats, one OPU for each 100 square feet of gross floor or assembly area (exclusive of stage),
 - (f) For rooming houses, fraternity and sorority houses - one OPU for each three bedrooms,

Art. 11 - Off-Street Parking Requirements

(g) For restaurants or other establishments for the sale and consumption on the premises of food, refreshments or alcoholic beverages - one OPU for each four seats,

(h) For bowling alley - two OPU for each alley,

(i) For funeral home - six OPU plus the number required on the basis of paragraph (e) above,

(j) For office buildings and similar uses - one OPU for each 200 square feet of gross floor area,

(k) For stores and other commercial buildings- one OPU for each 400 square feet of floor area in said building (exclusive of floor area for automobile parking within),

(l) For manufacturing and industrial buildings and uses including warehousing and storage - one OPU for each four employees computed on the basis of the greatest number of persons to be employed at any one period during the day or night.

(m) For any lot or ground area used for any type of sales or display - one OPU for each 1,000 square feet of area so used in addition to off-street parking space requirements for any structure.

ARTICLE 12 - SIGNS

- 12-1 Signs: All signs shall comply with the following provisions of this Article, and it shall be unlawful for any person to erect or maintain a sign which does not comply.
- 12-2 Certain Signs Prohibited: Any sign is prohibited which:
- 12-2.1 Violates any provisions of the laws of Virginia relating to outdoor advertising including Sections 33-298 to 33-327 inclusive, Sections 33-279 and 46-187 of the Code of Virginia, as amended;*
- 12-2.2 Is located anywhere other than on the property or structure to which it directs attention or to which it is appurtenant, except (1) any sign erected or maintained by or under the supervision of county or other governmental authority or the Virginia Department of Highways and (2) any other sign which is specifically provided for or permitted in Sections 12-3.2, 12-3.3, 12-3.5, 12-3.6 and 12-3.19;
- 12-2.3 Outlines any building or part thereof with neon or other lights;
- 12-2.4 Is fastened, placed, painted, pasted or attached in any way to, in or upon any tree, fence, public utility pole, rock, curbstone, sidewalk, lamppost, hydrant, bridge, highway marker or another sign except such as may be (1) required by law, (2) so placed by a duly authorized governmental agency, (3) so placed not as an advertisement, but as a warning against hunting, fishing or trespassing, or (4) not visible from any highway.
- 12-3 Signs Permitted: Only signs as listed, described or otherwise provided for in the following subsections of this Section 12-3 shall be permitted, and these shall be subject to such regulations as are specifically set forth in each case and to all other regulations in this Ordinance. No other signs shall be permitted.
- 12-3.1 Government Signs: Signs erected and maintained by the Virginia Department of Highways or other governmental authorities in accordance with law.

*Note: These provisions relate, among other things, to signs involving motion, to the use of words like "stop", or "danger", to the imitation of official signs, to advertising certain places without consent, to mobile and distracting signs, to the use of reflectorized material, to advertising on rocks, trees, markers, etc., to signs obstructing clear view, and to commercial advertising signs on highways.

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- 12-3.2 Historical markers erected by duly authorized public authorities.
- 12-3.3 Danger, aviation, railroad, bridge, ferry, transportation, Red Cross, and other signs as set forth in Section 33-302 (5), (7), (8) and (17) of the Code of Virginia, 1950 as amended.
- 12-3.4 Hunting, fishing or trespassing signs erected on the appurtenant property solely as a warning or notice. Such signs shall not exceed an area of 1.5 square feet and shall not be illuminated.
- 12-3.5 Informational signs of a public or quasi-public nature identifying or locating a town, planned community, hospital, community center, public building, or historic place situated in Loudoun County, Virginia, and also signs identifying or locating a school, college, YMCA, YWCA, church or similar place of worship, board of trade service club, soil conservation activity, 4-H Club, Isaac Walton League, Chamber of Commerce, or similar public or quasi-public activity for religious, civic, educational or cultural purpose, and signs drawing attention to public parking lots, rest rooms or other public conveniences relating to such places or activities. Such signs shall not exceed an area of 6 square feet, shall not be illuminated, shall contain no advertising matter, and shall be set back not less than 5 feet from the fronting highway right of way. Nothing contained herein shall be construed to limit the effect of Sections 12-.31 and 12-3.2.
- 12-3.6 Official notices or signs posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties, or by trustees under deeds of trust, deeds of assignment or other similar instruments. Such signs shall not exceed an area of 2 square feet, shall not be illuminated and shall contain no advertising matter, other than that which may be required by law.
- 12-3.7 Church bulletin boards, not exceeding 50 square feet in total area, located on the church property.
- 12-3.8 Name signs upon property displaying the name and/or address of the owner, lessee or occupant of the premises. There shall be permitted only two such signs for each dwelling, lot or property. Such signs shall not exceed an area of 2 square feet each and shall contain no advertising matter.

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- 12-3.9 Home occupational signs upon property displaying the name and/or address of the occupant of the premises and the nature of the home occupation. There shall be permitted only two such signs upon one lot or parcel of property. Such signs shall not exceed a total area of 6 square feet, shall not be illuminated, and shall be set back not less than 5 feet from the fronting highway right of way.
- 12-3.10 Tourist home signs announcing accommodations only when located on the premises. There shall be permitted only two such signs upon one lot. Such signs shall not exceed a total area of 6 square feet, and shall be set back not less than 5 feet from the fronting highway right of way. Such signs may be illuminated by using white lights or colorless tubes only.
- 12-3.11 Farm signs erected or maintained on any farm by the owner or tenant of such farm and relating solely to farm or horticultural produce, livestock, or services sold, produced, manufactured or furnished on such farm. There shall be only two such signs upon one farm property. Such signs on any one farm property shall not exceed a total area of 12 square feet and they shall be set back not less than 5 feet from the fronting highway right of way, except that the total area may be 25 square feet if they are set back 40 feet or more from the fronting highway right of way.
- 12-3.12 Wayside stand signs erected or maintained on any farm by the owner or tenant of such farm and relating solely to farm or horticultural produce, livestock or merchandise sold from said stand and produced on the farm property where the signs are located. There shall be not more than 5 such wayside stand signs permitted upon each farm property (in addition to the farm signs permitted under Section 12-3.11 hereof). With respect to such 5 wayside stand signs and the 2 farm signs (or a total of 7 signs) the following regulations shall apply. The total area of the 7 signs shall not exceed 40 square feet. The maximum area of any one of the 7 shall be 25 square feet, and the total area of the 5 largest signs shall not exceed 34 square feet. One, and only one of the 7 signs may be illuminated, and if so, such illumination shall be indirect white light with the light source shielded from direct view. No such sign shall be set back less than 5 feet and any such sign whose area is more than 12 square feet shall be set back at least 40 feet from the fronting highway right of way.

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- 12-3.13 Store window signs or displays on or within store windows relating to the business conducted within; or to amusements or civic, religious, cultural, educational or charitable activities.
- 12-3.14 Construction signs erected and maintained on the site of a structure during the period of construction to announce only the nature of the structure and/or the name or names of the owner, contractor, architect, landscape architect, or engineer. There shall be permitted only one such sign upon one site for each contractor or sub-contractor. Such signs shall not exceed an area of 12 square feet each, shall not be illuminated, and shall be set back not less than 10 feet from the fronting highway right-of-way.
- 12-3.15 Real Estate Signs pertaining only to the offering for sale or lease of the land or structures on the land upon which the sign is placed, provided that any such sign shall devote not more than one-third of its total area to displaying the name, address and telephone number of any agent or owner. There shall be permitted only one such sign upon any lot of record of less than 10 acres. For a lot of record in excess of 10 acres there shall be permitted two such signs. In R-1, R-2, R-3, A-1, and A-2 Zones the area of such signs shall not exceed 2 square feet each, except that in the case of a lawful subdivision one such sign may be erected and maintained with an area of not more than 25 square feet, provided that the area of all real estate signs within the subdivision which front on a public highway averages no more than 2 square feet per lot fronting on the highway. In C-1, I-1, I-R and I-P Zones the area of such signs shall not exceed 25 square feet each. Such signs shall not be illuminated, and shall be set back at least 5 feet from the fronting highway right of way.
- 12-3.16 Motel and trailer camp signs announcing accommodations and services only when located on the premises occupied by the motel or trailer camp. No such sign shall exceed 25 square feet in area and the total of all such signs relating to any one motel or trailer camp shall not exceed four in number nor a total of 50 square feet in area. Such signs may be illuminated by white light only.
- 12-3.17 Theatre and outdoor motion picture signs relating only to the theatre business on the property. No such sign shall exceed 60 square feet in area and the total of all such signs relating to any one theatre shall not exceed four in number, nor a total of 60 square feet in area. Such signs may be illuminated, but if so, by white lights only.

- 13-1 Compliance With Other Laws*: No land or structure thereon shall be used in a manner conflicting with State or county laws pertaining to sanitation.
- 13-2 Sewage Disposal: No person shall install a system for disposal of sewage which involves the use of a septic tank and subsurface drainage without first obtaining a permit therefor from the Health Official or his representative.
- 13-3 Pit Privies: No pit privies shall be permitted in any subdivision approved by the Board of Supervisors of Loudoun County or the Planning Commission after March 21, 1955, nor in connection with motels, hotels, boarding houses, tourist homes, trailer camps or outdoor theatres. Elsewhere pit privies are permitted, subject to this Ordinance and to State and county ordinances regulating them, provided they are located not closer than 10 feet from any lot boundary line.

 *Note: In carrying out the requirements of Section 15-923 and 15-854 and other requirements of the Code of Virginia in respect to the approval or disapproval of public water supply and sewerage systems, the Planning Commission is currently employing the following standards:

Any public water supply or sewerage system covered by Section 15-923 of the Code of Virginia must be owned and operated by Loudoun County or an agency thereof, or an incorporated town in Loudoun County or department thereof, or the State of Virginia or an agency thereof or by a corporation licensed by the State Corporation Commission.

Any such installation must be in accordance with specifications and plans drawn by an engineer licensed in the State of Virginia.

No such system shall be permitted unless it bears the approval of the State Water Control Board, the State Health Department, and the Health Official whose approval must state that in his opinion the proposed system does not create a hazard to health. Furthermore, in the case of any approval by the Health Official of a water supply system, such approval must also state that the proposed system will not, in his opinion, deplete the existing water supply of the source area to the extent that adjacent property owners will be injured, or deprived of their lawful supply of water.

For any such water and/or sewerage system designed to serve residential lots the Planning Commission may require that a surety bond or cash bond be posted for a period not exceeding fifteen years, sufficient to assure the continued operation of the facility (provisions may be included in such bond reducing the amount so posted annually during the term of the bond).

Any such water or sewerage system must be completely installed for the area it is designed to serve prior to the sale and the recording of the transfer of any lots unless the owner or developer of any such lots can show a bona fide contract, with an appropriate performance bond, satisfactory to the Planning Commission, insuring the completion of the water and/or sewer construction within a reasonable time.

ARTICLE 14 - PERMITS AND CERTIFICATE OF COMPLIANCE

14-1. Location Permits:

14-1.1. In all cases where a Location Permit is required under this Ordinance, no use shall be commenced and no structure shall be erected or excavation therefor begun before the issuance of a Location Permit therefor by the Zoning Administrator.

14-1.2. No Location Permit shall be issued where it appears that the structure to be constructed or the use contemplated would be in violation of the provisions of this Ordinance or any other applicable law, ordinance or regulation. The issuance of such Location Permit, however, shall not afford protection to any owner who is found to be violating this or any other applicable law, ordinance or regulation.

14-1.3. An application for a Location Permit shall be made to the Zoning Administrator on forms to be provided by the Zoning Administrator who shall require and be furnished with all such plans and documents as may be required to determine whether the proposed structure and facilities will be in compliance with the provisions of this Ordinance. Each such application for a Location Permit shall be accompanied by the following items or as much thereof as the Zoning Administrator deems pertinent and such additional information as the Zoning Administrator may require as being pertinent:

(a) Certificate from the Health Official that the proposed location meets the requirements of the Health Department from the standpoint of water supply and sewage disposal,

(b) The intended use,

(c) If a dwelling, the number of families or housekeeping units,

(d) A plot plan signed by the applicant drawn to scale showing dimensions of the structure with respect to property lines and public highways; provided, however, that no plot plan shall be required in the case of any dwelling, no part of which is to be located less than 100 feet from any property line or right of way of any public highway.

(e) Number, size, location and lighting of signs if any,

(f) Off-street parking and other facilities.

Art. 14 - Permits and Certificate of Compliance

14-1.4. If it appears that the proposed structure and use of land or structure is in conformity with the provisions of this Ordinance, a Location Permit shall be issued to the applicant by the Zoning Administrator upon payment of \$3.00 as a fee therefor, and one copy of the plot plan shall be returned to the applicant with said permit.

14-1.5. Whenever a Location Permit is issued, the Zoning Administrator shall also furnish the applicant with a poster indicating that the said Location Permit has been issued and is valid for the period stipulated therein. The applicant shall thereupon post said poster on the premises in a position readily visible from the front of the property until construction has been completed, whereupon the poster shall be removed.

14-1.6. Any Location Permit issued shall become invalid if the authorized work is not commenced within 6 months of the date of issuance, or is suspended or abandoned for a period of 6 months; provided that the Zoning Administrator may, upon good cause shown, extend a permit without charge for an additional period not exceeding 6 months.

14-2. Commission Permits:

14-2.1. In all cases where under this Ordinance a Commission Permit is required*, the applicant shall submit an application to the Zoning Administrator containing all such plans and documents relating to the proposal as are necessary to show the location and extent thereof. The application shall be accompanied by a check payable to "Treasurer, Loudoun County" for \$15.00 as a fee. Thereupon the Zoning Administrator shall promptly notify the chairman or acting chairman of the Planning Commission who shall fix a date for public hearing before the Planning Commission, said hearing to be advertised once in a local newspaper at least 7 days before the date fixed for the hearing. The Planning Commission shall grant, conditionally grant, or deny the permit subject to the following conditions:

14-2.2. Where the Planning Commission finds that (a) the proposed structure or use will not cause a nuisance, (b) the proposed structure or use is consistent with each of the standards set forth in Section 15-5 hereof, (c) the appropriate use of neighboring property will not be substantially injured, and (d) the result of granting such a permit would not be injuriously inconsistent with the master plan of Loudoun County and the purposes and intent of this Ordinance, the Planning Commission shall issue such permit; otherwise not.

Art. 14 - Permits and Certificate of Compliance

- 14-2.3. Any Commission Permit shall become invalid if the authorized work or use of land is not commenced within the time specified within the permit, or is suspended or abandoned for a period of six months; provided that the Planning Commission may, upon good cause shown, extend such permit without charge. The Planning Commission may issue any Commission Permit for either a limited or an unlimited time depending upon the appropriateness of the case.

14-3. Use Permits and Special Use Permits:

- 14-3.1. In all cases where under this ordinance a Use Permit or a Special Use Permit is required, no land shall be used and no structure shall be erected or excavation therefor begun before the issuance of a Use Permit or a Special Use Permit therefor by the Board of Zoning Appeals in accordance with the provisions of Article 15 hereof. Any Use Permit or Special Use Permit shall become invalid if the authorized work or use of land is not commenced within the time specified in the permit, or is suspended or abandoned for a period of six months; provided that the Board may, upon good cause shown, extend such permit without charge. The Board may issue any Use Permit or Special Use Permit for either a limited time or an unlimited time, depending upon the appropriateness of the case.

- 14-3.2. Whenever a Use Permit or Special Use Permit is issued, the Zoning Administrator shall furnish the applicant with a poster indicating that the permit has been issued and is valid for the period stipulated therein. The applicant shall thereupon post said poster on the premises in a position readily visible from the front of the property and shall keep it posted until a Certificate of Compliance has been issued, whereupon the poster shall be removed.

14-4. Certificate of Compliance:

- 14-4.1. In any case where a Certificate of Compliance is required in this Ordinance no structure or land shall be used, nor shall any structure or land be converted, wholly or in part, to any use until a Certificate of Compliance certifying compliance with this Ordinance has been issued by the Zoning Administrator**.

- 14-4.2. A Certificate of Compliance shall be issued by the Zoning Administrator within 15 days after a request therefor has been made, unless it appears that the use contemplated or the structure involved would be in violation of this Ordinance or any other applicable law or requirement.

- 14-5. Sign Permits: (See Sections 12-3.19 and 12-7.)

Art. 14 - Permits and Certificate of Compliance

14-6. Revocation of Permits: Where a permit has been issued pursuant to this Ordinance, the Zoning Administrator may revoke such permit for any violation of this Ordinance or any condition imposed upon the issuance of such permit.

14-7. Board of Supervisors Permits:

14-7.1. Application for a Board of Supervisors permit as required by Sections 8A-1.7.5 and 8B-1.7.5 shall be submitted to the Board on forms provided therefor and shall be accompanied by plans and documents set forth in Sections 8A-1. and 8B-1.9.

14-7.2. Referral to Planning Commission: Upon receipt of an application for Board of Supervisors permit the same shall be referred to the Planning Commission for its review and recommendation. The Commission shall be given a reasonable time, not exceeding 60 days from the date of referral of such application, to complete its review and submit its written recommendation to the Board of Supervisors.

14-7.3. Majority Vote Required to Override Planning Commission: The Board of Supervisors may affirm or reject the recommendation of the Planning Commission, provided that in the event of rejection of a Planning Commission recommendation the same shall be by a majority vote of all the members of the Board of Supervisors.

14-7.3.1. Public Hearing After Receipt of Planning Commission Recommendation: The Board of Supervisors may, by its own motion or at the request of the applicant or upon petition of ten (10) owners of property within one-half ($\frac{1}{2}$) mile of a use for which a Board of Supervisors permit is required, hold a public hearing which shall be advertised as provided for in Section 18-3. Action by the Board of Supervisors, after such public hearing, may be by a majority vote.

*NOTE: Section 15-923, Code of Virginia, reads as follows: "Whenever the governing body of any county shall have adopted a master plan of the county or any part thereof, then and thenceforth no road, park, other public way, public ground or public space, no public building or structure and no public utility, whether publicly or privately owned, shall be constructed or authorized in the unincorporated territory of the county or region until and unless the proposed location and extent thereof shall have been submitted to and approved by such county planning commission."

**NOTE: In many cases this can be issued when footings are prepared. In all such cases it is recommended that the permittee request inspection promptly so that any error may be avoided with a minimum of cost to the permittee.

ARTICLE 15 - BOARD OF ZONING APPEALS

15-1. Organization of Board of Zoning Appeals:

15-1.1. Pursuant to Section 15-850, Code of Virginia, a Board of Zoning Appeals is hereby created.

15-1.2. The Board shall consist of five members appointed by the Board of Supervisors of Loudoun County. The members shall serve without compensation other than travelling expense. Appointments shall be made initially at the first regular meeting of the Board of Supervisors following the effective date of this Ordinance, and thereafter appointments shall be made annually at a regular meeting of the Board of Supervisors each November.

15-1.3. The term of office of the members of the Board shall be for 5 years except that in the case of the first appointment hereunder the term of one member shall expire December 31, 1960, the term of the second member shall expire December 31, 1961, the term of the third member shall expire December 31, 1962, the term of the fourth member shall expire December 31, 1963, and the term of the fifth member shall expire December 31, 1964. Vacancies occurring in the Board shall be filled for the unexpired term only.

15-1.4. Members may be removed for cause by the Board of Supervisors of Loudoun County upon written charges and after a public hearing.

15-1.5. Any member of the Board shall be disqualified to act upon a matter before the Board with respect to property in which the member has a special interest.

15-1.6. Unless a chairman has been designated by the Board of Supervisors of Loudoun County, the Board shall choose annually its own chairman, and in his absence an acting chairman.

15-1.7. The Zoning Administrator shall serve as secretary to the Board, prepare minutes of meetings, keep all records and be the custodian thereof, and conduct official correspondence. When authorized by the Chairman of the Board a stenographer shall be employed to record such proceedings as the Chairman may direct.

15-1.8. In the absence of the Zoning Administrator at any meeting the Board shall appoint some other person, who may or may not be a member of the Board, to prepare the minutes thereof.

Art. 15 - Board of Zoning Appeals

- 15-1.9. Subject to provisions of this Article 15, the Board shall adopt such rules and regulations as it may deem necessary for the proper conduct of its business, and to carry into effect the provisions of this Ordinance.
- 15-2. Applications - by Whom - How Made - Fee - Withdrawal:
- 15-2.1. By Whom: Applications to the Board may be made by:
- (a) Appeals: Any person aggrieved, or any officer, department or agency of Loudoun County affected by any order, requirement, decision or determination of any official, department, or agency (except the Board of Supervisors of Loudoun County or the Planning Commission) acting under the provisions of this Ordinance.
 - (b) Variance: Any person seeking a variance from the strict application of certain regulations of this Ordinance;
 - (c) Special Exception: Any record owner or contract owner of property in Loudoun County, Virginia, seeking a special exception to use such property in a manner ordinarily contrary to the provisions of this Ordinance. Such special exceptions require either Use Permits or Special Use Permits as set forth in Sections 14-3 and 15-4.3.
- 15-2.2. How Made: Any such application shall be in writing on forms to be provided by the Zoning Administrator stating the reasons and grounds therefor and in the following manner:
- 15-2.2.1. Applications shall be mailed to the Board of Zoning Appeals of Loudoun County, Virginia, c/o the Zoning Administrator, Leesburg, Virginia. At the same time a copy of the application shall be mailed to the Secretary of the Planning Commission, Leesburg, Virginia, and another copy shall be mailed to the individual, official, department, or agency concerned, if any, as determined by the Zoning Administrator.
- 15-2.2.2. The application shall be accompanied by a check payable to "Treasurer, Loudoun County, Virginia" for \$25.00 as a fee. In addition, each such application shall contain a concise statement of the subject to be brought before the Board. Whenever appropriate, the application to the Board shall be accompanied by the same information as is required for Location Permits in Section 14-1.3.

15-2.2.3. In the case of an application for a special exception requiring a Special Use Permit, the applicant shall first submit his proposal to the Zoning Administrator on a form to be provided by the Zoning Administrator, including therewith all plans and documents relating to the appeal which would be required pursuant to the provisions of Section 14-1.3 hereof, if a Location Permit were being applied for. The proposal shall then be advertised in a local newspaper at least 7 days before a meeting of the Planning Commission so that written or verbal comments on the proposal may be expressed to the Commission at such meeting. If the Planning Commission finds that the proposal would serve the convenience and welfare of the public without prejudicing neighboring property and at the same time be in harmony with the purposes and intent and spirit of this Ordinance, as expressed in Sections 1-2, 103, and 15-5 hereof, and would not be injuriously inconsistent with the master plan of Loudoun County it shall, over the signature of its chairman or acting chairman, affix a notation to the effect that it has been "examined and found to be consistent with the master plan of Loudoun County subject to _____" (there being stated in the blank whatever conditions or safeguards it may deem necessary)*. The Planning Commission may refuse to affix such notation, but in any event shall forward the application to the Board of Zoning Appeals within 40 days from the date of the advertised meeting, affixing thereto such statement or comments concerning its reasons for affixing or refusing to affix such notation as it deems would be helpful to the Board in its considerations of the application for the purpose of promoting a coordinated and adjusted development of the County.

15-2.3 Withdrawal of Application: An application may be withdrawn by the applicant at any time prior to the deadline for cancellation of the newspaper advertisement provided for in Section 15-3.1. After said deadline, an application may be withdrawn only with the permission of the Board. An application which is not withdrawn pursuant to this subsection shall be either granted or denied on the merits, by the Board either in whole or in part.

*NOTE: This procedure is necessary because in the master plan of Loudoun County such proposed structure or use of land or structure was considered ordinarily not to be appropriate to the Zone unless constructed or used so as to conform with the purposes and intent of this Ordinance; but, never-the-less, it was recognized in said master plan that, subject to suitable location and appropriate conditions and safeguards, such structures or uses in certain cases could be advantageous to and could serve the convenience and welfare of the public without prejudicing the neighboring property and at the same time to be in harmony with the purposes, intent, and spirit of this Ordinance; therefore it was proper and just to provide reasonable flexibility and latitude (under uniform standards) in applying the provisions of this Ordinance.

15-2.4 Re-applications: If an application is denied by the Board on the merits, no application requesting the same relief with respect to all or part of the same property shall be considered by the Board within 12 months after the date of such denial.

15-3 Hearing of Application:

15-3.1. Time and Notice: Upon receipt of an application in accordance with Section 15-2.2 the Board shall fix a reasonable time for a hearing of such application and shall give public notice thereof once by publication in a newspaper having a general circulation in Loudoun County not less than 10 days before the date set for a public hearing; and in addition thereto shall cause to be posted, at least 10 days before such hearing, a poster calling attention to the nature and substance of the appeal, the land involved, the name of the appellant and the date and place of the public hearing. The Board shall prescribe the form of said poster, which shall be affixed to a pole, post, fence, or structure on the land involved, if practicable, or if not, within 300 feet thereof, and in either event, in such location as to be clearly visible from a public road. Upon the hearing, any party may appear in person or by agent or by attorney.

15-3.2. Meetings and Hearings: Meetings or hearings of the Board shall be held at the call of the chairman, or acting chairman, or at the request of any two members; provided that notice thereof has been mailed to each member of the Board at least seven days before the time set, or that a waiver of notice is obtained from each member. Three members shall constitute a quorum for the transaction of any official business. The presiding chairman may administer oaths and compel the attendance of witnesses. Every person before the rostrum shall abide by the order and direction of the chairman or acting chairman. Discourteous or disorderly or contemptuous conduct shall be regarded as a breach of the privileges extended by the Board and shall be dealt with as the chairman deems proper. All hearings of the Board shall be open to the public, but this shall not operate to prevent the Board from excluding the public when deliberating upon any appeal, request or other matter of business. The Board shall keep minutes of its proceedings showing the number of votes for and against, or failure to vote on each question, and shall keep records of its examinations and other official actions, all of which shall be filed promptly in the office of the Zoning Administrator and shall be a public record.

- 15-3.3. Time for Decision: The Board shall render a decision on any application submitted to it within 30 days after the date of the hearing.
- 15-3.4. Rehearings: A request for a rehearing shall be in writing and shall be delivered to the Zoning Administrator within 15 days after the date of the decision of the Board. It shall recite the reasons for the request. A rehearing may then be granted by the chairman or upon the affirmative vote of any two members.
- 15-4. Powers and Duties: The Board shall have the following powers and duties:
- 15-4.1. Review: The Board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of this Ordinance. Upon concurring vote of not less than 3 members present the Board may, in conformity with the provisions of this Ordinance, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision, or determination as ought to be made, being guided by the purposes, intent and spirit of this Ordinance, and to that end shall have all the powers of the officer from whom the appeal is taken. A proceeding before the Board pursuant to this Section shall be treated as a proceeding do novo.
- 15-4.2. Variances: Where the strict application of this Ordinance, owing to a special or unique condition (such as exceptional topographic features or shape of property) would result in practical difficulties or exceptional or unnecessary hardship or injustice, the Board, by the concurring vote of 3 members, may authorize varying or modifying the strict application of any of the provisions of this Ordinance so long as the purposes, intent and spirit of this Ordinance as set forth in Article I and Section 15-5 shall be observed and carried out (rather than violated or circumvented), and so that public safety and welfare may be secured and substantial justice done; provided, that, in so doing, the Board may require appropriate safeguards or that specified conditions be complied with so as to conform with the requirements hereinabove stated, including such things as the posting of a bond as to insure compliance. To justify the granting of such a variance the Board must find that the granting of such variance will alleviate a clearly demonstrable hardship, approaching confiscation, as distinguished from a special privilege or convenience sought

by the applicant, and that the hardship which the applicant would suffer under the provisions of this Ordinance would actually prohibit or unreasonably restrict the use of the property and can be alleviated without affecting the general purpose and intent of this Ordinance and that the granting thereof will not be inconsistent with any of the standards set forth in Section 15-5 hereof. When any such authorization is made, the minutes of the meeting shall contain a brief description of the applicable special or unique condition.

15-4.3.

Special Exceptions: When acting upon an application for a special exception, the Board shall be guided by the purposes, intent and spirit of this Ordinance as set forth in Article I and Section 15-5 which shall be considered as standards, and if, in the opinion of the Board, the granting of such application would be inappropriate in view of these standards it shall be denied.

Subject to the foregoing, in any such case in which the Board finds that (a) the proposed structure or use will not cause a nuisance, (b) the proposed structure or use is consistent with each of the standards set forth in Section 15-5 hereof, (c) the appropriate use of neighboring property will not be injured thereby, and (d) the result of granting such a permit would not be injuriously inconsistent with the master plan of Loudoun County and the purposes and intent of this ordinance, the Board shall, upon the concurring vote of three members, grant such application (it being the intent of this section to provide reasonable flexibility, latitude and aid in the proper development of Loudoun County, but not the means of circumventing the intent, or of violating the spirit of this Ordinance).

15-4.3.1

Additional Conditions: The Board may, when granting an application for a special exception, impose conditions thereon, such as provisions for fencing, planting or other landscaping, additional set-backs from property lines, location and arrangement of lighting and other reasonable requirements deemed necessary to safeguard the interest and welfare of an abutting property owner or the general public. In the case of a special exception requiring a Special Use Permit, no such permit shall be granted unless it is subject, in substance, to whatever conditions or safeguards were deemed necessary by the Planning Commission pursuant to Section 15-2.2.3 hereof.

Art. 15 - Board of Zoning Appeals

- 15-5 Additional Standards: In fulfilling the purposes and intent of this Ordinance as set forth in Article 1, the Board, in exercising the powers and duties granted and imposed by the Ordinance, shall be guided by the following standards which shall be in addition to any other standards imposed by this Ordinance*:
- 15-5.1. To preserve the prevailing agricultural character of the county, and to discourage the miscellaneous or inappropriate location of non-farm uses in agricultural areas.
- 15-5.2. To foster an orderly rate and type of population growth.
- 15-5.3. To conserve the ground water supply in the areas of the county where it is limited.
- 15-5.4. To prevent high population density on soils that are incapable of providing adequate water supply, or of meeting proper sanitary requirements for sewage disposal.
- 15-5.5. To protect the residents of the county from the harmful results of haphazard and ill-advised growth patterns.
- 15-5.6. To preserve the established economy of the towns in Loudoun County
- 15-5.7. To encourage the most appropriate and economic use of land and water.
- 15-5.8. To promote desirable living conditions, wholesome home environment and sustained stability of neighborhoods.
- 15-5.9. To facilitate highway development and transportation, and lessen traffic hazards and congestion.
- 15-5.10. To protect residential sections from unnecessary traffic, fire hazards, noise, noxious fumes, or offensive odors and other unwholesome conditions and influences.

*NOTE: The standards following reflect or summarize the "Objectives and "Discussion" thereof approved November 7, 1955, by the Board of Supervisors of Loudoun County, and reaffirmed by them on January 23, 1956.

Art. 15 - Board of Zoning Appeals

- 15-5.11. It being recognized that (a) the absence of regulation of the uses of land and buildings leads to instability, economic and otherwise, and that (b) the invasion of areas, business as well as residential, by inappropriate uses will result in obsolete buildings and diminishing land values; it is therefore, a purpose of this Ordinance to avoid such instability and invasions, and the results thereof, by establishing regulations designed to preserve and protect Loudoun County.
- 15-6. Certified Copies of Board's File: Any person desiring certified copies of any paper, plat, or plan constituting a part of the file of the Board of Zoning Appeals shall pay to the Treasurer of Loudoun County the reasonable cost of making such copy.

ARTICLE 16 - ADMINISTRATION AND ENFORCEMENT

- 16-1 This Ordinance shall be administered and enforced primarily by an officer to be known as the Zoning Administrator who shall be appointed by the Board of Supervisors of Loudoun County, Virginia, and who, as well as his successors, shall serve at the pleasure of the Board of Supervisors, and whose compensation as such shall be fixed by resolution of the Board of Supervisors. The Zoning Administrator shall be guided in all of his actions pursuant to this Ordinance by the purposes, intent and spirit of this Ordinance, and the standards set forth in Section 15-5 of this Ordinance. In addition, this Ordinance shall be enforced by the Health Officer, Sheriff and all other officers of Loudoun County, Virginia, pursuant to their respective fields.
- 16-2 Enforcement of Board of Zoning Appeals' Decisions: It shall be the duty of the Zoning Administrator to see that the decisions of the Board of Zoning Appeals are complied with.
- 16-3 Enforcement of Minimum Requirements and Performance Standards in I-1, I-R, and I-P Zones: In enforcing the minimum requirements in I-1, I-R, and I-P Zones the Zoning Administrator shall notify by registered mail the person responsible for the alleged violation, stating the reason why it is believed that a violation exists in fact and shall require the said person either (a) to notify the Zoning Administrator in writing that the violation has been corrected and to state in detail the manner in which such correction has been made, which statement shall be supported by a notarized certificate to that effect signed by a person who, by education and/or experience, is qualified and recognized as an expert in the field relating to the performance standard in question; or (b) to deny in writing that the violation exists. Failure to reply in writing to the Zoning Administrator within five (5) days of receipt of such notice shall be deemed as an admission of the violation whereupon the Zoning Administrator shall proceed with enforcement as provided in this Article and Article 17. If the person responsible for the alleged violation denies that a violation exists or requests a technical determination as provided in this Ordinance, the Zoning Administrator may employ such qualified and recognized expert in the field in which the alleged violation exists. If expert findings reveal that a violation of the performance standard exists, the cost of such determination shall be assessed against the violator who shall be given not less than five (5) days and not more than ten (10) days to correct the violation, and all of the penalties for continuance of such violation as provided in Article 17 shall be invoked from the date of the original allegation

Art. 16 - Administration and Enforcement

if the violator fails to correct the situation within the allotted time. If, prior to the expiration of the ten (10) day period the violator shall have requested in writing an extension of time to correct the violation because of unusual difficulties, the Zoning Administrator may, upon good cause shown, grant such extension for a reasonable period of time, not to exceed thirty (30) days from the date of original notice to cease the violation. In the event that the expert's findings reveal no violation, the cost of determination shall be borne by Loudoun County and the proceedings shall be closed.

ARTICLE 17 - VIOLATIONS AND PENALTIES

- 17-1 All departments, officials and public employees of Loudoun County vested with the duty or authority to issue permits licenses shall conform to the provisions of the Zoning Ordinance of Loudoun County and shall issue no such permit or license for uses, structures, or purposes where the same would be in conflict with the provisions of said Ordinance and any such permit or license if issued in conflict with the provisions of said Ordinance shall be null and void.
- 17-2 Any violation of said Ordinance shall constitute a misdemeanor, punishable by a fine of not less than \$10.00 and more than \$250.00, and each day after the first, during which violation shall continue after notification that it shall cease, shall constitute a separate violation.
- 17-3 It shall constitute a violation of said Ordinance, for any person, firm, corporation, owner or agent to disobey, neglect or refuse to comply with or resist the enforcement of any the provisions of said Ordinance.
- 17-4 Any persons who knowingly and intentionally makes any false statement relating to a material fact for the purpose of complying with the requirements of said Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished in accordance with the Statutes of the State of Virginia existing at the time for misdemeanor violations.

- 18-1 Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the Board of Supervisors may amend, supplement, or change the regulations in the Zoning Ordinance, or the zoning boundaries or classification of property on the Zoning Map, in conformity with the provisions of Article 8, Chapter 11, Title 15.1 of the Code of Virginia 1950, as amended, and as set forth herein.
- 18-2 Initiation of Amendments: Amendments to the Zoning Ordinance shall be initiated only in the following manner:
- (a) Amendments to the text of the Ordinance and/or changes in the zoning boundaries or classification of properties shown on the Zoning Map may be initiated by the Board of Supervisors or the Planning Commission in accordance with the provisions of Section 15.1-493, Code of Virginia 1950, as amended.
- (b) Amendments to the zoning boundaries or classification of property shown on the Zoning Map may be initiated by property owners of the land proposed to be rezoned, by the filing with the Zoning Administrator of a Zoning Map amendment petition, which petition shall be on a standard form approved by the Planning Commission and provided by the Zoning Administrator, and accompanied by a fee of fifty dollars (\$50) and all other material and data required in said form.
- 18-3 Public Hearing by Planning Commission: Upon receipt of a properly filed amendment, the Zoning Administrator shall set a time and place for a public hearing by the Planning Commission on said amendment and direct that public notice be given as required by Section 15.1-431, Code of Virginia 1950, as amended, and Section 18-8 hereof.
- 18-4 Planning Commission Recommendation: Following the public hearing, the Planning Commission shall forward the proposed amendment to the Board of Supervisors together with its recommendations and a statement fully setting forth its reasons for such recommendations. Failure of the Commission to make a recommendation within ninety (90) days after the first meeting of the Commission subsequent to receipt of a proposed amendment shall be deemed approval by the Commission of such amendment.
- 18-5 Board of Supervisors Hearing, Action: Before approving and adopting any amendment to the Zoning Ordinance text or map, the Board of Supervisors shall hold at least one public hearing thereon, pursuant to public notice as required by Section 15.1-431 of the Code of Virginia 1950, as amended, and Section 18-8 hereof. An affirmative vote of at least a majority of the members of the Board of Supervisors shall be required within thirty (30) days of the Board's advertised public hearing in order to amend the Ordinance text or map,

otherwise said amendment shall not be approved or adopted without proceeding anew as in the case of a new amendment. No amendment to the Zoning Map shall be approved for a change in zoning classification different from the one applied for and contained in the public notice of hearing nor for any land not included therein without referring said change to the Planning Commission for its review and recommendations and proceeding pursuant to Sections 18-3 and 18-4 above, provided, however, that an amendment may be approved for only a portion of the area proposed for rezoning if the portion rezoned is accurately and sufficiently delimited in the approval action.

- 18-6 Limitation on Filing New Petition After Original Denied: Upon the denial by the Board of Supervisors of any petition filed pursuant to subsection (b) of Section 18-2 above, no new petition concerning any or all of the same property shall be filed within (12) twelve months of the date of denial.
- 18-7 Withdrawal of Petitions: Any petition filed pursuant to subsection (b) of Section 18-2 above may be withdrawn upon written request by the applicant any time prior to the submission of any public hearing notice for advertisement; provided, that if the request for withdrawal is made after publication of the notice of hearing, such withdrawal shall be only with the consent of either the Planning Commission or the Board of Supervisors, whichever body has advertised the hearing, and no new petition concerning any or all of the same property shall be filed within twelve (12) months of the date of action by the respective body approving such withdrawal unless such body in its action approving withdrawal specifies that the time limitation shall not apply.
- 18-8 Posting of Property: Additional notice of public hearings involving Zoning Map amendments initiated pursuant to subsection (b) of Section 18-2 above, shall be provided by means of signs posted on the property proposed for rezoning, in the manner prescribed in this Section.
- 18-B.1 Posting of Property - Planning Commission Hearing: At least fifteen (15) days preceding the Planning Commission's public hearing on a Zoning Map amendment, the applicant shall erect on the property proposed to be rezoned, a sign or signs furnished by the Zoning Administrator indicating the change proposed and the date, time and place of the public hearing. The sign shall be erected by the applicant within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half feet above the ground. If more than one such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the

same manner as above on at least two boundaries of the property abutting land not owned by the applicant.

18-8.2 Posting of Property - Board of Supervisors Hearing: Upon receipt of written notice that a public hearing has been scheduled before the Board of Supervisors for his Zoning Map amendment, the applicant shall erect, at least fifteen (15) days preceding such hearing, a sign or signs furnished by the Zoning Administrator indicating the change proposed and the date, time and place of the public hearing. Such sign or signs shall be erected in the same manner as prescribed in subsection 18-8.1 above.

18-8.3 Maintenance and Removal of Signs: Any sign erected in compliance with this Section shall be maintained at all times by the applicant up to the time of the hearing and it shall be the duty of the applicant at the hearing to prove by affidavit that he has fully complied with the requirements of this Section and has continuously maintained the sign or signs up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is remove or tamper with any sign furnished during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant within fifteen (15) days following the public hearing for which it was erected.

effective 6/2/65

ARTICLE 19 - VALIDITY

- 19-1 If any section, subsection, sentence, clause, phrase or word of this Ordinance is, for any reason, held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

ARTICLE 20 - EFFECTIVE DATE AND REPEAL

- 20-1 This Zoning Ordinance of Loudoun County shall be effective at and after 12:01 a.m., July 11, 1959; and at the same time the Loudoun County "Zoning Ordinance" adopted September 28, 1942, as amended, and any portion of any other ordinance in conflict with this Ordinance is hereby repealed.*

*Specifically repealed herewith are the provisions of the "Subdivision Ordinance of Loudoun County" adopted March 4, 1957, which relate to sizes of lots as set forth in Section 7-7.3, 7-7.4, 7-7.5, and 7-7.6 of that Ordinance.