

**ARTICLE 4
SPECIAL & OVERLAY DISTRICTS**

Division A: Planned District Regulations

Section 4-100 Planned Development-Housing.

4-101 Purpose. The Planned Development-Housing (PD-H) district is established to provide for a variety of single and multifamily housing types in neighborhood settings plus supporting non-residential uses in a planned environment fostering a strong sense of community.

4-102 Size and Location. A PD-H district, when mapped, shall be no less than fifty (50) acres in size for a PD-H3, no less than twenty five (25) in size for a PD-H 4, and a PD-H 6 district. Smaller parcels that are adjacent to and a logical extension of an approved PD-H district may be approved pursuant to 6-1200. Land may be rezoned to the PD-H district where consistent with the provisions of the residential elements of the Comprehensive Plan.

4-103 Timing of Development. It is the intent of these regulations that due consideration be given to the relationship of a PD-H proposal to:

- (A) The general housing demand in the County.
- (B) The existing and potential housing supply under development plans approved by the County.
- (C) The general pattern and organization of residential communities in the County, and
- (D) The relationship to existing and planned employment opportunities and supporting business and other services.

4-104 Zoning Regulations Generally. It is the intent of these regulations that there be three (3) PD-H district options PD-H3, PD-H4, and PD-H6 to be distinguished on the basis of the maximum net residential density of the proposed district. PD-H districts shall be developed according to the regulations of the Urban Residential Districts, in Article III of this Ordinance, identified for individual land bays within the development at the time of preliminary subdivision official acceptance with the following:

- (A) **Maximum Net Residential Density.** The maximum net residential density approved for a PD-H district shall be consistent with the Comprehensive Plan and the design criteria defined therein for various types of communities and as follows:

	PD-H3	PD-H4	PD-H6
Net Residential Density	3	4	6

Increases in density above the maximums noted above may be granted pursuant to Article VII of this Ordinance. In such cases, Comprehensive Plan design criteria and requirements for additional open space shall not apply.

- (B) **Uses.** Single family detached, single family attached, duplex, townhouse, two family and multi-family uses are allowed in each of the PD-H zoning districts. The permitted and special exception uses of the PD-H district shall be those of the R district identified on the concept development plan for the development, except that the following uses shall be permitted by-right provided that the number, size and locations of these uses are identified on the concept development plan: Church, synagogue, temple; Public School (elementary, middle or high), pursuant to Section 5-666; Neighborhood or community parks (not public); Libraries; Community Centers; Fire, police and rescue stations; Child care facilities; and Non-commercial recreation facilities. Retail and service uses, offices and industrial parks may be permitted, subject to Sections 4-105 through 4-108 below. In all cases, the regulations for PD-H developments in this Section and Section 6-1200 of this Ordinance shall apply.
- (C) **Development Requirements (including lot, building, utility, open space buffer, setback and access requirements).**
- (1) The approved Concept Development Plan for a PD-H district shall designate which individual land bays of the proposed district shall be developed for residential uses pursuant to Low Density (R-1, R-2, and R-3), Medium Density (R-4 and R-8), or High Density (R-16 and R-24) district regulations, the maximum size of the land bay and number of units per land bay to be developed. Residential uses in the PD-H districts shall follow those requirements set forth in the R-1, R-2, R-3, R-4, R-8, R-16, or R-24 zoning districts respectively as designated on the preliminary subdivision plan.
 - (2) The approved Concept Development Plan for a PD-H district shall designate which individual land bays of the proposed district shall be developed for office, commercial and industrial uses, the maximum size of the land bay and floor

area per land bay, to be developed. Office, commercial and industrial uses shall follow those requirements set forth in the PD-CC, PD-OP, or PD-IP zoning districts respectively as designated on the preliminary subdivision plan.

- (3) Requirements of these districts may be modified in connection with a PD-H rezoning, or as a separate application thereafter, provided that the proposal meets the criteria of Section 6-1217.

(D) **Building Requirements.**

- (1) **Floor Area Ratio.** Not applicable to residential uses; maximum .40 FAR for any retail or service use, offices or industrial parks.

- (E) **Planning and Design Guidelines.** The Board, by resolution after a public hearing on such guidelines, may adopt and utilize separate planning and design guidelines to supplement the Zoning Ordinance in the review of applicant proposals for PD-H districts.

4-105 Retail and Service Uses. These uses are intended to serve primarily the convenience needs of the PD-H District. Total land area devoted to such uses, including uses allowed under Sections 4-106 and 4-107, shall not exceed three (3%) percent of the total land area of the planned development district.

4-106 Planned Shopping Centers. These uses are permissible as provided in Section 4-200(A)&(B) (neighborhood and community centers only), subject to the following additional restrictions and requirements, and provided that dwelling units may be permitted on levels above street level at densities not to exceed one (1) dwelling unit per 2,000 square feet of gross floor area devoted to commercial purposes.

- (A) All requirements shall be as for PD-CC (neighborhood or community centers only) as outlined herein, provided however that first floor location uses shall be restricted to commercial, personal service, and finance establishments.
- (B) The location of the shopping center shall provide convenient access to major or minor collector streets without creating through traffic in residential neighborhoods, causing traffic hazards or congestion, or impeding free traffic flow.
- (C) Layout of building, parking and service areas, access, berms and landscaping, yards, courts, walls, signs and lighting, and control of

noise shall protect the residential character of the PD-H district and any other residential districts in the vicinity.

- (D) The maximum Floor Area Ratio for such uses shall not exceed .40.
- (E) Non-vehicular open space in an amount equal to at least thirty (30%) of the net area of the site exclusive of adjoining streets shall be provided. Such space shall be landscaped and located to provide buffering and convenient pedestrian circulation.
- (F) Where appropriate accessways may be so located as to serve other uses in the district subject to the limitations of Section 4-106(B).

4-107

Convenience Establishments.

- (A) **Uses permitted.** For purposes of these regulations, convenience establishments are defined as small establishments designed and intended to serve the daily or frequent trade or service needs of the immediately surrounding population. Such establishments, as permitted in PD-H districts, include groceries, variety stores, pharmacies pursuant to Section 5-659, coin-operated laundry and dry cleaning agencies, tailoring and dressmaking shops, beauty shops, barber shops, professional offices, carry-out restaurants and similar small scale uses. Specifically excluded are automobile service stations, repair garages, drive-in eating and drinking establishments.
- (B) **Location grouping.** Convenience establishments shall be located only in portions of PD-H districts: (a) not served by similar facilities within walking distance; and (b) near dwelling unit densities of at least six (6) units per acre, as to provide substantial walk-in trade. Where more than one convenience establishment of this nature is proposed, they shall be grouped, arranged and designed for maximum pedestrian convenience. Vehicular access and parking areas shall be combined where such combination will result in improvement in public convenience and vehicular circulation.
- (C) **Control of potential adverse effects.** Convenience establishments shall not have substantial adverse effects on residential uses within the district or adjoining residential districts by reason of their location, design, construction, manner or timing of operation, signs, lighting, parking or access arrangements. Landscaped open space shall be utilized to protect the residential character of the PD-H and surrounding districts.

- (D) **Maximum size of establishments.** No individual convenience establishment established under the provisions of this Section shall have a gross floor area in excess of 5,000 square feet, and no combination of such establishments in any one location shall have a total gross floor area of more than 10,000 square feet.
- (E) **Lot Area, Width and Coverage.** No minimum lot area or width requirements are set for convenience establishments, but lot coverage by all buildings shall not exceed thirty percent (30%) of the net area of the lot or building site.
- (F) **Yards: Building Spacing.** Yards shall have the same or greater depth as required for adjoining uses. Where space is left between buildings on the lot or building site, it shall be at least twenty five (25) feet in width.
- (G) **Open Space.** Non-vehicular open space in an amount equal to at least fifteen percent (15%) of the net area of the site, exclusive of adjoining streets, shall be provided. Such space shall be landscaped or otherwise appropriately improved for general amenity to provide convenient pedestrian circulation, play areas for children, passive recreation areas and the like.
- (H) **Off-street parking and multiple use of access.** Off-street parking spaces shall be two-thirds of that required for the PD-CC neighborhood center. Where appropriate to the general design of the district and timing of operations of the uses involved, accessways may be so located as to serve other uses in the district if such multiple use will not lead to congestion or hazards to pedestrian or vehicular traffic.
- (I) **Access.** The lot access requirements of Section 1-205(A) shall be observed.
- (J) **Signs.** Sign limitations shall be as provided in Section 5-1200 of this ordinance, with business signs limited as provided in Section 5-1204(D).

4-108

PD-OP and PD-IP Uses. Location of these uses within a PD-H district shall be consistent with the Comprehensive Plan. These uses shall comply with the following additional regulations and requirements:

- (A) Total land area devoted to such uses shall not exceed fifteen (15%) percent of the total land area of the planned development, and no single area devoted to such uses shall have less than ten (10) acres.

Modification of this section may be permitted pursuant to Section 6-1217.

- (B) Total office floor space shall not exceed (200) square feet per allowed dwelling unit. Total industrial floor space shall not exceed 200 square feet per allowed dwelling unit. Modification of this section may be permitted pursuant to Section 6-1217.
- (C) Accessory retail and service uses may be provided within office and industrial buildings in an amount not to exceed five percent (5%) of total office or industrial floor space.
- (D) Permitted and special exception uses, minimum area requirements for individual lots, minimum landscaped open space, and minimum yard requirements shall all be governed by the provisions of Sections 4-300 (PD-OP) and 4-500 (PD-IP) which provisions shall act as regulations for the development of such sites.

4-109

Site Planning - External Relationships. Site planning within the PD-H district shall provide protection of the development from potentially adverse surrounding influences, and protection of surrounding areas from potentially adverse influences within the development. In particular and without limitation, the proposed development shall demonstrate the following features:

- (A) Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. In general, minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by substantial amounts of through traffic.
- (B) **Protection of visibility - pedestrian/cyclist.** Where there is pedestrian or bicycle access to a street, no impediment to visibility more than 2-1/2 feet above the level of the center of the street shall be allowed within the visibility triangle required in Section 5-300(B) or VDOT standard, whichever is greater.
- (C) **[RESERVED]**
- (D) Planned shopping centers and convenience establishments adjacent to single family or agricultural residential districts or land bays allowing residential uses shall provide a permanent open space buffer at least (75) feet in width with a Buffer Yard Type B. Other nonresidential uses in such perimeter areas shall provide the yards required by Section 4-305(B)(2) or Section 4-505(B)(2).

- (E) **Height limitations at edges of PD-H districts.** Except along boundaries where adjoining districts permit greater heights within similar areas, height limitations shall be limited to an imaginary plane leaning inward from district boundaries at an angle representing an increase in height of one (1) foot for every one (1) foot of horizontal distance perpendicular to the district boundary. No portion of any building in such district shall project through said imaginary plane.

4-110 Site Planning - Internal Relationships. The PD-H district shall provide the following:

- (A) **Maximum Height Restrictions.** Dwellings and other uses allowed in residential zoning districts: as provided in the applicable R District. Commercial, industrial and office buildings: as provided in the applicable PD-CC, PD-OP, and PD-IP Districts, per Section 4-200, 4-300, and 4-500.
- (B) All arterial and collector streets serving a PD-H District, and all streets of any size serving residential (except townhouse and multifamily), commercial, office, institutional and industrial uses within a PD-H district, shall be designed and constructed to VDOT standards for inclusion in the state highway system. Roads serving townhouse and multifamily uses only may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met:
 - (1) All residences served by a private road shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road.
 - (2) The record plat and protective covenants for such development shall expressly state that the County and VDOT have no, and will have no, responsibility for the maintenance, repair, or replacement of private roads.
 - (3) Sales brochures or other literature and documents provided by the seller of lots served by such private roads shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots including a statement that the County has no, and will have no, responsibility for the maintenance, repair, or replacement of private roads.

- (C) Streets, drives, parking and service areas shall provide immediate, safe and convenient access and circulation for dwelling units and project facilities and for service and emergency vehicles including fire-fighting equipment, furniture moving vans, fuel trucks, garbage collection, deliveries, and snow removal. Streets shall not be laid out so as to encourage outside or through traffic to traverse the development on minor streets.
- (D) Vehicular access to public streets, from off-street parking and service areas serving less than eighty (80) dwelling units, may be directly to the street via a single point of access. Vehicular access, from off street parking and service areas serving eighty (80) or more units, shall require two (2) or more points of access. Determination of number of the actual dwelling units served shall be based on normal routing of traffic anticipated in the development.
- (E) Vehicular access from off-street parking and service areas shall be designed to minimize the number of curb cuts and to promote safe traffic flow.
- (F) **Ways for pedestrians and cyclists; use by emergency or service vehicles.** Ways shall be provided to all dwelling units, project facilities and principal off-site destinations. Accessways to be used by children as routes to school or other destinations shall be so located and safeguarded as to minimize contacts with automotive traffic. Street crossings shall be held to a minimum on such walkways. Pedestrian ways may be combined with other easements and used only by emergency or service vehicles.
- (G) **Protection of visibility - cyclists and pedestrians.** Visibility clearance at intersections shall be as provided in Section 5-300.
- (H) Recycling collection centers shall be designed and located in accordance with the provisions of Section 5-607 of this Ordinance and the requirements of the Facilities Standards Manual.
- (I) **[RESERVED]**
- (J) Planned shopping centers and convenience establishments adjacent to single-family residential, agricultural-residential districts shall provide a permanent open space buffer at least seventy-five (75) feet in width with a Buffer Yard Type B. Other nonresidential uses in such perimeter areas shall provide the yards required by Section 4-305(B)(2) or Section 4-505(B)(2).

(A) **Open Space.** A minimum of thirty percent (30%) of the land within the district, excluding the land designated for road rights-of-way, commercial and industrial uses, shall be devoted to open space. Active recreation space required under the Urban Residential Districts, in Article III, shall be counted toward the open space requirements and all, or a portion of, which may be located outside of the individual R-district land bay to create more functional recreation areas. Land comprising major floodplain, steep slopes, active recreation open space, common open space and dedicated open space shall all be counted toward satisfying this minimum open space requirement. The general location and character of the required open space shall be depicted on the Concept Development Plan.

(B) **Ownership, Operation and Management of Common Open Space and Common Facilities.**

(1) All common open space shall be preserved for its intended purpose as expressed in the Concept Development Plan. The developer shall choose prior to approval of the first record plat or final site plan, one (1) or a combination of the following methods of administering common open space:

(a) Public dedication to the County of the common open space, subject to acceptance by the Board of Supervisors.

(b) Establishment of a non-profit association, corporation, trust, or foundation of all owners of residential property within the planned development. Such organization shall conform to the following requirements:

(i) The organization must be established prior to approval of the first record plat or final site plan in the proposed development. The documents establishing such organization shall be reviewed and approved by the County.

(ii) Membership in the organization shall be mandatory for all residential property owners, present or future, within the planned community and said organization shall not discriminate in its members or shareholders.

- (iii) The organization shall manage, maintain, administer and operate all open space and improvements and other land not publicly or privately owned, and shall secure adequate liability insurance on the land and such improvements.
 - (iv) Sales brochures or other literature and documents provided by the seller of all lots within a PD-H district shall include information regarding membership requirements and responsibilities of such organizations.
 - (c) Retention of ownership, control, and maintenance of common open space and improvements by the developer.
- (2) All common open space not dedicated to the County shall be subject to restrictive covenants running with the land restricting its use to that specified in the approved Development Plan. Such restrictions shall be for the benefit of, and enforceable by, all present or future residential property owners and the Board of Supervisors of Loudoun County.
- (3) All common open space, as well as public recreational facilities, shall be specifically included in the development schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.

Section 4-200

PD-CC Planned Development - Commercial Center.

4-201

Purpose. These districts are created to permit the development of neighborhood, community, and regional shopping centers in scale with surrounding market areas, at locations recommended in the Loudoun County Comprehensive Plan. These shopping centers shall serve areas not already conveniently and adequately provided with commercial and service facilities of the kind proposed. It is intended to permit the establishment of such districts with carefully organized buildings, service areas, parking areas and landscaped open space; with design features which reduce traffic; and with design, landscaping and buffers which protect property values in surrounding neighborhoods. Planned Development-Commercial Centers shall provide a broad range of facilities and services appropriate to the general need of the area served. Within the broad classification of Planned Development- Commercial Center, several separate types of shopping centers are identified. The type of center appropriate to any specific location shall be determined by the market served; the proximity and access provided to residential districts; and consistency with the Comprehensive Plan.

4-202

Purpose, Size and Location of Individual Districts.

- (A) **Neighborhood Center (NC).** This district is established to permit the development of small scale commercial centers which serve the convenience needs of residential neighborhoods immediately adjacent to or within walking distance of the center. Neighborhood centers shall be located on local access or two lane minor collector roads, and shall be designed, landscaped and buffered so as to be compatible with neighboring development. When mapped, each district shall be a minimum of 1.5 acres and a maximum of six (6) acres in area. This district is intended to have a mix of uses of which no one use shall exceed five thousand (5000) square feet or fifty percent (50%) of the gross floor area of the center, whichever is less, without special exception approval.
- (B) **Community Center (CC).** This district is established to permit the development of commercial centers which serve the retail shopping needs of the surrounding community. Community centers are centrally located on collector roads within a ten (10) minute drive to the community it is intended to serve. Such centers shall be sited so as to complement the character of the surrounding community, to include appropriate pedestrian linkages with adjacent land uses, and shall be designed, landscaped and buffered so as to be compatible with neighboring development. When mapped such district shall be a minimum of six (6) acres and a maximum of twenty (20) acres in area.

- (C) **Small Regional Center (SC).** This district is established to permit the development of small regional centers consisting of individual large and small scale commercial uses selling a broad range of goods or services to a market area beyond the local community. Specialty centers shall be located with controlled access to major collector roads and will be designed, landscaped, and buffered so as to be compatible with neighboring development. When mapped, such district shall be a minimum of twenty (20) acres and a maximum of sixty (60) acres.
- (D) **Regional Center (RC).** This district is established to permit the development of large scale commercial centers which provide a wide range of retail, office, and service uses, with one or more anchor stores, to the regional market. Transportation facilities, public services, and site design shall be carefully planned so as to insure regional centers promote and reinforce the identity of the community and commercial facilities in the surrounding area. This district may be mapped in specific locations provided in the Comprehensive Plan. When mapped, this district shall be located with controlled access to arterial roads, and shall be a minimum of sixty (60) acres.

4-203

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

- (A) **Neighborhood Center.**
 - (1) Adult day care center.
 - (2) Bank or financial institution, pursuant to Section 5-659.
 - (3) Child care center, pursuant to Section 5-609.
 - (4) Convenience food store without gas pumps, pursuant to Section 5-617.
 - (5) Personal service establishment.
 - (6) Pharmacy, pursuant to Section 5-659.
 - (7) Recycling drop-off collection center, small, pursuant to 5-607(A).
 - (8) Restaurant.
 - (9) Community center.

- (10) Office, administrative, business, professional, medical and dental, not to exceed twenty percent (20%) of the gross floor area of the neighborhood center.
- (11) Agriculture, horticulture, forestry, and fishery.
- (12) Art gallery.
- (13) Business service establishment.
- (14) Commuter parking lot.
- (15) Facility for lessons in dance, gymnastics, judo, and sports training.
- (16) Food store.
- (17) Health and fitness center.
- (18) Home service establishment.
- (19) Medical care facility, outpatient only.
- (20) Park.
- (21) Post office, drop off and pick up.
- (22) Restaurant, carry-out only.
- (23) Retail sales establishment.
- (24) Studio space - artist, crafts person, writer, etc.
- (25) Utility substation, dedicated.
- (26) Water pumping station.
- (27) Printing service.
- (28) Sewer pumping station.
- (29) Construction retail establishment.
- (30) Telecommunications antenna, pursuant to Section 5-618(A).
- (31) Training Facility, accessory to a permitted or special exception use.

- (32) Interactive Science & Technology Center.
- (33) Craft Beverage Manufacturing, pursuant to Section 5-668.

(B) Community Center.

- (1) All uses permitted in a Neighborhood Center, excluding: the following:
 - (a) Construction retail establishment.
- (2) Theater, indoor.
- (3) Bowling alley.
- (4) Library.
- (5) Recreation establishment, indoor.
- (6) Restaurant, dinner theatre.
- (7) Private club or lodge.
- (8) Public utility service center, without outdoor storage.
- (9) Radio and television recording studio.

(C) Small Regional Center.

- (1) All uses permitted in a Neighborhood or Community Center, including a Construction retail establishment.
- (2) Motor vehicle sales and accessory service.
- (3) Car Wash.
- (4) Motor vehicle service and repair, light.
- (5) Restaurant, with drive-through facility.
- (6) Restaurant, carry-out only.
- (7) Motorcycle or ATV sales, rental, repair and associated service.
- (8) Training Facility.

(D) **Regional Center.**

- (1) Office, administrative, business and professional, medical and dental, but not to exceed twenty percent (20%) of the gross floor area of the regional center.
- (2) All uses permitted in a Neighborhood or Community Center, including a Construction retail establishment, but excluding the following:
 - (a) Home service establishment.
- (3) Motor vehicle service and repair, light.
- (4) Car wash.
- (5) Restaurant, with drive-through facility.
- (6) Restaurant, carry-out only.
- (7) Training Facility.

4-204

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

(A) **Neighborhood Center.**

- (1) Any one permitted use in excess of 5,000 sq. ft. in gross floor area.
- (2) Any one permitted use which exceeds fifty percent (50%) of the gross floor area of the neighborhood center in which it is located.
- (3) Any compatible use which serves the immediate neighborhood and is not a use already listed for any district in the Zoning Ordinance.
- (4) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (5) Automotive service station.
- (6) Outdoor sales area, accessory.

- (7) Recreation establishment, indoor.
- (8) Fire and/or rescue station.
- (9) Mass transit facilities and stations.
- (10) Public utility service center, without outdoor storage.
- (11) Veterinary service.
- (12) Animal hospital or day care center for pets.
- (13) Water storage tank.
- (14) Water treatment plant.
- (15) Sewage treatment plant.
- (16) Crematorium.
- (17) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (18) Police station.
- (19) Office, administrative, business, professional, medical and dental in excess of twenty percent (20%) of the gross floor areas of the neighborhood center.
- (20) Training Facility.
- (21) Public School (elementary, middle or high) by Minor Special Exception.

(B) Community Center.

- (1) Any compatible use which serves the surrounding community and is not a use already listed for any district in the Zoning Ordinance.
- (2) Automobile service station.
- (3) Office, administrative, business, professional, medical and dental, in excess of twenty percent (20%) of the total floor space of the community center.
- (4) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.

- (5) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (6) Outdoor sales area, accessory.
- (7) Fire and/or rescue station.
- (8) Mass transit facilities and stations.
- (9) Restaurant, with drive-through facilities.
- (10) Veterinary service.
- (11) Animal hospital.
- (12) Sewage treatment plant.
- (13) Water treatment plant.
- (14) Water storage tank.
- (15) Crematorium.
- (16) Construction retail establishment.
- (17) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (18) Police station.
- (19) Training Facility.
- (20) Public School (Elementary, Middle, or High) by Minor Special Exception.
- (21) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, by Minor Special Exception.
- (22) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.

(C) Small Regional Center.

- (1) Same as Community Center, excluding the following:
 - (a) Construction retail establishment.
- (2) Kennel, Indoor, pursuant to Section 5-606.

- (3) Hotel/Motel, pursuant to Section 5-611.
- (4) Motor vehicle rental, with outdoor storage only.

(D) **Regional Center.**

- (1) Same as Small Regional Center.

4-205 Lot Requirements.

- (A) **Size.** No minimum.
- (B) **Width.** No minimum.
- (C) **Yards.** The following perimeter yard minimums shall be provided for each type of commercial center:

- (1) **Adjacent to Roads.**

- (a) **Neighborhood Center (NC).** No building, parking, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than twenty-five (25) feet to any road right-of-way, however if a structure's front entrance faces the street without an intervening parking area, the depth of such yard may be reduced to thirteen (13) feet except as provided in Section 4-206(E).
- (b) **Community Center (CC).** No building, parking, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than thirty-five (35) feet to any road right-of-way, except as provided in Section 4-206(E). No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road.
- (c) **Small Regional Center (SC).** No building, parking, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than thirty-five (35) feet to any road right-of-way, except as provided in Section 4-206(E). No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road.

- (d) **Regional Center (RC).** No building, parking, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than fifty (50) feet to any road right-of-way, except as provided in Section 4-206(E). No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road.
- (2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** (All Centers) No building, parking, outdoor storage, areas for collection of refuse or loading area shall be permitted closer than one hundred (100) feet to any agriculture districts, any existing or planned residential district, or land bays allowing residential uses. No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses or areas are visible from said agricultural and residential areas.
- (3) **Adjacent to Other Nonresidential Districts.** Thirty-five (35) feet for buildings, parking, outdoor storage, and loading areas, except where a greater area is required by Section 5-1400.

4-206 Building Requirements.

- (A) **Lot Coverage.** No maximum.
- (B) **Floor Area Ratio.** .40 maximum with surface parking lots; .60 maximum if parking structures are provided; 2.0 maximum on individual lots within a commercial center, provided the commercial center is developed in accordance with a proffered concept development plan which limits the maximum overall FAR of the center to no more than .40 FAR.
- (C) **Building Height.** No building in any commercial center shall exceed forty-five (45) feet; except that in small regional and regional centers a building may be erected to a maximum of fifty (50) feet in a Small Regional Center and one hundred (100) feet in a Regional Center district if it is set back from public streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard

dimensions, a distance of not less than one (1) foot for each one (1) foot of height that it exceeds the forty-five (45) foot limit.

- (D) **Vehicular Access.** Primary access shall be prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods. Each commercial center shall provide a vehicular circulation plan that minimizes direct vehicular access to parking stalls from major cartways, and provides other on and off-site improvements to enhance pedestrian and vehicular circulation. Minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by through and construction traffic. In addition, each commercial center shall provide convenient and coordinated vehicular access to public roadways only as follows:

- (1) **Neighborhood Centers.** Local access roads.
- (2) **Community Centers.** Collector roads.
- (3) **Small Regional Centers.** Major collector roads.
- (4) **Regional Centers.** Controlled access onto arterial roads.

- (E) **Development Setback and Access from Major Roads.** In designing a planned shopping center development, the lot access requirements of Section 1-205(A) and the building and parking setback requirements of Section 5-1403(B) shall be observed.

- (F) **Pedestrian Access.**

- (1) **Pedestrian Circulation Plan.** Each commercial center shall provide a pedestrian circulation plan identifying improvements that accomplish the following:
 - (a) Minimizes conflict between pedestrians and moving motor vehicles.
 - (b) Channelizes pedestrian flows to crossing areas and delineates paths across major cartways, such as striping and signage; and
 - (c) Connects internal pedestrian walkways to existing walkways and/or makes provision for connecting to future site walkways.
- (2) In addition, each type of commercial center should be established with the following pedestrian facilities:

- (a) **Neighborhood Center.** Walkways shall provide a convenient and safe access to surrounding residential neighborhoods, stores and shops.
- (b) **Community Center.** Walkways shall provide convenient and safe access from adjacent residential or commercial areas to the center.
- (c) **Small Regional and Regional Center.** Each center shall provide a pedestrian circulation plan that includes walkways, crosswalks, and traffic control devices that create safe and convenient pedestrian paths from all parking areas to shopping areas.

4-207

Use Limitations.

- (A) **Accessory Structures and Uses.** As an accessory use, parking garages or areas for commuter parking may be permitted, but spaces for this purpose shall be provided in addition to the required parking spaces provided for in Section 5-1100. Accessory structures and uses other than for commuters shall be permitted only where said uses and structures are customarily accessory and clearly incidental and subordinate to the permitted principal use and structures.
- (B) **Landscaped Open Space.** Minimum landscaped open space shall not be less than .20 times the buildable area of the commercial center.
- (C) **Site Planning - External Relationships.** Commercial and service uses and structures and their parking areas shall be oriented toward existing and planned major arterials, minor arterials, or collector streets and away from adjacent existing and planned minor streets in residential neighborhoods or from existing and planned adjacent residential neighborhoods not separated from the district by streets.
 - (1) Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and parking from streets, agricultural and residential uses.
 - (2) At principal vehicular access points, service drives, and turn-out lanes, traffic separation devices and merging lanes may be required based on the anticipated flow of traffic. Such service drives, or turn-out and merging lanes may be allowed as part of the required yard adjacent to a collector or arterial street. No such service drive or lane, and no vehicular

entrance or exits, shall be counted as part of any required landscaped area.

- (3) For individual lots subdivided within a commercial center that is developed in accordance with a proffered concept development plan, the buffer and screening requirements of Section 5-1400 shall apply only to the perimeter area of the center and shall not be applicable internally between uses on adjacent lots developed within the center.

(D) **Site Planning - Internal Relationships.** Commercial buildings shall be so grouped in relation to parking areas that after customers arriving by automobile enter the center, establishments can be visited with a minimum of internal automotive movement. Facilities and access routes for shopping center deliveries, servicing and maintenance shall, so far as reasonably practicable, be separated from customer access routes and parking areas. Areas where deliveries to customers in automobiles are to be made or where services are to be provided for automobiles, shall be so located and arranged as to minimize interference with pedestrian traffic within the center.

- (1) All utility distribution lines located on PD-CC designated land shall be placed underground.
- (2) Commercial and service uses and structures and their parking areas shall be oriented toward existing and planned major arterials, minor arterials, or collector streets and away from adjacent existing and planned minor streets in residential neighborhoods or from existing and planned adjacent residential neighborhoods not separated from the district by streets.
- (3) Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and parking from streets and agricultural and residential uses.
- (4) At principal vehicular access points, service drives, turn-out lanes, traffic separation devices and merging lanes may be required based on the anticipated flow of traffic. Such service drives, or turn-out and merging lanes may be allowed as part of the required yard adjacent to a collector or arterial street. No such service drive or lane, and no vehicular entrance or exits, shall be counted as part of any required landscaped area.

- (5) For individual lots subdivided within a commercial center that is developed in accordance with a proffered concept development plan, the buffer and screening requirements of Section 5-1400 shall apply only to the perimeter area of the center to buffer adjacent public roads and properties and shall not be applicable internally between uses on adjacent lots developed within the center.
- (E) **Outdoor Storage.** Outdoor storage of waste materials and any other type of equipment and supplies shall be buffered and screened on the periphery of the storage area.

Section 4-300

PD-OP Planned Development - Office Park.

4-301 Purpose. A Planned Development - Office Park district is established primarily for administrative, business and professional offices and necessary supporting accessory uses and facilities, designed with a park-like atmosphere and environmentally sensitive design to accommodate and complement existing natural features including extensive landscaping, low ground coverage by buildings, buildings of moderate height, and careful attention to such aesthetic considerations as location and size of signs, lighting, parking and service areas and the like.

4-302 Size and Location. When mapped, the district shall be no less than five (5) acres and shall be located:

- (A) On arterial or collector roads.
- (B) In areas served by public water and sewer facilities.
- (C) In areas compatible with other commercial development.
- (D) As envisioned in the Comprehensive Plan.

Incremental and contiguous additions of a minimum of one (1) acre to an existing PD-OP zoning district shall be allowed. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.

4-303 Permitted Uses. The following uses shall be permitted in any PD-OP district, subject to the requirements and limitations of these regulations:

- (A) Office, administrative, business and professional.
- (B) Bank or financial institution, pursuant to Section 5-659.
- (C) Commuter parking lot.
- (D) Health and fitness center.
- (E) Office, medical and dental.
- (F) Post office.
- (G) Adult day care center.
- (H) Educational institution.

- (I) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (J) Printing service.
- (K) Agriculture, horticulture, forestry, and fishery.
- (L) Business service establishment, pursuant to Section 5-661.
- (M) Conference or training center.
- (N) Library.
- (O) Park.
- (P) Public utility service center, without outdoor storage.
- (Q) Radio and television recording studio.
- (R) Research, experimental, testing or development activities.
- (S) Utility substation, dedicated.
- (T) Water pumping station.
- (U) Sewer pumping station.
- (V) Utility substation, distribution, pursuant to Section 5-616.
- (W) Church, synagogue and temple.
- (X) Child care center, pursuant to Section 5-609(B).
- (Y) Telecommunications antenna, pursuant to Section 5-618(A).
- (Z) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (AA) Training Facility.
- (BB) Medical care facility, outpatient only.
- (CC) Uses auxiliary to permitted principal uses on a stand-alone basis such as, but not limited to, restaurants including carry-out, and drive-through facilities, personal service establishments, convenience food stores, and automobile service stations, not to exceed a total of ten percent (10%) of the total allowable floor area of the office park shown on a concept development plan.

(DD) Data center, pursuant to Section 5-664.

(EE) Hotel/Motel, pursuant to Section 5-611.

4-304

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

(A) Heliport, helistop.

(B) Hospital, pursuant to Section 5-610.

(C) Hotel/Motel, pursuant to Section 5-611(A) and (B) only.

(D) Radio, radar and/or television tower.

(E) Utility substation, transmission, pursuant to Section 5-616.

(F) Utility transmission lines, overhead.

(G) Telecommunications monopole, pursuant to Section 5-618(B)(2).

(H) Fire and/or rescue station.

(I) Golf course.

(J) Mass transit facilities and stations.

(K) Personal service establishment.

(L) Restaurant.

(M) Sewage treatment plant.

(N) Water treatment plant.

(O) Water storage tank.

(P) Facility for lessons in dance, gymnastics, judo, and sports training.

(Q) Telecommunications tower, pursuant to Section 5-618(C)(2).

(R) Police station.

(S) Public School (Elementary, Middle, or High) by minor special exception.

- (T) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.
- (U) Automobile service station.
- (V) Car wash.
- (W) Convenience food store, pursuant to Section 5-617.
- (X) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (Y) Craft Beverage Manufacturing, pursuant to Section 5-668.

4-305

Lot Requirements.

- (A) **Size.** One (1) acre minimum, exclusive of major floodplain.
- (B) **Yards.**
 - (1) **Adjacent to roads.** Except where a greater setback is required by Section 5-1403(B), no building shall be permitted closer than thirty-five (35) feet to the right-of-way from any road and no parking shall be permitted closer than twenty-five (25) feet to the right-of-way from any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.
 - (2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than fifty (50) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than thirty-five (35) feet to any such area. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses are visible from said agricultural and residential areas. When a PD-OP lot, parcel and/or landbay is developed adjacent to an agricultural district, an existing or zoned residential district, or land bay allowing residential uses, which was zoned for agricultural or residential uses subsequent to the adoption of this zoning ordinance and

subsequent to zoning of the subject property as PD-OP, the setback required in (B)(3) below shall apply.

- (3) **Adjacent to Other Nonresidential Districts.** Fifteen (15) feet for buildings, parking, outdoor storage, and loading areas except where a greater area is required by Section 5-1400. In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard requirement shall be applied only at the property line and not at the zoning district line.
- (4) **Yards Between Buildings.**
 - (a) Where individual lots or building sites are provided, the minimum required yards between buildings on adjacent lots or building sites shall be thirty (30) feet. Driveways, parking, and covered entrances may be within such yards. Covered walkways connecting buildings, or connecting buildings with parking areas, shall be permitted in such yards.
 - (b) Where there is more than one building on an individual lot or building site, spacing between such buildings shall be as required for fire protection, but if space is left between buildings, it shall be at least (25) feet in minimum dimension. Covered walkways connecting buildings, or connecting buildings with parking areas are permitted in such yards and may traverse such space.

4-306 Building Requirements.

- (A) **Lot Coverage.** .40 maximum; up to .60 maximum by Special Exception.
- (B) **Building Height.** Sixty (60) feet provided that a building may be erected to a maximum height of (100) feet if it is set back from streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot for each one (1) foot of height that it exceeds the sixty (60) foot limit.
- (C) **Floor Area Ratio.** .60 maximum; up to 2.0 maximum by Special Exception.

Use Limitations.

- (A) **Accessory Uses.** The following accessory uses shall be permitted provided they are located in the same building as the permitted principal uses primarily served, and provided they occupy in the aggregate not more than twenty-five percent (25%) of the floor area of such building:
- (1) Central reproduction and mailing services, and the like.
 - (2) Quick print shop.
 - (3) Restaurant, including carry-out, but excluding drive-through.
 - (4) Pharmacies, laboratories, testing, engineering, and research, and establishments for the production, fitting or sale of optical or prosthetic appliances.
 - (5) Personal service establishment.
 - (6) Convenience food store.
 - (7) Retail sales establishment.
- (B) **Accessory Structures and Uses.** As an accessory use, parking garages or areas for commuter parking may be permitted, but spaces for this purpose shall be provided in addition to the required parking spaces provided for in Section 5-1100.
- (C) **Landscaped Open Space.** Landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot. Such open space shall be landscaped and maintained in accord with Section 5-1400.
- (D) **Utility Requirements.** All new utility distribution lines located on PD-OP zoned land shall be placed underground.
- (E) **Site Planning.** Within any PD-OP district, landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and parking from streets, agricultural and residential uses.

- (F) **Access from Major Roads.** Access from adjacent public roads shall comply with Section 1-205(A) of this Ordinance.
- (1) Primary access shall be prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods.

Section 4-400

PD-RDP Planned Development - Research and Development Park.

4-401

Purpose and Intent. The Research and Development Park is a planned mixed employment park with a comprehensive development plan, which is designed to ensure compatibility between the land-use activities therein and the existing activities and character of the community in which the facility is located. The district objectives are to:

- (A) Provide an opportunity for mixed employment development character which allows the mixing of research and development firms, office complexes, certain types of manufacturing, and inter-related land uses.
- (B) Encourage linked industries to cluster in a section of the employment center.

4-402

Size and Location. The PD-RDP District shall be located only within a Primary Highway Transportation Improvement District, within a keynote employment area and in accordance with locational criteria designated in the County's Comprehensive Plan. Each PD-RDP District shall be served by public water and sewer. Each district shall be a minimum of twenty (20) acres, except that a two (2) acre minimum shall be permissible for incremental and contiguous additions to a previously mapped district. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.

4-403

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

- (A) Office, administrative, business and professional.
- (B) Educational institution.
- (C) Hotel/Motel, serving as an ancillary and interrelated component of the park.
- (D) Post office.
- (E) Park or plaza.
- (F) Research, experimental, testing, and/or development activities where manufacturing, fabrication, production, testing, repair, storage, sale, or resale of materials, goods, and products which are purchased and reassembled are incidental to the principal use.
- (G) Uses supportive and complementary to a specific research and development park and intended primarily to serve businesses and

employees therein, but not to exceed five percent (5%) of the total acres, excluding street rights-of-way, or five percent (5%) of the total floor space of the research and development park; including business service establishments, personal service establishments, outpatient medical care facilities, health and fitness centers, child care centers, adult day care centers and restaurants, but excluding drive-through facilities; and provided such uses are not in free standing buildings.

- (H) Conference or training center.
- (I) Museum, cultural center, arboretum.
- (J) Commuter parking lot.
- (K) Adult day care center.
- (L) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (M) Restaurant, dinner theatre.
- (N) Printing service.
- (O) Agriculture, horticulture, forestry, or fishery.
- (P) Art gallery.
- (Q) Bank or financial institution, pursuant to Section 5-659.
- (R) Business service establishment.
- (S) College or university or other educational institution over (50,000) sq. ft. in floor area.
- (T) Health and fitness center.
- (U) Library.
- (V) Office, medical and dental.
- (W) Performance arts center.
- (X) Public utility service center, without outdoor storage.
- (Y) Radio and television recording studio.
- (Z) Restaurant, carry-out only.

- (AA) Utility substation, dedicated.
- (BB) Water pumping station.
- (CC) Sewer pumping station.
- (DD) Utility substation, distribution, pursuant to Section 5-616.
- (EE) Church, synagogue and temple.
- (FF) Child care center, pursuant to Section 5-609.
- (GG) Telecommunications antenna, pursuant to Section 5-618(A).
- (HH) Training Facility.
- (II) Data center, pursuant to Section 5-664.

4-404

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

- (A) An increase in the maximum building height pursuant to 4-406(B).
- (B) Heliport, helistop.
- (C) Hospital, pursuant to Section 5-610.
- (D) Radio, radar and/or television tower.
- (E) Utility transmission lines, overhead.
- (F) Uses of the type described in Section 4-403(G), but either exceeding the size or freestanding building limitation thereof.
- (G) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (H) Utility substation, transmission, pursuant to Section 5-616.
- (I) Fire and/or rescue station.
- (J) Golf course.
- (K) Manufacture, processing, fabrication and/or assembly of products such as, but not limited to: scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceutical, household appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass

products made of purchases glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery.

- (L) Mass transit facilities and stations.
- (M) Medical care facility, outpatient only.
- (N) Hotel/Motel.
- (O) Personal service establishment.
- (P) Restaurant.
- (Q) Sewage treatment plant.
- (R) Water treatment plant.
- (S) Water storage tank.
- (T) School, private, accessory to a church.
- (U) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (V) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (W) Police station.
- (X) Public School (Elementary, Middle, or High) by minor special exception.
- (Y) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.
- (Z) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (AA) Craft Beverage Manufacturing, pursuant to Section 5-668, by Minor Special Exception.

4-405

Lot Requirements.

- (A) **Size.** Two (2) acres minimum, exclusive of major floodplain.

(B) **Yards.**

- (1) **Adjacent to roads.** Except where a greater setback is required by Section 5-1403(B), no building shall be permitted closer than thirty-five (35) feet to any roads and no parking shall be permitted closer than twenty-five (25) feet to the right-of-way of any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.
- (2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than one hundred (100) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than fifty (50) feet to any such districts and uses. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses are visible from the said agricultural and residential areas. When a PD-RDP lot, parcel and/or landbay is developed adjacent to an agricultural district, an existing or zoned residential district, or land bay allowing residential uses, which was zoned for agricultural or residential uses subsequent to the adoption of this zoning ordinance and subsequent to zoning of the subject property as PD-RDP, the setback required in (B)(3) below shall apply.
- (3) **Adjacent to Other Nonresidential Districts.** Fifteen (15) feet for buildings, parking, outdoor storage, and loading areas, except where a greater area is required by Section 5-1400. In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard requirement shall be applied only at the property line and not at the zoning district line.
- (4) **Yards Between Buildings.**
 - (a) Where individual lots or building sites are provided, the minimum required yards between buildings on adjacent lots or building sites shall be thirty (30) feet. Driveways, parking, and covered entrances may be within such yards. Covered walkways connecting

buildings, or connecting buildings with parking areas, shall be permitted in such yards.

- (b) Where there is more than one building on an individual lot or building site, spacing between such buildings shall be as required for fire protection, but if space is left between buildings, it shall be at least 25 feet in minimum dimension. Covered walkways connecting buildings, or connecting buildings with parking areas are permitted in such yards and may traverse such space.

4-406 Building Requirements.

- (A) **Lot Coverage.** .55 maximum.
- (B) **Building Height.** Forty-five (45) feet provided that a building may be erected to a maximum height of one hundred feet if it is set back from streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot for each one (1) foot of height that it exceeds the 45-foot limit.
- (C) **Floor Area Ratio.** .60 maximum; up to 2.0 maximum by Special Exception.

4-407 Use Limitations.

- (A) **Landscaped Open Space.** Landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot.
- (B) **Buffering/Screening.** Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading area and parking from streets and agricultural and residential uses.
- (C) **Accessory Structures and Uses.** As an accessory use, parking garages or areas for commuters may be permitted, but spaces for this purpose shall be provided in addition to the required parking spaces provided for in Section 5-1100. Accessory structures and uses other than for commuter parking shall be permitted only where said uses and structures are customarily accessory and clearly incidental and subordinate to the permitted principal use and structures, not to exceed 20% of the total floor area of the building.

- (D) **Loading Areas.** No loading area shall be permitted within the required yard of any building. All loading shall be placed at the rear or side of the building. Loading areas shall be screened from view of adjoining land not in the PD-RDP district and from public streets.
- (E) **Minimum Floor Space Mix.** At build-out, a minimum of twenty (20%) percent of total floor space in the park shall be committed to research and development uses or to Educational Institutions or schools, public or private.
- (F) **Utility Requirements.** All new utility distribution lines located on PD-RDP zoned land shall be placed underground.
- (G) **Access from Major Roads.** Access from adjacent public roads shall comply with Section 1-205(A) of this Ordinance.
 - (1) Primary access shall be prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods.
- (H) **Outdoor Storage.** Outdoor storage of waste materials and any other type of equipment and supplies shall be buffered and screened on the periphery of the storage area.

Section 4-500

PD-IP Planned Development - Industrial Park.

- 4-501 Purpose.** The district is established for light and medium industrial uses, office uses, and necessary supporting accessory uses and facilities, designed with a park-like atmosphere to complement surrounding land uses by means of appropriate siting of buildings and service areas, attractive architecture, and effective landscape buffering.
- 4-502 Size and Location.** PD-IP districts shall be located in areas served by one or more major arterial or collector roads, by public water and sewer, and consistent with locations identified in the Comprehensive Plan for industrial use. When mapped, the district shall be no less than twenty (20) acres in size. Incremental and contiguous additions of a minimum of one (1) acre to an existing PD-IP zoning district shall be allowed. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.
- 4-503 Permitted Uses.** The following uses shall be permitted in any PD-IP district, subject to the requirements and limitations of these regulations.
- (A) Adult day care center.
 - (B) Agriculture, horticulture, forestry, or fishery.
 - (C) Commuter parking lot.
 - (D) Distribution facility.
 - (E) Facility for lessons in dance, gymnastics, judo and sports training.
 - (F) Flex industrial use, pursuant to Section 5-608.
 - (G) Office, administrative, business and professional, (i.e. office uses) provided:
 - (1) Office uses are an integral design element of a site plan for an industrial site or park containing not less than 40,000 square feet of gross floor area; and
 - (2) Office uses shall be located no further than 100 feet from the setback, as established by Section 5-1403(B), of an arterial or major collector road; and
 - (3) Office uses shall be the prominent features when viewed from adjacent roadways; and

- (4) Parking may be located in the side and rear yards and in no case shall parking be located between the building and the arterial or major collector road. On a corner or through lot, there shall be only one front yard as established by Section 1-205(C); and
- (5) Buildings which contain office uses shall be a minimum of twenty-six (26) feet in height.
- (H) Manufacture, processing, fabrication and/or assembly of products such as, but not limited to: scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceutical, household appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass products made of purchases glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery, with accessory uses permitted pursuant to Section 4-507(L).
- (I) Post office.
- (J) Radio and television recording studio.
- (K) Recycling drop off collection center, small, pursuant to Section 5-607.
- (L) Research, experimental testing, or development activities.
- (M) Wholesale trade establishment, pursuant to Section 5-663.
- (N) Uses auxiliary to (which serve the users of) existing permitted principal uses within a specific industrial park, such as, but not limited to restaurants including drive-through facilities, personal service establishments, convenience food stores, and automobile service stations, not to exceed a total of ten percent (10%) of the total allowable floor area of the industrial park shown on a concept development plan.
- (O) Bakery, commercial.
- (P) Bank or financial institution, pursuant to Section 5-659.
- (Q) Dwelling, accessory to a permitted or special exception use.
- (R) Printing service.

- (S) Warehousing facility, pursuant to Section 4-507(E).
- (T) Auction house.
- (U) Business service establishment, pursuant to Section 5-661.
- (V) Health and fitness center.
- (W) Park.
- (X) Postal service, including overnight courier collection and overnight mail distribution facility.
- (Y) Restaurant, carry-out only.
- (Z) Water pumping station.
- (AA) Utility substation, dedicated.
- (BB) Conference or training center.
- (CC) Sewer pumping station.
- (DD) Utility substation, distribution, pursuant to Section 5-616.
- (EE) Church, synagogue, temple or mosque.
- (FF) Motor vehicle service and repair, light.
- (GG) Telecommunications antenna, pursuant to Section 5-618(A).
- (HH) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (II) Funeral home, pursuant to Section 5-658.
- (JJ) Training Facility.
- (KK) Interactive Science & Technology Center.
- (LL) Outdoor storage, accessory, up to 10% of lot area.
- (MM) Contractor service establishment, with outdoor storage up to 20% of lot area, pursuant to Section 5-662.
- (NN) Recreation establishment, outdoor or indoor, provided:

- (1) Parking areas for recreation establishments shall be designed to enhance the safety of children as they arrive at and leave the facility; and
- (2) Recreation establishments shall include a designated pickup and delivery zone, providing at a minimum one (1) parking space per twenty (20) children and shall be located in proximity to the recreation establishment in such a way that provides safe and clearly designated access to enter or exit the facility.

(OO) Animal hospital.

(PP) Civic, social, fraternal association meeting place.

(QQ) Educational institution.

(RR) Medical care facility, outpatient only.

(SS) Motorcycle or ATV sales, rental, repair and associated service.

(TT) Data center, pursuant to Section 5-664.

(UU) Hotel/Motel, pursuant to Section 5-611.

4-504

Special Exception and Minor Special Exception Uses. The following uses may be approved by the Board of Supervisors pursuant to the provisions of Section 6-1300.

- (A) Office, administrative, business and professional, which do not meet the criteria contained in Section 4-503(G).
- (B) Golf driving range.
- (C) Heliport, helistop.
- (D) Hospital, pursuant to Section 5-610.
- (E) Hotel/Motel, pursuant to Section 5-611(A) and (B) only.
- (F) Public utility service center with or without storage yard.
- (G) Sewage treatment plant.
- (H) Utility substation, transmission, pursuant to Section 5-616.
- (I) Utility transmission lines, overhead.

- (J) Water treatment plant.
- (K) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (L) Motor vehicle service and repair, heavy.
- (M) Printing plant.
- (N) Child care center, pursuant to Section 5-609(B).
- (O) Fire and/or rescue station.
- (P) Dry cleaning plant.
- (Q) Automotive service station.
- (R) Car wash.
- (S) Golf course.
- (T) Motor vehicle rental, with outdoor vehicle storage only.
- (U) Personal service establishment.
- (V) Recreation establishment, outdoor or indoor, which do not meet the criteria contained in Section 4-503(NN).
- (W) Recycling drop-off collection center, large, pursuant to Section 5-607.
- (X) Mass transit facilities and stations.
- (Y) Water storage tank.
- (Z) Firearm range, archery range, indoor.
- (AA) Outdoor storage, accessory, in excess of 10% of lot area.
- (BB) Parking Lot/Valet Service, Long-Term.
- (CC) Public School (Elementary, Middle, or High) by minor special exception.
- (DD) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Sections 5-623 and 5-655, by Minor Special Exception.
- (EE) Telecommunications tower, pursuant to Section 5-618(C)(2).

- (FF) Police station.
- (GG) Camp, day.
- (HH) Contractor service establishment, with outdoor storage in excess of 20% of lot area, pursuant to Section 5-662.
- (II) Convenience food store, pursuant to Section 5-617.
- (JJ) Restaurant.
- (KK) Heavy equipment and specialty vehicle sales, rental, repair and accessory service.
- (LL) Storage, Mini-Warehouse, via Minor Special Exception, pursuant to Section 4-507(K) and Section 5-665.
- (MM) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, pursuant to Section 5-623, by Minor Special Exception.
- (NN) Craft Beverage Manufacturing, pursuant to Section 5-668, by Minor Special Exception.

4-505

Lot Requirements.

- (A) **Size.** One (1) acre minimum, exclusive of major floodplain.
- (B) **Yards.**
 - (1) **Adjacent to roads.** Except where a greater setback is required by Section 5-1403(B), no building shall be permitted closer than thirty-five (35) feet to the right-of-way from any road and no parking shall be permitted closer than twenty-five (25) feet to the right-of-way from any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.
 - (2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than seventy-five (75) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than thirty-five (35) feet to any such districts and uses. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts,

existing or planned residential districts, or land bays allowing residential uses where such uses are visible from the said agricultural and residential areas. When a PD-IP lot, parcel and/or landbay is developed adjacent to an agricultural district, an existing or zoned residential district, or land bay allowing residential uses, which was zoned for agricultural or residential uses subsequent to the adoption of this zoning ordinance and subsequent to zoning of the subject property as PD-IP, the setback required in (B)(3) below shall apply.

- (3) **Adjacent to Other Nonresidential Districts.** Fifteen (15) feet for buildings, parking, outdoor storage, and loading areas, except where a greater area is required by Section 5-1400. In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard requirement shall be applied only at the property line and not at the zoning district line.

(4) **Yards Between Buildings.**

- (a) Where individual lots or building sites are provided, the minimum required yards between buildings on adjacent lots or building sites shall be thirty (30) feet. Driveways, parking, and covered entrances may be within such yards. Covered walkways connecting buildings, or connecting buildings with parking areas, shall be permitted in such yards.
- (b) Where there is more than one building on an individual lot or building site, spacing between such buildings shall be as required for fire protection, but if space is left between buildings, it shall be at least 25 feet in minimum dimension. Covered walkways connecting buildings, or connecting buildings with parking areas are permitted in such yards and may traverse such space.

4-506 Building Requirements.

- (A) **Lot Coverage.** .45 maximum; up to .60 maximum by Special Exception.
- (B) **Building Height.** Sixty (60) feet maximum provided that a building may be erected to a maximum height of one hundred feet if it is set back from streets or from lot lines that do not constitute boundaries

of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot for each one (1) foot of height that it exceeds the 60-foot limit.

- (C) **Floor Area Ratio.** .60 maximum; up to 1.0 by Special Exception.

4-507

Use Limitations.

- (A) **Accessory Structures and Uses.** As an accessory use, parking garages or areas for commuters may be permitted, but spaces for this purpose shall be provided in addition to the required parking spaces provided in Section 5-1100.
- (B) **Landscaped Open Space.** Landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot.
- (C) **Screening and Buffering.** Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading area, and parking from streets and agricultural and residential uses.
- (D) **Outdoor Storage, Accessory.**
- (1) No storage of any kind shall be permitted within any front yard, except for underground bulk storage of gasoline or petroleum products.
 - (2) Underground bulk storage of gasoline or petroleum products shall not be permitted, except for automobile service stations or as incidental to manufacturing and research and development operations or the servicing of company owned or lease vehicles within enclosed areas defined in (3) below.
 - (3) Outdoor storage of new and reusable materials, equipment, and vehicles shall be permitted within enclosed areas which are composed of mixed wood, masonry walls, plantings, or other suitable barriers approved by the Zoning Administrator. Such areas must be buffered and screened on the periphery of the storage area.
 - (4) Waste materials must be stored in a closed container. The burning of waste materials is prohibited.
- (E) **Retail Sales as an accessory use.** Warehousing facilities may have retail sales as an accessory use in accordance with the following:

- (1) Such warehousing facility stores goods for at least one retail establishment located in a zoning district where retail is a permitted principal use.
 - (2) At least seventy-five (75) percent of the gross floor area of the facility is devoted to warehousing facility use that is not a display area or retail sales area and is not accessible to the public.
 - (3) Such use shall be designed so that pedestrian and vehicular circulation are coordinated with that on-site and on adjacent properties and vehicular access to the site shall be provided via the internal circulation system of the industrial park.
 - (4) Such use shall be designed to provide safe and convenient access and to minimize any potential conflicts between industrial service and delivery vehicles, passenger vehicles and pedestrian traffic.
 - (5) Any improvements, such as but not limited to additional parking spaces, travel aisles, additional landscaping, and additional floor area required as the result of the introduction of retail uses to an area designed and developed for industrial uses shall be provided.
 - (6) All business, service, storage and display of goods shall be conducted within a completely enclosed building, and all refuse shall be in completely enclosed facilities.
 - (7) Notwithstanding the requirements of Section 5-1102 Parking, the retail use shall require one (1) parking space per 500 gross square feet.
 - (8) No additional signs are permitted for the retail use; signage for the warehousing facility shall be as provided for in Section 5-1204(D).
 - (9) Submission and approval of a site plan or amended site plan, as appropriate, prior to the establishment of retail sales is required to demonstrate compliance with the aforementioned Use Limitations.
- (F) **Vehicular Access.** Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Minor streets shall not be connected with streets outside the district

in such a way as to encourage the use of such minor streets by through traffic. Principal vehicular access routes for public schools shall be designed to avoid through traffic by vehicles serving adjacent industrial properties.

- (G) **Development Setback and Access from Major Roads.** In designing an industrial park development, the following requirements shall be observed:
 - (1) **Access from Major Roads.** Access from adjacent public roads shall comply with Section 1-205(A) of this Ordinance. Notwithstanding the foregoing, schools shall be permitted emergency access to an arterial or major collector road.
 - (2) Primary access shall be prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods.
- (H) **Utility Requirements.** All new utility distribution lines located on PD-IP zoned land shall be placed underground.
- (I) **Pedestrian Access for Public Schools.** Public school sites shall provide bicycle and pedestrian accommodations to adjacent residential communities.
- (J) **On-Site Parking of Business Vehicles.** Parking of two-axle vehicles such as automobiles, pick-up trucks, and/or service vans utilized in connection with a permitted use.
- (K) **Storage, Mini-Warehouse.** Storage, Mini-Warehouse uses shall be designed in accordance with the following:
 - (1) A minimum two-story, climate controlled building consisting of individual self-contained units that are leased for storage of business or household goods and supplies.
 - (2) No individual unit may be accessed directly from the exterior of the building.
 - (3) No outdoor storage of any kind will be permitted on the site.
- (L) **Uses Accessory to Manufacture, Processing, Fabrication, and/or Assembly of Product Uses.** Uses accessory to Manufacture, Fabrication, and/or Assembly of Product Uses permitted pursuant to Section 4-503(H) shall not exceed 30% of the gross floor area of the facility.

Section 4-600

PD-GI Planned Development - General Industry.

- 4-601 Purpose.** This district is established primarily for medium industrial uses with a public nuisance potential, and necessary accessory uses and facilities, built in a well-coordinated and attractive manner to be compatible with surrounding land uses.
- 4-602 Size and Location.** Such districts shall be located primarily in the vicinity of Route 606, Dulles International Airport, or in areas served or to be served by public sewer and water, or alternate sewage facility systems approved by the County Health Department. Additional PD-GI districts may be permitted where consistent with the General Plan. When mapped, this district shall be no less than five (5) acres in size. Incremental and contiguous additions of a minimum of one (1) acre to an existing PD-GI zoning district shall be allowed. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.
- 4-603 Permitted Uses.** The following uses shall be permitted in any PD-GI district; subject to the requirements and limitations of these regulations:
- (A) Agriculture, horticulture, forestry or fishery.
 - (B) Bakery, commercial.
 - (C) Distribution facility.
 - (D) Dry cleaning plant.
 - (E) Heavy equipment and specialty vehicle sales, rental, repair and accessory service.
 - (F) Manufacture, processing, fabrication and/or assembly, distribution of products, such as, but not limited to: Scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceutical, household appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass products made of purchased glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery, mobile homes, prefabricated and modular housing and components, dairy products, feed and grain, baked and confectioners' goods, farm machinery, fruit and vegetable processing, canning, storage.

- (G) Motor vehicle service and repair, heavy, with accessory motor vehicle sales, pursuant to Section 4-607(J).
- (H) Motor vehicle service and repair, light.
- (I) Post office, drop off and pick up.
- (J) Postal service, including overnight courier collection and overnight mail distribution facilities.
- (K) Printing service.
- (L) Park.
- (M) Public utility service center, with or without outdoor storage yard.
- (N) Radio and television broadcasting, relay station.
- (O) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (P) Research, experimental, testing, or development activities.
- (Q) Warehousing facility.
- (R) Wholesale trade establishment.
- (S) Water pumping station.
- (T) Commuter parking lot.
- (U) Restaurant, carry-out only.
- (V) Business service establishment, excluding retail sales and outdoor.
- (W) Contractor service establishment, excluding retail sales.
- (X) Flex industrial use, pursuant to Section 5-608.
- (Y) Feed and Farm Supply Center.
- (Z) Auction house.
- (AA) Fruit processing, storage.
- (BB) Home service establishment.
- (CC) Sewer pumping station.

- (DD) Storage, building material or contractors equipment, coal, lumber.
- (EE) Utility substation, distribution, pursuant to Section 5-616.
- (FF) Storage, outdoor accessory.
- (GG) Utility substation, dedicated.
- (HH) Moving and storage company.
- (II) Telecommunications antenna, pursuant to Section 5-618(A).
- (JJ) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (KK) Telecommunications tower, pursuant to Section 5-618(C)(1).
- (LL) Vehicle wholesale auction, pursuant to Section 5-624.
- (MM) Motor vehicle sales limited to racecars.
- (NN) Training Facility.
- (OO) Health and fitness center, pursuant to Section 4-607(K).
- (PP) Recreation establishment, indoor, pursuant to Section 4-607(K).
- (QQ) Data center.
- (RR) Kennel, pursuant to Section 4-607(H) and Section 5-606.
- (SS) Uses auxiliary to permitted principal uses, such as, but not limited to restaurants, including carry-out but excluding drive-through facilities, personal care services, banks and financial institutions, and automobile service stations, not to exceed a total of twenty percent (20%) of the total floor area of the development.
- (TT) Veterinary service.
- (UU) Animal hospital, pursuant to Section 5-631.
- (VV) Outdoor Sales Area, Accessory, not to exceed 30 percent of the lot area.
- (WW) Firearm range, Indoor.
- (XX) Storage, Mini-Warehouse, pursuant to Section 5-665.
- (YY) Parking Lot/Valet Service, Long-Term.

(ZZ) Motorcycle or ATV sales, rental, repair and associated service.

(AAA) Motor vehicle rental, with outdoor vehicle storage only.

(BBB) Utility generating plant and transmission facility, ground-mounted solar energy generation facility only, pursuant to 4-607(L).

4-604

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

(A) Asphalt mixing plant, pursuant to 4-607(H).

(B) Auction facility, livestock, pursuant to 4-607(H).

(C) Automobile graveyard, junk yard, pursuant to 4-607(H).

(D) Borrow pit for road construction, pursuant to 4-607(H).

(E) Storage, bulk gasoline, petroleum products, and natural gas, pursuant to 4-607(H).

(F) Church, synagogue, temple, and mosque.

(G) Civic, social, fraternal association meeting place.

(H) Concrete mixing plant, pursuant to 4-607(H).

(I) Utility generating plant and transmission facility, pursuant to 4-607(H).

(J) Sewage treatment plant, pursuant to 4-607(H).

(K) Solid waste incinerator, landfill or transfer station, pursuant to 4-607(H).

(L) Water treatment plant, pursuant to 4-607(H).

(M) Utility transmission lines, overhead.

(N) Sawmill, pursuant to 4-607(H).

(O) Vegetative waste management facility, pursuant to 4-607(H).

(P) Utility substation, transmission, pursuant to Section 5-616.

(Q) Bus terminal.

- (R) Fire and/or rescue station.
- (S) Material recovery facility, pursuant to 5-607(D), and Section 4-607(H).
- (T) Recycling drop off collection center, large, pursuant to Section 5-607, and Section 4-607(H).
- (U) Personal service establishment.
- (V) Mass transit facilities and stations, pursuant to Section 4-607(H).
- (W) Golf course.
- (X) Automobile service station.
- (Y) Printing plant.
- (Z) Water storage tank.
- (AA) Health and fitness center, which does not meet the criteria contained in Section 4-607(K).
- (BB) Crematorium.
- (CC) School, private, accessory to a church.
- (DD) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (EE) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (FF) Police station.
- (GG) Outdoor Storage, Vehicles.
- (HH) Public School (elementary, middle or high).
- (II) Storage of empty solid waste vehicles and containers.
- (JJ) Recreation establishment, indoor, which does not meet the criteria contained in Section 4-607(K).
- (KK) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655.

(LL) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils.

(MM) Craft Beverage Manufacturing, pursuant to Section 5-668, by Minor Special Exception.

4-605

Lot Requirements.

(A) **Size.** One (1) acre minimum.

(B) **Yards.**

(1) **Adjacent to roads.** Except where a greater setback is required by Section 5-1403(B), no building shall be permitted closer than thirty-five (35) feet to any road and no parking shall be permitted closer than twenty-five (25) feet to the right-of-way from any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.

(2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than one hundred (100) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than fifty (50) feet to any such districts and uses. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where vehicles in such uses are visible from the said agricultural and residential areas. When a PD-GI lot, parcel and/or landbay is developed adjacent to an agricultural district, an existing or zoned residential district, or land bay allowing residential uses, which was zoned for agricultural or residential uses subsequent to the adoption of this zoning ordinance and subsequent to zoning of the subject property as PD-GI, the setback required in (B)(3) below shall apply.

(3) **Adjacent to Other Nonresidential Districts.** Fifteen (15) feet for buildings, parking, outdoor storage, and loading areas, except where a greater area is required by Section 5-1400. In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard

requirement shall be applied only at the property line and not at the zoning district line.

(4) **Yards Between Buildings.**

- (a) Where individual lots or building sites are provided, the minimum required yards between buildings on adjacent lots or building sites shall be thirty (30) feet, unless a greater buffer yard is required by Section 5-1400. Driveways, parking, and covered entrances may be within such yards, however, no such facility may be closer than five (5) feet to lot lines. Covered walkways connecting buildings, or connecting buildings with parking areas, shall be permitted in such yards.
- (b) Where there is more than one building on an individual lot or building site, spacing between such buildings shall be as required for fire protection, but if space is left between buildings, it shall be at least twenty-five (25) feet in minimum dimension. Covered walkways connecting buildings, or connecting buildings with parking areas are permitted in such yards and may traverse such space.

4-606 Building Requirements.

- (A) **Lot Coverage.** .45 maximum.
- (B) **Building Height.** Forty-five (45) feet maximum, provided that a building may be erected to a maximum height of one hundred feet if it is set back from streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot for each one (1) foot of height that it exceeds the forty-five (45) foot limit.
- (C) **Floor Area Ratio.** .40 maximum; up to .60 maximum by Special Exception.

4-607 Use Limitations.

- (A) **Accessory Structures and Uses.** As an accessory use, parking garages or areas for commuters may be permitted, but spaces for this purpose shall be provided in addition to the required parking spaces provided for in Section 5-1100. Accessory structures and uses other

than for commuter parking shall be permitted only where said uses and structures are customarily accessory and clearly incidental and subordinate to the permitted principal use and structures.

- (B) **Landscaped Open Space.** Minimum landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot. Such landscaped open space shall be used to enhance the appearance of the lot.
- (C) **Screening and Buffering.** Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and parking from streets and agricultural and residential uses.
- (D) **Outdoor Storage.**
 - (1) No storage of any kind shall be permitted within any front yard, except for underground bulk storage of gasoline or petroleum products.
 - (2) Underground bulk storage of gasoline or petroleum products shall not be permitted, except for automobile service stations or as incidental to manufacturing and research and development operations or the servicing of company owned or leased vehicles within enclosed areas defined in (3) below.
 - (3) Outdoor storage of waste materials, equipment, supplies and vehicles shall be buffered and screened on the periphery of the storage area.
 - (4) Waste materials must be stored in a closed container. The burning of waste materials is prohibited.
 - (5) Parking of two-axle vehicles such as automobiles, pick-up trucks, and/or service vans utilized in connection with a permitted use.
- (E) **Vehicular Access.** Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by through traffic. Principal vehicular access routes for public schools shall be designed to avoid through traffic by vehicles serving adjacent industrial properties.

- (F) **Development Setback and Access from Major Roads.** In designing a general industrial development, the following requirements shall be observed:
- (1) **Access from Major Roads.** Access from adjacent public roads shall comply with Section 1-205(A) of this Ordinance. Notwithstanding the foregoing, schools shall be permitted emergency access to an arterial or major collector road.
 - (2) Primary access shall be prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods.
- (G) **Utility Requirements.** All new utility distribution lines located on PD-GI designated land shall be placed underground.
- (H) **Development Setbacks for Certain Special Exception Uses.** All uses identified in Section 4-604 as being subject to Section 4-607(H) shall setback all buildings 200 feet from any adjacent residentially zoned property.
- (I) **Pedestrian Access for Public Schools.** Public school sites shall provide bicycle and pedestrian accommodations to adjacent residential communities.
- (J) **Motor vehicle service and repair, heavy, with accessory motor vehicle sales.** Limited motor vehicle sales shall be permitted only as an accessory use pursuant to the following conditions:
- (1) The accessory vehicle sales must be on the same lot and within the same building as the principal use of Motor Vehicle Service and Repair.
 - (2) No outside display of vehicles is permitted within front yards, setbacks or parking areas.
 - (3) All vehicles sold must have received repair, modification, or customization (not to include light repair) by the Motor Vehicle Service and Repair use.
 - (4) All vehicles sold, for street use, must meet applicable state and federal regulations regarding emissions and safety.
 - (5) Accessory vehicle sales shall only be permitted when the use is located on a paved local road capable of accommodating the traffic generated by the use, and accessed by the same roads that serve the principal use.

- (6) Any car-carrier loading/unloading area and vehicle storage areas shall be located on the same lot and be separated from customer parking areas.
- (7) The sale and/or outdoor storage of vehicles that are not in operating condition shall not be permitted.
- (8) No dealership franchises are permitted.
- (9) No exterior signs advertising vehicle sales are permitted.
- (10) Nothing above shall prevent a mechanic from selling a car to recover costs associated with a mechanic's lien.

(K) **Health and Fitness Center and Recreation Establishment, Indoor.** Health and fitness center and Recreation establishment, indoor, as Permitted Uses shall be subject to the following criteria:

- (1) Parking areas shall be designed to enhance the safety of patrons and children as they arrive at and leave the facility; and
- (2) Parking areas shall include a designated pickup and delivery zone providing at a minimum one (1) parking space per twenty (20) patrons/children which shall be located in proximity to the facility in such a way that provides safe and clearly designated access to enter or exit the facility; and
- (3) No health and fitness center or recreation establishment shall be located within the Quarry Notification (QN) Overlay District; and
- (4) No health and fitness center or recreation establishment shall have inter-parcel access to an adjoining industrial use or PD-GI zoned parcel; and
- (5) Building entrances and exits shall be separated from vehicular circulation serving industrial uses; and
- (6) Health and fitness centers and recreation establishments located on roads with bicycle lanes or paths shall provide parking and/or storage for bicycles at a minimum rate of one percent (1%) of the permitted occupancy of the building.

(L) **Utility generating plant and transmission facility, ground-mounted solar energy generation facility only.**

Ground-mounted solar energy generation facility as a Permitted Use shall be subject to the following criteria:

1. **Size of Use.**

- a. **Minimum Lot Size.** 500 Acres.
- b. **Height.** No ground-mounted solar panel shall exceed a height of 20 feet, which shall be measured from the highest natural grade below each ground-mounted solar panel to the top of the solar panel or its supporting structure, whichever is higher. This limit shall not apply to utility poles and the interconnection to the overhead electric utility grid.
- c. **Abutting Lots.** Lots no less than 250 acres in size and abutting the facility on a 500 acres lot may be utilized for such abutting facility.

2. **Visual Impacts.**

- a. The facility must minimize impacts on viewsheds, including from residential areas and areas of scenic, historical, cultural, archaeological, and recreational significance as demonstrated through project siting and proposed mitigation.
- b. The facility must utilize only panels that employ anti-glare technology, anti-reflective coatings, and other available mitigation techniques, all that meet or exceed industry standards, to reduce glint and glare.

3. **Location/Dimensional.**

- a. **Setbacks.** All elements of the facility must be set back a distance of at least 75 feet from all public rights-of-way and, and a distance of at least 25 feet from abutting property lines. However, where Section 4-605(B) provides for more restrictive setbacks, then the more restrictive setbacks must be complied with. Notwithstanding the forgoing, no setback from abutting property lines of an abutting lot shall be required if the facility is partially located on such abutting lot in accordance with Section 4-607(L)(1)(c). These setbacks shall not restrict the location of access, erosion and

stormwater structures, and interconnection to the electrical grid.

- b. **Other Setbacks.** The facility must not be located within 1 mile of an airport unless the applicant submits, as part of its application, written certification from the Federal Aviation Administration that the location of the facility poses no hazard for, and will not interfere with, airport operations.

4. **Access/Driveways.**

- a. **Access.** Access to the lot on which the facility is located must be provided from a paved road that is maintained by a public body and that is at least 20 feet in width.
- b. **Driveways.** Driveways are not permitted within required buffered setbacks except as necessary to access the site. Driveways must have all-weather roadways negotiable by loaded transport vehicles.

5. **Landscaping/Buffering/Screening.** Refer to Section 5-1400

6. **Decommission Plan/Security.**

- a. **Decommission Plan.** As part of the site plan submission, the facility owner or property owner must provide a detailed decommission plan acceptable to the County that provides procedures and requirements for removal of all parts of the facility and its various structures. Such decommission plan must be implemented at the end of the useful life of the facility or if the facility is deemed by the County to be unsafe or abandoned. The plan must include the anticipated life of the facility, the estimated overall cost of decommissioning the facility in current dollars, the methodology for determining such estimate, and the manner in which the project will be decommissioned. The decommission plan and the estimated decommissioning cost must be updated upon the request of the zoning administrator, provided the update shall be no more frequently than

once every 5 years and no less frequently than once every 10 years.

- b. **Security.** Prior to operation, the facility owner or property owner must provide a security in the amount of the estimated cost of the decommissioning. Options for security include a cash escrow, a performance surety bond, an irrevocable letter of credit, or other security acceptable to the County. Such security must be in an amount equal to the estimated decommissioning cost as developed and updated in accordance with the decommission plan determined to be acceptable to the County. The security must remain valid until the decommissioning obligations have been met. The security may be adjusted up or down by the County if the estimated cost of decommissioning the facility changes. The security must be renewed or replaced if necessary to account for any changes in the total estimated decommissioning cost that may result from the periodic updated estimates required by the decommission plan. The security shall be for the benefit of the County and shall be obtained and delivered to the County before any construction commences.

7. **Unsafe or Abandoned Projects/Decommissioning.**

- a. **Unsafe Project.** If the facility has been determined to be unsafe by the County, the facility shall be required to be either: i) repaired by the facility owner or property owner to meet federal, state, and local safety standards, or ii) removed by the facility owner or property owner. The facility owner or property owner must complete the repair or removal of the facility in compliance with the decommission plan established for such facility and within the time period established by the County.
- b. **Abandoned Project.** If any facility is not operated for a continuous period of 12 months, the County will notify the facility owner and property owner by registered mail and provide 45 days for a response. In its response, the facility owner and/or property owner shall set forth reasons for the operational difficulty and provide a reasonable timetable for

corrective action. If the County deems the timetable for corrective action to be unreasonable, it will notify the facility owner and property owner, and the facility owner and/or property owner must remove the facility in compliance with the decommission plan established for such facility.

- c. **Notification.** At such time that a facility is scheduled to be abandoned, the facility owner or property owner must notify the zoning administrator in writing.
- d. **Removal Period.** Within 365 days of the date of abandonment, the physical removal of the solar facility must be completed in compliance with the decommission plan established for such facility. This period may be extended at the request of the facility owner or property owner and upon approval of such request by the Board of Supervisors.
- e. **Handling and Disposal.** The handling and disposal of all equipment and facility components must be in compliance with the decommission plan and with federal, state, and local requirements.
- f. **Legal Action.** If the facility owner or property owner fails to timely remove or repair an unsafe or abandoned facility after written notice, the County may pursue legal action to have the facility removed at the expense of the facility owner and property owner, each of whom shall be jointly and severally liable for the expense of removing the facility. The County may also make use of the security required by Section 4-607(L)(6)(b) to remove the facility.

Section 4-700

PD-SA Planned Development - Special Activity.

4-701

Purpose. The PD-SA District is established to accommodate those uses which by their nature require sizable land area, often operating and designed in a campus like atmosphere, and which may require functional separation from normal residential, commercial, or industrial development.

4-702

Size and Location. A PD-SA district shall be a minimum of one hundred (100) contiguous acres, except that a minimum of ten (10) acres is permitted as a incremental and contiguous addition to an existing PD-SA district. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added. PD-SA districts shall be located in areas served by public water and sewer and by a road network appropriate to the contemplated use.

4-703

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

- (A) Airport.
- (B) College or university over 50,000 square feet of floor area.
- (C) Hospital, pursuant to Section 5-610.
- (D) Museum, cultural center, arboretum.
- (E) Fairground.
- (F) Sports stadium, complex, arena or sports field.
- (G) Zoo.
- (H) Commuter parking lot.
- (I) Bus terminal.
- (J) Agriculture, horticulture, forestry, fishery.
- (K) Art gallery.
- (L) Business service establishment.
- (M) Conference or training center.

- (N) Country club.
- (O) Educational institution.
- (P) Fire and/or rescue station.
- (Q) Golf course.
- (R) Health and fitness center.
- (S) Hotel/Motel, pursuant to Section 5-611.
- (T) Library.
- (U) Mass transit facilities and stations.
- (V) Park.
- (W) Personal service establishment.
- (X) Recreation establishment, outdoor.
- (Y) Feed and Farm Supply Center.
- (Z) Restaurant, dinner theatre.
- (AA) Telecommunications antenna, pursuant to Section 5-618(A).
- (BB) Sewer pumping station.
- (CC) Utility substation, distribution, pursuant to Section 5-616.
- (DD) Water pumping station.
- (EE) Utility substation, dedicated.
- (FF) Convention or exhibition facility.
- (GG) Recreation Establishment, Indoor.
- (HH) Golf Driving Range.
- (II) Recreation Vehicle Park.
- (JJ) Campground.
- (KK) Office, administrative, business or professional.

- (LL) Restaurant.
- (MM) Theatre, Indoor.
- (NN) Bowling Alley.
- (OO) Amusement or Theme park.
- (PP) Performing Arts Center.
- (QQ) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (RR) Police Station.
- (SS) Craft Beverage Manufacturing, pursuant to Section 5-668.

4-704

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

- (A) Water treatment plant.
- (B) Utility substation, transmission pursuant to Section 5-616.
- (C) Utility transmission lines, overhead.
- (D) Sewage treatment plant.
- (E) Water storage tank.
- (F) Public School (elementary, middle or high) by Minor Special Exception.
- (G) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.
- (H) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (I) Radio, radar and/or television tower.
- (J) Radio and television recording studio.
- (K) Radio and television broadcasting, relay station.
- (L) Telecommunications tower, pursuant to Section 5-618(C)(2).

- (M) Private School (Elementary, Middle, or High) for fifteen (15) or more pupils, by Minor Special Exception.

4-705

Lot Requirements.

- (A) **Size.** Ten (10) acres, exclusive of major floodplain.

- (B) **Yards.**

- (1) **Adjacent to roads.** Except where a greater setback is required by Section 5-1403(B), no building shall be permitted closer than thirty-five (35) feet to any road and no parking shall be permitted closer than twenty-five (25) feet to the right-of-way from any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.
- (2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, parking, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than one hundred (100) feet to any agricultural district, any existing or planned residential district, or land bay allowing residential uses. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses are visible from the said agricultural and residential areas.
- (3) **Adjacent to Other Nonresidential Districts.** Thirty-five (35) feet for buildings, parking, outdoor storage, and loading areas, except where a greater area is required by Section 5-1400.
- (4) **Yards Between Buildings.**
 - (a) Where individual lots or building sites are provided, the minimum required yards between buildings on adjacent lots or building sites shall be twenty-five (25) feet. Driveways, parking, and covered entrances may be within such yards, however, no such facility may be closer than five (5) feet to lot lines. Covered walkways connecting buildings, or connecting buildings with parking areas, shall be permitted in such yards.

- (b) Where there is more than one (1) building on an individual lot or building site, spacing between such buildings shall be as required for fire protection, but if space is left between buildings, it shall be at least twenty-five (25) feet in minimum dimension. Covered walkways connecting buildings, or connecting buildings with parking areas are permitted in such yards and may traverse such space.

4-706 Building Requirements.

- (A) **Floor Area Ratio.** .40 maximum on any lot.
- (B) **Building Height.** Forty-five (45) feet maximum, however a special exception for an increase above the maximum building height regulations may be granted provided that the increase in height must not be detrimental to the existing and planned character of adjacent lands.

4-707 Use Limitations.

- (A) **Accessory Structures and Uses.** As an accessory use, parking garages or areas for commuters may be permitted, but spaces for this purpose shall be provided in addition to the required parking spaces provided for in Section 5-1100. Accessory structures and uses other than for commuter parking shall be permitted only where said uses and structures are customarily accessory and clearly incidental and subordinate to the permitted principal use and structures.
- (B) **Landscaped Open Space.** Landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot.
- (C) **Screening and Buffering.** Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and parking from streets and agricultural and residential uses.
- (D) **Access from Major Roads.** In designing special activity development, the lot access requirements of Section 1-205(A) shall be observed.
 - (1) Primary access shall be prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods.

- (E) **Utility Requirements.** All utility distribution lines located on PD-SA zoned land shall be placed underground.

Section 4-800

PD-TC Planned Development - Town Center.

4-801

Purpose. This district is established to provide for a compatible mixture of commercial, cultural, institutional, civic, governmental, and residential uses in compact, pedestrian oriented urban activity centers consistent with the Comprehensive Plan serving substantial residential areas. Specific objectives of such districts include:

- (A) Uses generally located in vertically-integrated buildings in close proximity to each other.
- (B) Generally rectilinear patterns of streets and blocks, arranged in a network of public and/or private streets, designed for automotive vehicles, public transit, bicycles, and pedestrians.
- (C) Well configured squares, greens, landscaped streets, and parks woven into the pattern of the district and dedicated to collective social activity, recreation, and visual enjoyment.
- (D) Civic and community buildings or spaces for public assembly that act as landmarks, symbols, or focal points for community identity.
- (E) On-street parking and centralized parking facilities to collectively support uses in the district.
- (F) An attractive environment in which to live, work, and play.

4-802

Size, Location and Components. This district, when mapped, shall be no less than 30 acres nor more than 125 acres in size, and shall be served by minor collector, major collector, or arterial roads with capacity to handle the traffic generated. This district shall be located only in areas served by central water supply and sewer systems. No Town Center Core, as defined herein, shall be located within 10,000 feet of another Town Center Core, except that a Town Center Core may be located within 1 mile of another Town Center Core where a physical feature exists sufficient enough to alter access and travel patterns between the Town Center Cores, such as water bodies and roads with a minimum of 6 lanes. The district may be divided into the 2 following parts, but shall always include a Town Center Core.

- (A) **Town Center Core.** The Town Center Core shall be no less than 10 acres in size. For a district of up to 60 acres, the Town Center Core shall be a maximum of 30 acres in size. For a district greater than 60 acres, the size of the Town Center Core shall not exceed 50% of the land area of the district. The Town Center Core shall consist of vertically-integrated uses and pedestrian oriented design to generate substantial pedestrian activity. The Town Center Core

shall generally be the focal point and predominant activity center of the district.

- (B) **Town Center Fringe.** A Town Center Fringe shall be provided for districts greater than 30 acres in size. The Town Center Fringe shall generally serve as a transition between higher intensity uses in the Town Center Core and surrounding development. The Town Center Fringe shall consist of pedestrian oriented businesses and activity balanced with residential and other uses more dependent on vehicular access, located outside of and adjoining the Town Center Core.

4-803 Use Regulations. Table 4-803 provides the principal use regulations of the PD-TC district.

- (A) **Permitted and Special Exception Uses.** A “P” in a column indicates that a use is a Permitted Use in the Town Center Core or Town Center Fringe, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” in a column indicates that a use may be permitted in the Town Center Core or Town Center Fringe by the Board of Supervisors by Special Exception approval and may be subject to certain conditions, pursuant to Section 6-1300. An “M” in a column indicates that a use may be permitted in the Town Center Core or Town Center Fringe by the Board of Supervisors by Minor Special Exception approval and may be subject to certain conditions, pursuant to Section 6-1300.
- (B) **Use Limitations and Additional Regulations for Specific Uses.** References to sections in the column titled “Use Limitations and Additional Regulations for Specific Uses” indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Use Limitations” in Section 4-809 and/or the “Additional Regulations for Specific Uses” in Section 5-600.

TABLE 4-803: PD-TC PLANNED DEVELOPMENT-TOWN CENTER USE TABLE P = PERMITTED, S = SPECIAL EXCEPTION, M = MINOR SPECIAL EXCEPTION			
USE	TOWN CENTER CORE	TOWN CENTER FRINGE	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
Accessory dwelling (accessory to single family detached or single family attached dwelling)	P	P	Section 5-613

TABLE 4-803:
PD-TC PLANNED DEVELOPMENT-TOWN CENTER USE TABLE
P = PERMITTED, S = SPECIAL EXCEPTION, M = MINOR SPECIAL EXCEPTION

USE	TOWN CENTER CORE	TOWN CENTER FRINGE	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
Adult day care center	P	P	
Ambulatory retail or food/beverage vendors and mobile vending carts	P	P	
Animal hospital	S	S	
Antique shop	P	P	
Art gallery or art studio	P	P	
Auction house	P	P	Section 4-809(A)
Automobile car sharing agency	P	P	Section 4-809(B)
Automobile rental agency	P	P	Section 4-809(B)
Automobile service station		S	
Bank or financial institution	P	P	Section 5-659
Banquet/Event Facility	P	P	
Bowling alley	P	P	
Business service establishment	P	P	Section 5-661
Car wash		S	
Child care home	P	P	Section 5-609(A)
Child day care center	P	P	Section 5-609(B)
Church, synagogue, temple or mosque	P	P	
Civic, social and fraternal association meeting place	P	P	
College or university	P	P	
Commercial retail and service uses with drive-throughs	S	P	

**TABLE 4-803:
PD-TC PLANNED DEVELOPMENT-TOWN CENTER USE TABLE
P = PERMITTED, S = SPECIAL EXCEPTION, M = MINOR SPECIAL EXCEPTION**

USE	TOWN CENTER CORE	TOWN CENTER FRINGE	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
Community center	P	P	
Community garden	P	P	
Commuter parking lot	S	P	
Conference and training center	P	P	
Congregate housing facility	P	P	
Continuing care facility, adult assisted living	S	S	
Continuing care facility, congregate living facility	P	P	
Continuing care facility, nursing home	S	S	
Construction retail establishment, without outdoor storage (50,000 square feet of floor area or less)	P	P	
Construction retail establishment, without outdoor storage (greater than 50,000 square feet of floor area)		S	
Convenience food store, freestanding		S	Section 5-617
Convenience food store	P	P	
Convention or exhibition facility	S	S	
Craft beverage manufacturing	P	P	Section 5-668
Crematorium	S	S	
Cultural amenities, e.g. fountains, ice rinks, reflecting pools	P	P	
Cultural center	P	P	
Data center	P	P	Section 4-809(F)

TABLE 4-803: PD-TC PLANNED DEVELOPMENT-TOWN CENTER USE TABLE P = PERMITTED, S = SPECIAL EXCEPTION, M = MINOR SPECIAL EXCEPTION			
USE	TOWN CENTER CORE	TOWN CENTER FRINGE	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
Dog park	P	P	
Dormitory, fraternity/sorority house, rooming/boarding house or other residence hall	S	S	
Dwelling, multi-family	P	P	
Dwelling, single-family attached	P	P	
Dwelling, single-family detached	P	P	Section 4-809(G)
Educational institution	P	P	
Facility for lessons in dance, gymnastics, judo, and sports training	P	P	
Fire and/or rescue station or substation	P	P	
Flex-industrial uses		S	Section 5-608
Food store	P	P	
Funeral home or mortuary	P	P	
Golf course		S	
Health and fitness center	P	P	
Heliport, helistop	S	S	
Home service establishment	P	P	
Horticulture	P	P	Section 5-626
Hospital		S	Section 5-610
Hotel/motel	P	P	Section 5-611, Section 4-809(D)
Library	P	P	

TABLE 4-803:
PD-TC PLANNED DEVELOPMENT-TOWN CENTER USE TABLE
P = PERMITTED, S = SPECIAL EXCEPTION, M = MINOR SPECIAL EXCEPTION

USE	TOWN CENTER CORE	TOWN CENTER FRINGE	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
Manufacturing, processing, fabrication, and/or assembly of products	S	S	Section 4-809(E)
Medical care facilities, outpatient only	P	P	
Motor vehicle service and repair, light		S	
Museum, arboretum	P	P	
Off-street parking facilities, freestanding, surface parking lot only	S	S	
Off-street parking facilities, freestanding, in an above-ground or below-ground structure only	P	P	
Offices, administrative, business or professional	P	P	
Offices, medical and dental	P	P	
Outdoor amphitheater (2,000 seats or less)	P	P	
Outdoor amphitheater (greater than 2,000 seats)	S	S	
Park	P	P	
Performing arts center	S	S	
Personal service establishments	P	P	
Pharmacy	P	P	Section 5-659
Police station or substation	P	P	
Post office	P	P	
Printing service	P	P	
Private Club or Lodge	P	P	
Public transit facilities and stations	S	S	

TABLE 4-803:
PD-TC PLANNED DEVELOPMENT-TOWN CENTER USE TABLE
P = PERMITTED, S = SPECIAL EXCEPTION, M = MINOR SPECIAL EXCEPTION

USE	TOWN CENTER CORE	TOWN CENTER FRINGE	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
Public use	P	P	
Public School (Elementary, Middle, or High)	S	M	
Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	M	M	Section 5-655
Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	S	M	
Radio and television recording studio	P	P	
Recreation establishment, indoor	P	P	
Recreation establishment, outdoor	S	P	
Recycling, drop off collection center, public	P	P	Section 5-607
Recycling, drop off collection center, private	P	P	Section 5-607
Repair service establishment	P	P	
Research and development	P	P	
Restaurant, carry-out only, excluding drive through facilities	P	P	
Restaurant, dine-in, excluding drive through facilities	P	P	
Restaurants, dinner theater	P	P	
Restaurants, fast food, excluding drive through facilities	P	P	
Restaurants, with drive through facilities	S	P	
Retail sales establishment	P	P	
Short-Term Rental – Commercial Whole-House	S	S	Section 5-670
Sports Stadium, Complex, Arena or Sports Field	S	S	

TABLE 4-803: PD-TC PLANNED DEVELOPMENT-TOWN CENTER USE TABLE P = PERMITTED, S = SPECIAL EXCEPTION, M = MINOR SPECIAL EXCEPTION			
USE	TOWN CENTER CORE	TOWN CENTER FRINGE	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
Storage, mini-warehouse		S	Section 4-809(C)
Studio space – artist, craftsperson, writer etc.	P	P	
Radio, radar and/or television tower	S	S	
Telecommunications antenna	P	P	Section 5-618(A)
Telecommunications monopole	S	S	Section 5-618(B)(2)
Telecommunications transmission tower		S	Section 5-618(C)(2)
Theater, indoor	P	P	
Sewer Pumping Station	P	P	Section 5-621
Sewage Treatment Plant		S	
Urban deck	S	S	
Utility Substation		S	Section 5-616
Water Storage Tank		S	Section 5-621
Water Treatment Plant		S	Section 5-621
Water Pumping Station	P	P	Section 5-621
Wholesale Trade Establishment		S	Section 5-663

4-804 [RESERVED]

4-805 Lot Requirements.

(A) Town Center Core.

- (1) Width.** No minimum; except the minimum lot width for single-family attached dwellings shall be 16 feet and the minimum lot width for single-family detached dwellings

shall be 25 feet. The maximum lot width for single-family detached dwellings shall be 35 feet.

- (2) **Depth.** No minimum; the maximum lot depth for single-family attached dwellings and single-family detached dwellings shall be 70 feet.
- (3) **Yards,** within the Town Center Core.
 - (a) **Front.** No minimum; 25 feet maximum.
 - (b) **Side.** No minimum; except 5 feet minimum for a nonresidential use abutting a lot used or planned for single-family attached dwellings or single-family detached dwellings. The 5 feet minimum for non-residential uses shall not apply to buildings containing dwellings above nonresidential uses.
 - (c) **Rear.** No minimum; except 15 feet minimum for a rear yard of a nonresidential use abutting a lot used or planned for single-family attached dwellings or single-family detached dwellings. The 15 feet minimum for non-residential uses shall not apply to buildings containing dwellings above nonresidential uses.

(B) **Town Center Fringe.**

- (1) **Width.** No minimum; except 25 feet minimum for single-family detached dwellings; 16 feet minimum for single-family attached dwellings.
- (2) **Depth.** No minimum; the maximum lot depth for single-family attached dwellings and single-family detached dwellings shall be 80 feet.
- (3) **Yards,** within the Town Center Fringe.
 - (a) **Front.** 5 feet minimum; 35 feet maximum.
 - (b) **Side.** No minimum; except 10 feet minimum for a nonresidential use abutting a lot used or planned for single-family attached dwellings or single-family detached dwellings. The 10 feet minimum for non-residential uses shall not apply to buildings containing dwellings above nonresidential uses.

- (c) **Rear.** No minimum; except 15 feet minimum for a nonresidential use abutting a lot used or planned for residential use. The 15 feet minimum for nonresidential uses shall not apply to buildings containing dwellings above nonresidential uses.

(C) **Other yard requirements.**

- (1) **Adjacent to roads.** Yard requirements for buildings, to include structured parking, shall be in accordance with Section 4-805(A)(3) and 4-805(B)(3), except where a greater setback is required by Section 5-1403(B). No outdoor storage, areas for collection of refuse, or loading space shall be permitted in required front setbacks or in any front yard. No off-street surface parking shall be permitted closer than 10 feet to the right-of-way of any road, except where a greater setback is required by Section 5-1403(B).
- (2) **Adjacent to Other Districts.** 20 feet for buildings and parking, and 35 feet for outdoor storage and loading areas, except where a greater area is required by Section 5-1400.

4-806 Building Requirements.

- (A) **Lot Coverage.** No requirement within Town Center Core; .80 maximum within Town Center Fringe.
- (B) **Building Height.**
 - (1) **Town Center Core.**
 - (a) **Maximum Height.** 120 feet, except 60 feet within 120 feet of a boundary of a Town Center Core that abuts existing single-family residential uses and/or residential zoning districts that permit a lesser maximum building height.
 - (b) **Minimum Height.** 24 feet.
 - (2) **Town Center Fringe.**
 - (a) **Maximum Height.** 60 feet.
- (C) **Floor Area Ratio.** No requirement.

4-807 [RESERVED]

Land Use Arrangement.**(A) Generally.**

- (1) The Town Center district shall be planned around interconnecting streets and blocks, while maintaining respect for the natural landscape.
- (2) A Town Center Core shall have a town green of no less than 40,000 square feet. In a Town Center Core of 30 to 60 acres, the town green may be a minimum of 10,000 square feet, with other greens and/or outdoor plazas open to the public provided elsewhere in the district, provided the square footage of all such areas totals 40,000 square feet, inclusive of the town green. The required town green may be located within the Town Center Fringe and adjacent to the Town Center Core if a public plaza of no less than 10,000 square feet is located within the Town Center Core. An additional 10% of the land area of a district above the base 60 acres shall be devoted to usable open space in the form of greens, pocket parks and/or outdoor plazas open to the public, and at least 50% of this additional area shall be located in the Town Center Fringe.
- (3) A minimum of 25% and a maximum of 50% of the total gross floor area within the district shall be devoted to residential use.
- (4) A minimum of 3% of the total gross floor area within the district shall be for civic uses and/or other public uses, educational uses, cultural uses, or community rooms and buildings which are located and arranged to generate pedestrian activity.
- (5) On-street parking shall be provided generally throughout the district. Where streets and travelways within the district have been designed pursuant to County and Virginia Department of Transportation (VDOT) standards to accommodate on-street parking, such on-street parking may be used to meet the requirements of Section 5-1100 for nonresidential uses within the district.
- (6) The Buffer Yard and Screening requirements of Section 5-1404 shall not be applicable between uses on adjacent lots developed within the district.

- (7) Pedestrian linkages shall be established within and between blocks in the district and, to the extent possible, between the district and surrounding neighborhoods or activity centers.
- (8) Continuous sidewalks that provide a minimum walkway width of 5 feet shall be provided along both sides of all streets, excluding alleys. Such sidewalks shall be a minimum of 12 feet wide within the Town Center Core and 9 feet wide within the Town Center Fringe. Outdoor dining, entertainment, planting, and furniture areas, and other pedestrian amenities, such as benches, transit shelters, kiosks, lamp posts, public art and the like, may be located within sidewalks, but shall not encroach within this minimum 5-foot walkway.
- (9) Street trees shall be planted along both sides of all streets within the district at a minimum density of 1 canopy tree per 40 lineal feet or 1 understory tree per 15 lineal feet of street frontage, excluding alleys. Such trees shall have a minimum caliper of 2 inches at time of planting and a height at maturity of 15 feet or more.
- (10) All off-street surface parking lots and parking areas shall be landscaped in accordance with Section 5-1407. The location of off-street surface parking lots and parking areas shall not interfere with the reasonable continuity of building facades and pedestrian activity.
- (11) All above-grade parking structures shall be designed in a manner that is compatible with nearby building architecture to minimize visual impact. Such above-grade parking structures shall feature ground floor treatments that add to the quality of its surroundings.
- (12) All new utility distribution lines shall be placed underground.

(B) Town Center Core.

- (1) The Town Center Core shall be composed of blocks, and the maximum perimeter of each block shall be 1,600 feet as measured at the edge of the right-of-way, excluding alleys. The perimeter of each block may be increased up to a maximum of 3,200 feet when a through-block pedestrian linkage is provided. Such pedestrian linkage shall be a minimum 20 feet wide and located within a public access

easement granted to the County that extends the full length of the pedestrian linkage. Vehicular access shall be prohibited on any such pedestrian linkage except for emergency and/or maintenance purposes.

- (2) At least 50% of the total of all block frontages within the Town Center Core, excluding frontages along alleys, shall be occupied by pedestrian oriented businesses on the ground floor. This requirement shall not apply to that portion of a block frontage that contains the following uses:

- (a) Full-block town green; or
- (b) Green and/or outdoor plaza open to the public with a minimum depth and width of 10 feet and minimum total area of 300 square feet, excluding adjoining sidewalks and through-block pedestrian linkages. Such green and/or outdoor plaza shall be located adjacent to or between building entrances, and shall be designed to create areas for pedestrian activity that are integrated with the surrounding uses on the block. Such green and/or outdoor plaza shall include landscaped and/or hardscaped areas and a mix of amenities, such as seating, public entertainment and active recreation, raised planters, fountains, public art, and/or such other features determined to be acceptable by the Zoning Administrator.

- (3) The principal entrance of buildings shall be oriented towards the street or shall abut a green, outdoor plaza open to the public, or the town green.
- (4) Off-street parking facilities shall have access from alleys or from streets at locations which accommodate safe pedestrian circulation.
- (5) Outdoor storage, areas for collection of refuse, and loading areas shall be screened from streets, excluding alleys, and residential uses using opaque material.

(C) Town Center Fringe.

- (1) The Town Center Fringe shall be composed of blocks, and the maximum perimeter of each block shall be 1,600 feet as measured at the edge of the right-of-way, excluding alleys. The perimeter of each block may be increased up to a

maximum of 3,200 feet when a through-block pedestrian linkage is provided. Such pedestrian linkage shall be a minimum 20 feet wide and located within a public access easement granted to the County that extends the full length of the pedestrian linkage. Vehicular access shall be prohibited on any such pedestrian linkage except for emergency and/or maintenance purposes.

- (2) Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and parking from streets and residential uses. Outdoor storage of waste materials and any other type of equipment and supplies shall be buffered and screened along the periphery of the storage area.

- (D) **Access from Major Roads.** The lot access requirements of Section 1-205(A) shall be observed. Primary access to the district shall be prohibited on residential neighborhood streets. This prohibition shall not apply to minor collector or major collector roads through residential neighborhoods.

4-809

Use Limitations.

- (A) **Auction House.** Auction house uses shall be designed in accordance with the following:
 - (1) The use shall be located within a building that contains 2 or more distinct principal uses that do not share the same physical space.
 - (2) The use shall contain no more than 10,000 square feet.
- (B) **Automobile car sharing agency and Automobile rental agency.** Automobile car sharing agency and Automobile rental agency uses shall be designed in accordance with the following:
 - (1) Any office area associated with the use shall be located within a building that contains 2 or more distinct principal uses that do not share the same physical space.
 - (2) The land area used for storage of vehicles associated with the use shall not exceed 4,000 square feet.
- (C) **Storage, Mini-warehouse.** Storage, mini-warehouse uses shall be designed in accordance with the following:

- (1) No individual unit may be accessed directly from the exterior of the building.
 - (2) The building that contains the use shall be at least 3 stories in height.
 - (3) The building that contains the use shall be designed to be consistent with other buildings in the district in terms of scale, height, mass, fenestration, and architectural details and materials.
 - (4) A minimum of 50% of the ground floor of such building shall contain pedestrian-oriented businesses.
- (D) **Hotels/Motels.** Hotel/motel uses shall be designed in accordance with the following:
- (1) Individual guest rooms shall be accessed only from the interior of the building and shall not be directly accessible from the exterior of the building.
 - (2) All stairwells, corridors and circulation components of the building shall be completely enclosed within the building.
- (E) **Manufacturing, processing, fabrication, and/or assembly of products.** Manufacturing, processing, fabrication, and/or assembly of products uses shall be designed in accordance with the following:
- (1) The use shall be contained completely in an enclosed building. No outdoor storage or activity shall be permitted.
 - (2) The use shall not produce any adverse noise, odor, heat, glare, or vibration impacts that are discernable to a reasonable person beyond the property line of the parcel upon which the use is located.
 - (3) The building that contains the use shall be designed to be compatible in terms of scale, height, and mass with conventional commercial office design.
- (F) **Data Center.** Data center uses shall be designed in accordance with the following:
- (1) The building that contains the use shall be designed to be consistent with adjacent buildings in terms of scale, height, mass, fenestration, pedestrian and vehicular circulation, and architectural details and materials.

- (2) The building that contains the use shall be at least 3 stories in height.
 - (3) A data center use shall not occupy more than 49% of the gross floor area of the building in which it is located.
 - (4) The use shall not be located in a building containing residential uses.
 - (5) Power generators, water cooling and storage facilities, and other mechanical and associated infrastructure serving the use shall not be visible from any adjacent street, use, or building.
 - (6) Generator testing shall be limited to weekdays between 8:00 a.m. and 5:00 p.m.
- (G) **Single-Family Detached Dwelling.** Single-family detached dwellings located in the Town Center Core shall be designed in accordance with the following:
- (1) Blocks containing single-family detached dwellings shall include an alley.
 - (2) Garages shall be alley-loaded; garages shall not face or be accessed from any street within the Town Center Core.
 - (3) Single-family detached dwellings shall be a minimum of 3 stories in height.
 - (4) Front entrances shall be a minimum of 3 feet above the grade of the sidewalk.

4-901

Purpose and Intent. This district is established to provide for the development of new, compact, moderately dense, mixed-use countryside villages. This district is intended to provide a development option which is consistent with the basic purpose and intent of the transition districts to provide a visual, spatial, and use transition between Loudoun’s suburban areas to the east and the rural areas to the west. It is the intent that this district’s planning, design and development will achieve, but not necessarily be limited to, all of the following objectives:

- (A) The creation of a distinct, moderately dense, compact mixed-use community with a variety of housing types, generally surrounded by a protected landscape of open land for scenic, recreational, and environmental protection purposes.
- (B) Provision of civic and institutional buildings for assembly or other civic purposes that constitute the predominant component of nonresidential uses within an identified Village Core, complemented by a variety of shops, services, and offices that support the needs of village residents.
- (C) The construction of modestly sized buildings fronting on, and aligned with, streets in a disciplined manner, uninterrupted by parking lots.
- (D) Development of a generally rectilinear pattern of interconnected streets, alleys, and blocks that provides for a balanced mix of pedestrians and automobiles.
- (E) Creation of a recognizable, functionally diverse, visually unified Village Core that serves as the focal point for the development.
- (F) Provision of open space such as natural areas, tot lots, athletic fields, parks, squares, and greens that are generally dispersed in the village so that they are conveniently located for residents.
- (G) Landscaped streets, parks and plazas integrated into block patterns to provide spaces for social activities, and visual enjoyment.
- (H) Creation of employment opportunities for Countryside Village and neighboring residents and to provide sites for compatible, small work places, without adverse impacts on the Village and surrounding residents.
- (I) The location of dwellings, shops, and work places generally in close proximity to each other; the scale of which accommodates and promotes pedestrian travel for trips within the Village Core.
- (J) Incorporation of architectural features, materials, and the articulation of building façades in the design of buildings visible from public streets, in order to avoid building façades in the Village Core that have continuous blank surfaces, by the use of architectural elements such as fenestration, towers, cupolas, murals and decorative glass to break the monotony of plain building surfaces.

4-902 **District Size.** This district, when mapped, shall be no less than five hundred (500) acres in size. Incremental and contiguous additions of land to an existing PD-CV zoning district shall be allowed. Such additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.

4-903 **Preparation of the Concept Development Plan (CDP).** All Concept Development Plans required by this section shall be prepared in accordance with Section 6-1200 of this Ordinance and, in addition, shall include and graphically show the following items:

- (A) Primary Conservation Areas, on a Conservation and Development Area Map;
- (B) The type and scale of proposed uses including residential unit type and quantity;
- (C) Site designs to include the integration of the built and open space environment, pedestrian streetscape design, pedestrian, bicycle and motor vehicle connections between the uses;
- (D) Illustrative drawings of a typical streetscape within a mixed use area in the Village Core;
- (E) The physical and functional integration of the proposed mix of land uses, including but not limited to pedestrian and vehicle connections between the uses and planned parking;
- (F) The location and design of focal points within the district;
- (G) Phasing of the development;
- (H) A comprehensive greenways, sidewalks and trails masterplan that is consistent with the Countywide Bicycle and Pedestrian Mobility Master Plan;
- (I) A conceptual landscape plan which identifies the general location and size of both existing vegetation to be retained and proposed new vegetation, typical landscape sections and drawings, typical planting materials, and the phasing of landscape installation and planting methods;
- (J) Transportation elements as required by Section 4-912; and
- (K) A plan or statement showing how public utilities are, or will be provided.

The Concept Development Plan shall demonstrate conformance with the development standards contained in this Section.

4-904 **Land Use Elements and Location.** The Concept Development Plan shall include a plan of the Village Core, the Village Neighborhood, and the Village Conservancy areas. It may also include a plan for a Satellite Conservancy Area, if proposed.

- (A) **Countryside Village Core.** The Village Core provides the main organizing feature for the Countryside Village. The Village Core is intended to be a compact, pedestrian-scaled environment of predominantly non-residential uses. Residential dwelling units will, however, be permitted, but not at street level. One residential dwelling unit shall be permitted for every three thousand (3000) square feet of gross floor area devoted to nonresidential purposes. Such units shall not be counted towards overall residential density, rather they will be counted as bonus density units. Such units may be used to meet affordable dwelling unit requirements. Parks, squares, plazas and green open spaces are important organizing features of the Village Core, and can serve as gathering places for the community. The majority of nonresidential uses in the Village Core shall be comprised of civic and institutional uses, while commercial office, retail, and service uses shall provide employment opportunities and convenience goods and services for village and neighboring residents. The Village Core shall:
- (1) Be located such that the development does not adversely impact cultural resources, such as historical structures, archaeological sites or Virginia byways.
 - (2) Be contiguous and generally compact in shape.
 - (3) Be centrally located for pedestrian access in relation to a majority of residential units.
- (B) **Countryside Village Neighborhood.** The Village Neighborhood primarily comprises the residential component of a Countryside Village that generally surrounds the Village Core and consists of a mix of single-family detached development and higher density residential development in the form of single-family attached and multi-family units. The Village Neighborhood shall:
- (1) Be contiguous and generally surround the Village Core.
 - (2) Provide for a mix of housing styles, types and sizes to accommodate households of all ages, sizes, and incomes.
 - (3) Be located such that the development does not adversely impact cultural resources, such as historical structures, archeological sites or Virginia byways.
- (C) **Countryside Village Conservancy Area.** The Village Neighborhood shall generally be surrounded by an open area described hereafter as the Village Conservancy Area, which shall create a visual and physical distinction between the development and the surrounding countryside. The Village Conservancy Area is to generally be open land, providing significant buffering of neighboring properties, while allowing for limited residential use. The Village Conservancy Area shall:
- (1) Be contiguous and generally surround the Village Neighborhood.

- (2) Be placed under permanent open space easement limiting uses to those listed in Section 4-907.
- (D) **Countryside Village Satellite Conservancy Area (Optional).** The district may include detached parcels constituting a Satellite Conservancy Area(s). A Satellite Conservancy Area shall be included in calculating the total development potential of the Countryside Village. Such Satellite Conservancy Area shall only be allowed when converting existing TR1LF and TR3LF zoned areas to PD-CV zoned areas, and, provided that:
- (1) The Satellite Conservancy Area is located partly, or wholly, within the area between three hundred (300) feet and five hundred (500) feet of Bull Run, (unless specifically modified by the County pursuant to Section 4-919); and
 - (2) It is placed under permanent open space easement limiting uses to those listed in Section 4-907.

4-905 Final Development Plan.

- (A) **FDP Required.** Prior to the commencement of development of a parcel in the Village Core or in the Village Neighborhood, the Planning Commission shall review and approve a Final Development Plan. Approval of the FDP shall serve as meeting the non-engineered requirements of a site plan. If more than one FDP is required, then each FDP shall indicate how the remainder of the development may be completed. The Planning Commission shall approve a Final Development Plan if it conforms to approved proffers and the approved Concept Development Plan and contains the information enumerated in Section (B) below:
- (B) **FDP Submission Requirements.**
- (1) The Final Development Plan shall be prepared in accordance with the approved Concept Development Plan and proffers and shall contain the following information:
 - (a) A vicinity map at a scale of not less than one inch equals two thousand feet (1" – 2000').
 - (b) Bearings and distances of the perimeter property lines.
 - (c) Total area of property presented in square feet or acres.
 - (d) Scale and north arrow, with north, to the extent feasible oriented to the top of all drawings.
 - (e) Names and route numbers of boundary streets and the width of existing right(s)-of-way, any proposed change to the public right(s)-of-way, delineation of the existing centerline of all streets abutting the property, including

dimensions from the existing centerline to the edge of the pavement and to the edge of the right(s)-of-way.

- (f) The location and arrangement of all proposed uses, including a preliminary subdivision layout, if subdivision is proposed.
- (g) The maximum height in feet, to include lofts and penthouses, of all buildings, and the number of floors both above and below or partially below finished grade.
- (h) Proposed building footprints and elevations.
- (i) The traffic circulation system and the pedestrian and bicycle circulation system, including the location and width of all streets, driveways, entrances to parking areas and parking structures, pedestrian walkways, and bicycle paths.
- (j) Landscaping plan indicating the location and type of all plantings, and any trees to be conserved.
- (k) A plan or statement showing how public utilities are, or will be provided.
- (l) Approximate location and estimated size of all proposed stormwater management facilities.
- (m) When the development is to be constructed in sections, a final sequence of development schedule showing the order of construction of such sections, and an approximate completion date for the construction of each section.
- (n) Location and size of open space areas, specifying the proposed treatment of improvement of all such areas.
- (o) Elevations of proposed buildings.
- (p) Architectural sketches of typical proposed structures showing all facades of structures, not just street frontages, with bird's eye and pedestrian-eye views, including lighting fixtures and signs.
- (q) Location and quantity of required number of off-street parking and loading spaces provided and the location of on-street parking.
- (r) A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards.

- (2) A final statement in tabular form which sets forth the following data, when such data is applicable to a given development plan:
 - (a) Total number of dwelling units by type.
 - (b) Total floor area for each type of use and total floor area ratio in each subarea or landbay.
 - (c) Total area in open space including recreational open space provided and the amount required.
 - (d) Total number of off-street parking and loading spaces provided and the number required.

4-906 Land Use Mix and Density.

- (A) All developments in a PD-CV District shall conform to the district land use mix and density requirements set forth in Table 4-906 below.

TABLE 4-906: LAND USE MIX AND DENSITY IN THE PD-CV DISTRICT	
Area	Land Use Mix/Density Use Requirements
Village Conservancy Area	Minimum of 50% of district gross land area.
Village Satellite Conservancy Area	None required. However, when included as part of the PD-CV zoning district, the Village Satellite Conservancy Area shall be in addition to the minimum gross land area required for the district, and shall be included in the density calculation of the village.
Village Core	3.0% to 6.0% of the gross land area of the entire development. Greens, parks, open space and water features do not count towards the gross land area requirement for the Village Core. A vertical mix of uses is permitted in the Village Core, such as ground floor retail with upper story residences or offices.
Overall Residential Density for Countryside Village	Residential density shall not exceed two (2) dwelling units per acre. However, an option to increase density up to three (3) units per gross acre is permitted in accordance with Section 4-906(B) of the ordinance.
Percentage of Residential Units permitted in the Village Neighborhood	Single Family Detached: Minimum 60% Single Family Attached: Minimum 10% Multi-Family: Minimum 5% The Board of Supervisors may modify these minimum requirements by up to 10% of each dwelling type, during review of a Concept Development Plan

- (B) An increase in density shall be permitted when an open space easement(s) in the TR3LBR zoning district is acquired. One additional unit is permitted for every three (3) acres of land eased in the TR3LBR district. A commitment to acquiring such open space easement(s) must be made at the time of a zoning map amendment application. The maximum density in the PD-CV district shall not exceed three (3) dwelling units per gross acre.

4-907

Uses. Table 4-907 below identifies the uses permitted and allowed by special exception in each land use area of the PD-CV district.

- (A) **Organization of Use Table.** Table 4-907 of this Section organizes the uses in the PD-CV district by Use Classifications, Use Categories, and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
 - (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are the principal uses that most closely share the common characteristics that are key to the Use Category.
 - (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single-family detached dwellings, multi-family dwellings, single-family attached dwellings, guesthouses and accessory dwellings are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** The Use Categories and Use Types listed in Table 4-907 are defined in Article 8 (Definitions) of this Ordinance.
- (C) **Permitted and Special Exception Uses.** A “P” in the columns identified with “PD-CV” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the corresponding PD-CV land use element, subject to compliance with all applicable

standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Category or Use Type is allowed in the PD-CV subdistrict as a special exception in accordance with the procedures and standards of Section 6-1300. An “M” indicates that a Use Category or Use Type is allowed in the PD-CV sub district as a Minor Special Exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a Special Exception under other conditions. In those instances, it is identified “P/S”.

- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column mean all of the uses in the Use Category are allowed. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 4-907 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600. If no reference to Article V is made in Table 4-907 for a use, then such use is not subject to any additional regulation for specific uses as noted in Section 5-600, although the same use may be subject to such additional standards in another zoning district of the Ordinance.

TABLE 4-907 PD-CV (COUNTRYSIDE VILLAGE) DISTRICT USE TABLE					
P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION BLANK = NOT ALLOWED					
USE CATEGORY	USE TYPE	PD-CV: VILLAGE NEIGHBORHOOD	PD-CV: VILLAGE CORE	PD-CV: VILLAGE CONSERVANCY AND VILLAGE SATELLITE CONSERVANCY	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES					
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P		P	Section 5-613
	Caretaker’s residence (accessory to single family detached dwelling)	P		P	
	Dwelling, single-family detached, including manufactured housing	P		P	Manufactured housing subject to Section 5-620.

**TABLE 4-907
PD-CV (COUNTRYSIDE VILLAGE) DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION BLANK = NOT ALLOWED

USE CATEGORY	USE TYPE	PD-CV: VILLAGE NEIGHBORHOOD	PD-CV: VILLAGE CORE	PD-CV: VILLAGE CONSERVANCY AND VILLAGE SATELLITE CONSERVANCY	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Dwelling, single-family attached	P	P		In the Village Core, permitted only above street level with ground floor retail or office
	Dwelling, Multi- family	P	P		In the Village Core, permitted only above street level with ground floor retail or office
	Guest house (accessory to single family detached dwelling)	P		P	Section 5-612
Group Living	Congregate housing facility	S	S		
	Continuing care facility	S	S		
	Monastery or Convent	S	S		
AGRICULTURAL USES					
Agriculture Support and Services <u>Not Directly</u> Associated with On-Site Agricultural Activity	Wetlands mitigation bank			P	
	Equestrian Event Facility			P	Section 5-630
	Stable, Private			P	Section 5-630
	Stable, Livery, with frontage on a state maintained road			P	Section 5-630
	Stable, Livery, without frontage on state maintained road			M	Section 5-630
	Nursery, production			P	Section 5-605
	Nursery, production without frontage on state maintained road			S	Section 5-605
	Farm market			P	Section 5-603. On-site production not required
Animal Services	Animal hospital	S	S		
	Kennel	S		S	Section 5-606
	Kennel, Indoor	S			Section 5-606

**TABLE 4-907
PD-CV (COUNTRYSIDE VILLAGE) DISTRICT USE TABLE**

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USE CATEGORY	USE TYPE	PD-CV: VILLAGE NEIGHBORHOOD	PD-CV: VILLAGE CORE	PD-CV: VILLAGE CONSERVANCY AND VILLAGE SATELLITE CONSERVANCY	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Veterinary service	P	P	P	
PUBLIC AND INSTITUTIONAL USES					
Cultural and Governmental Facilities	Community center	P	P		Section 4-920(A)
	Library	P	P		Section 4-920(A)
	Museum	P	P		Section 4-920(A)
	Post office	P	P		Section 4-920(A)
	Performing Arts Theater		P		Section 4-920(A)
	Structures or uses for federal, state or local government purposes	S	S		
Day Care Facilities	Child or adult day Care	P	P		Section 5-609(B)
	Child care home	P	P	P	Section 5-609(A)
Education	Public School (Elementary, Middle, or High)	M	M	M	
	Private School (Elementary, Middle, or High), for fifteen (15) or fewer pupils	M	M	M	Section 5-655
	Private School (Elementary, Middle, or High), for more than fifteen (15) pupils	M	M	M	
	Private Vocational School		S		
Park and Open Space	Arboretum			P	Section 5-636
	Botanical garden or nature study area			P	Section 5-636
	Park, passive recreational uses	P	P	P	
	Park, active recreational uses	S	S	S	
Parking	Parking Lot		P		Section 4-911(J)(6)
Public Safety	Fire and/or rescue station		S		

**TABLE 4-907
PD-CV (COUNTRYSIDE VILLAGE) DISTRICT USE TABLE**

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USE CATEGORY	USE TYPE	PD-CV: VILLAGE NEIGHBORHOOD	PD-CV: VILLAGE CORE	PD-CV: VILLAGE CONSERVANCY AND VILLAGE SATELLITE CONSERVANCY	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Police station or substation		S		
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity center	P	P		Religious Assembly uses must be located at termination of streets and provide a focal point for the Village Core. When located in the Village Neighborhood, these uses must be adjacent to the Village Core. Section 4-920(A)
Utility	Public utility service center, without outdoor storage		S		Section 5-621
	Recycling drop off collection center, private		S		Section 5-607
	Sewer pumping station	P		P	Section 5-621
	Utility substation, dedicated	P	P	P	Section 5-621
	Utility substation, distribution	S	S	S	Section 5-616 and 5-621
	Utility transmission line, underground	P	P	P	
	Water storage tank	S		S	Section 5-621
	Water pumping station	P		P	Section 5-621
COMMERCIAL USES					
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers			P	Section 5-645
	Camp, day and boarding, with more than 30 campers			S	Section 5-645
	Golf course			S	Section 5-648
	Private club or lodge		P	S	
Office	Medical/Dental office		P		No more than 10,000 square feet of gross floor area.

**TABLE 4-907
PD-CV (COUNTRYSIDE VILLAGE) DISTRICT USE TABLE**

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USE CATEGORY	USE TYPE	PD-CV: VILLAGE NEIGHBORHOOD	PD-CV: VILLAGE CORE	PD-CV: VILLAGE CONSERVANCY AND VILLAGE SATELLITE CONSERVANCY	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Professional office		P		No more than 10,000 square feet of gross floor area.
Retail Sales and Service	Antique shop		P		
	Art gallery or Artist studio		P	P	Section 5-650. However, this section shall not apply to the use in the Village Core.
	Bank or Financial institution		P/S		No drive-through facilities Maximum Gross Floor Area (GFA) of 5000 square feet. An increase above 5000 square feet is permissible by special exception.
	Convenience store		P/S		Maximum GFA (Gross Floor Area) of 5000 square feet. An increase above 5000 square feet is permissible by special exception.
	Craft shop		P		
	Home Service Establishment		S		
	Personal service establishment		P/S		Individual uses not to exceed a maximum GFA of 5000 square feet. An increase above 5000 square feet is permissible by special exception.
	Restaurant		P/S		No more than 5,000 square feet of GFA. An increase above 5000 square feet is permissible by special exception.

**TABLE 4-907
PD-CV (COUNTRYSIDE VILLAGE) DISTRICT USE TABLE**

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USE CATEGORY	USE TYPE	PD-CV: VILLAGE NEIGHBORHOOD	PD-CV: VILLAGE CORE	PD-CV: VILLAGE CONSERVANCY AND VILLAGE SATELLITE CONSERVANCY	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Retail sales establishment		P/S		No more than 5,000 square feet of floor area is permitted by right for any one use. An increase above 5000 square feet is permissible by special exception. However, a Grocery store located along an arterial or major collector road other than those referenced in Section 4-912, Table 4, with Maximum GFA of 30,000 square feet shall be permitted by right either in the Village Core or in the Village Neighborhood adjacent to the Village Core.
	Small business			P	Section 5-614 and Section 5-653. However, small business use in this district is limited to personal service occupations, business service occupations, repair service occupations, professional office based services, and studios for fine arts and crafts.
	Studio space – artist, craftsperson, writer, etc.	P	P	P	Section 5-650 However, this section shall not apply to the use in the Village Core.
Visitor Accommodation	Bed and Breakfast Homestay	P	P	P	Section 5-601(A)
	Bed and Breakfast Inn		P	P	Section 5-601(B)

**TABLE 4-907
PD-CV (COUNTRYSIDE VILLAGE) DISTRICT USE TABLE**

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USE CATEGORY	USE TYPE	PD-CV: VILLAGE NEIGHBORHOOD	PD-CV: VILLAGE CORE	PD-CV: VILLAGE CONSERVANCY AND VILLAGE SATELLITE CONSERVANCY	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Short-Term Rental – Commercial Whole-House	M	M	M	Section 5-670
INDUSTRIAL USES					
Telecommuni- cation Facilities	Telecommunications antenna	P	P	P	Section 5-618(A)
	Telecommunications monopole		S	S	Section 5-618(B)(2)

4-908 Civic Lots. The following uses are considered as Civic uses in this district:

- (A) Church, synagogue, mosque and temple.
- (B) Library.
- (C) Post Office.
- (D) Museums.
- (E) Arboretum.
- (F) Community center.
- (G) Performing Arts Theater.
- (H) Public School (elementary, middle or high), pursuant to Section 5-666.
- (I) Structures or uses for federal, state or local government purposes.

4-909 Dimensional Standards. Table 4-909 below establishes the lot and dimensional standards applicable to all development in the PD-CV District.

TABLE 4-909: LOT AND DIMENSIONAL STANDARDS

Lot or Dimensional Standard	Village Neighborhood [1]		Village Core[1]	Village Conservancy & Satellite Conservancy
	SFA, MF	SFD		
Minimum Lot Size	None	None	None	20 acres
Maximum Lot Size	None	None	None	None

TABLE 4-909: LOT AND DIMENSIONAL STANDARDS

Lot or Dimensional Standard	Village Neighborhood [1]		Village Core[1]	Village Conservancy & Satellite Conservancy
	SFA, MF	SFD		
Minimum Lot Width	14 feet interior, 22 feet end units SFA, 60 feet MF	None	None	None
Minimum Front Yard	0 feet [6]	0 feet [6]	0 feet [3][6]	25 feet
Maximum Front Yard	15 feet	30 feet	15 feet	None
Minimum Rear Yard	15 feet [5]	15 feet [2][5]	None	25 feet
Minimum Side Yard	8 feet, 0 feet for SFA interior units	0 and 10 feet [4]	None	25 feet
Maximum Lot Coverage	None	None	None	3 ½%
Maximum Floor Area Ratio [7]	NA	NA	1.0	None
Minimum Building Height	None	None	25 feet	None
Max. Building Height	45 feet	35 feet	45 feet	35 feet
Length/Width Ratio	None	None	None	None

Notes to Table 4-909:

- [1] Dimensional standards for greens, parks, squares and plazas are contained in the Development Standards section, at 4-911(D) of this Ordinance.
- [2] Detach garages located at the rear of a residential lot and attached to a similar garage on a contiguous lot may be located within the minimum required side yard and within two (2) feet of the rear property line. Detached garages that are accessed from the front of the lot may be located anywhere within the minimum rear yard.
- [3] Subject to [6] below, buildings in the Village Core should abut the sidewalks whenever feasible. For commercial buildings, also see Section 4-911(E).
- [4] There shall be a ten-foot minimum separation between two buildings. For zero lot line dwellings, an access easement must be recorded on the adjoining lot, for the purpose of dwelling maintenance.
- [5] Decks in the PD-CV district shall be permitted within the minimum required rear yard, provided they are located no closer than five (5) feet to the rear property line.
- [6] Buildings on corner lots adjacent to public or private streets in the Village Neighborhood and Village Core shall be set back at least sixteen (16) feet from the edge of the road pavement.
- [7] For nonresidential uses in the Village Neighborhood, the maximum Floor Area Ratio (FAR) permitted is 0.25.

(A) General Guide:

- (1) The Countryside Village should be sited so as to best preserve natural vistas and the existing topography.
- (2) The design of the Countryside Village should be such that there is a natural progression in scale from the denser predominantly non-residential, Village Core, to the multi-family and single-family attached units and civic uses adjacent to the Village Core in the surrounding Village Neighborhood area. The periphery of the Village Neighborhood adjacent to the Village Conservancy areas shall be predominantly single-family detached lots.
- (3) In the Village Neighborhood smaller single-family detached lots should be located towards the Village Core and larger single-family detached lots towards the periphery of the Village Neighborhood adjacent to Village Conservancy areas.
- (4) The boundaries of the Village Conservancy and Satellite Conservancy Areas should be designed to follow natural features whenever possible.
- (5) In the Village Core, buildings should be located within close proximity to each other so as to encourage pedestrian movement between different uses. Attention should be given to the relationship of building height, design of streetlights and signs, sidewalks, and distance between uses so as to provide for a well balanced, attractive and harmonious Village Core.
- (6) The Village Neighborhood and Village Core should be designed in a generally rectilinear pattern of blocks and interconnecting streets and alleys, defined by buildings, street furniture, landscaping, pedestrian ways and sidewalks. Pedestrian connections shall be provided from uses within the Village Neighborhood and Village Core to parks, squares, and open space owned by the Property Owners Association, except where pedestrian traffic would adversely interfere with or affect sensitive environmental or habitat areas.
- (7) Attention should be given to the architectural features, materials, and articulation of building facades. In The Village Neighborhood architectural elements such as porches, roof and entrance overhangs, to define the front entrance of residences are encouraged. In the Village Core, awnings, canopies, trellises and similar architectural features should cantilever over the pedestrian walkway or sidewalk to provide continuous all-weather protection for pedestrians on sidewalks.

- (8) Open space(s) such as natural areas, tot lots, athletic fields, parks, squares, and greens should generally be dispersed in the Countryside Village so that they are conveniently located to most residential units within the district.
- (9) Buildings in any given block in the Village Core should be aligned in one plane, and located close to the street. However, within the Village Neighborhood, single-family detached units may be staggered within a block to create a more varied streetscape.
- (10) In order to encourage a pedestrian-friendly environment and reduce vehicle trips within the Village Core, off-street parking should be located at the rear of the lots, with on-street parallel - parking for additional cars.
- (11) Lot width, front yards, side yards, driveway aprons and entrances, and blank street-facing building walls should be minimized to encourage pedestrian movement.
- (12) The Village Conservancy Area should generally surround the Village Neighborhood unless explicitly modified pursuant to Section 4-919, upon a finding that unique topographical or other natural features or pre-existing boundary constraints require an alternative arrangement.
- (13) Within the Village Neighborhood, Cul-de-sacs and P-loop streets shall not be permitted, except where used to access lots which are adjacent to the Village Conservancy.
- (14) Landscaping and streetscaping design in the village core should achieve the following:
 - (a) Clear definitions of edges of public corridors and spaces and access points for public spaces;
 - (b) Visual accessibility for public safety;
 - (c) Screening for privacy of adjoining private spaces where desirable;
 - (d) Shade and shelter in public spaces to provide for comfortable summer use of selected parts of space; and
 - (e) Ecological sustainability, with tree/plant species appropriate to climate, soils, drainage and sun and wind exposure.
- (15) Street lighting and open space lighting in the Village Core should encourage the following:
 - (a) Low-level ground lighting as well as pole lighting;

- (b) Lighting types and levels to provide for safety and prevent night-sky pollution;
- (c) Lighting types and placement of pole and ground lighting to define pathways, entrances to spaces;
- (d) Facilitate nighttime orientation for pedestrians, bicyclists and motorists;
- (e) Highlighting points/structures of interest; and
- (f) Evening use of public spaces in Village Core.

(B) Specific Requirements.

- (1) Cul-de-sacs and P-loop streets are not permitted in the Village Core.

4-911 Development Standards.

(A) Block Form and Size.

- (1) Blocks of a generally rectangular shape shall be the main organizing feature of the Village Neighborhood and Village Core. While topography, existing vegetation, stream channels and design intentions shall influence block shape and size, the length of such blocks in the Village Core and Village Neighborhood interior shall be no less than three hundred (300) feet nor more than six hundred (600) feet as measured along front lot lines, between intersections of streets. The block length along the periphery of the Village Neighborhood bordering the Conservancy Area shall be a maximum of one thousand (1000) feet to facilitate a visual transition towards the Conservancy Area.
- (2) The blocks of the Village Core shall be subdivided into generally rectangular shaped lots, having frontage on a street. The layout of such lots shall respond to environmental factors, the proposed use, and design intentions.

(B) Variation of Lot Sizes and Building Types.

- (1) Single-family detached development in the Village Neighborhood shall incorporate a variety of lot sizes, building types and/or forms (Typical drawing required).
- (2) **General Rule.** In all single-family detached subdivisions in the Village Neighborhood containing ten (10) or more lots, a mixture of lot sizes and dimensions shall be provided in order to allow a variety of housing opportunities and avoid monotonous streetscapes. For example, larger and wider lots are encouraged on corners. Smaller lots are encouraged adjacent to parks and open spaces. No more than sixty percent (60%) of all lots shall be similar

in total lot area. For purposes of this subsection, "similar" lot areas shall be defined as within five hundred (500) square feet of each other.

- (3) **Exception.** Up to seventy percent (70%) of the lots within the subject subdivision may be similar if the Zoning Administrator, pursuant to Section 6-401, makes a finding that, notwithstanding deviation from the sixty percent (60%) standard stated above, lot sizes and dimensions are sufficiently varied for different building types and forms, to avoid monotonous streetscapes.
- (4) **Dispersion of Lot Sizes.** Similar lot sizes shall be distributed throughout a subdivision rather than consolidated in one area, unless the Zoning Administrator, pursuant to Section 6-401, makes a finding that the intent of this district and of the Zoning Ordinance shall be better served by a design that tends to consolidate lots of similar sizes.

(C) **Village Core Features.** The Village Core shall incorporate on-site amenities or features listed below:

- (1) A centrally located park, green, or square and at least one additional park, square, green or plaza, pursuant to Section 4-911(D), below.
- (2) A water feature, such as a lake, pond, or fountain, which is easily accessible by pedestrians, and includes or integrates seating areas for pedestrians.
- (3) A minimum of fifty (50) and a maximum of one hundred (100) square feet of retail and office space, as specified under the **Retail Sales and Service Use Category** and **Office Use Category**, is required per dwelling unit in the village. A grocery store, if provided, shall count towards the minimum amount of retail space required, but shall not be subject to the maximum limit of required retail space.
- (4) A minimum of two civic uses, pursuant to the **Use list** in Section 4-908.
- (5) Bicycle and Pedestrian accommodations as defined by the Loudoun County Bicycle and Pedestrian Mobility Master Plan.
- (6) The phasing for construction of on-site amenities within the Village Core shall meet the following minimums:
 - (a) Zoning permits for at least twenty-five percent (25%) of the **Retail Sales and Service Use Category** and **Office Use Category** as specified in [3] above, must be obtained, and all other on-site amenities required in the Village Core [(1), (2), (4) and (5)] above, must be provided prior to the

issuance of zoning permits for more than 75% of all residential units proposed in the Countryside Village.

- (b) Zoning permits for at least fifty percent (50%) of the **Retail Sales and Service Use Category** and **Office Use Category** as specified in [3] above, must be obtained prior to the issuance of zoning permits for more than ninety percent (90%) of all residential units proposed in the Countryside Village.
- (c) All zoning permits for the **Retail Sales and Service Use Category** and **Office Use Category** as specified in [3] above, must be obtained prior to the issuance of zoning permits for all residential units proposed in the Countryside Village.

(D) **Greens, Parks, Squares and Plazas.**

(1) **Area Requirement.**

- (a) 3 acres minimum for a community park.
- (b) 40,000 sq. ft. minimum for a neighborhood park.
- (c) 10,000 sq. ft. minimum for other greens, parks and squares.
- (d) 3000 sq. ft. minimum for a plaza.

(2) **Minimum Width.** The smallest dimension of the green, park, square or plaza shall be:

- (a) 100 feet for a community or neighborhood park
- (b) 60 feet for other greens, parks and squares.
- (c) 50 feet for a plaza.

(3) No residential unit in the Village Neighborhood shall be located more than one thousand five hundred (1500) feet from a neighborhood park, community park, square or green. Such parks, squares and greens must be interspersed throughout the Village Neighborhood.

(4) Greens, parks, squares and plazas shall be located in visually prominent areas. In the Village Core, they shall be located in conjunction with civic uses or commercial uses.

(5) Athletic fields may be located along collector roads, other than those listed in Table 4, and may be accessed therefrom. Such fields shall be buffered from all roads and residential development with a permanent common open space buffer of fifty (50) feet in depth with required landscaping equivalent to that of a Road Corridor

Buffer Type 2 (Section 5-1403(D)) and a Buffer Yard Type B (Section 5-1404(D)).

(E) **Frontage/Entrance Standards in the Village Core.**

- (1) The front of any commercial building shall be oriented towards the street or main village green or square. A minimum of sixty percent (60%) of any commercial building façade facing the front lot line shall abut the front lot line or sidewalk. The main entrance to such commercial building shall be from the front.
- (2) Commercial buildings fronting on the same street and located on the same block shall be attached except where pedestrian ways are located between buildings.

(F) **Buffering and Screening.** The buffering and screening requirements of Section 5-1403 shall not apply within the PD-CV district, except for the building and parking setbacks under Section 5-1403(B) and the road corridor buffer adjacent to any existing or planned arterial road under Section 5-1403(B). The buffer and screening requirements of Section 5-1404 shall not apply within the PD-CV district. Buffering and screening may be required as part of the special exception process.

(G) **Building & Street Orientation.**

- (1) The orientation of streets shall provide for physical and visual access of common spaces and prominent buildings. Streets shall terminate at other streets or at public land and open spaces.
- (2) Buildings in the Village Core shall be oriented towards the street or main village green or square. Residential buildings in the Village Neighborhood shall orient towards streets, sidewalks, greens, parks or open space. Lots fronting on greens, sidewalks and parks shall be provided rear alley access.

(H) **Sidewalks, Pedestrian Paths and other On-Site Pedestrian Walkways.**

- (1) Village Neighborhood: Residential Blocks
 - (a) Sidewalks shall be provided on both sides of a residential street, and shall connect to dwelling entrances.
 - (b) Minimum width: Ten (10) feet, which may include a minimum five (5) foot wide sidewalk and a planting strip of five (5) feet at the curb.
- (2) Village Core/Nonresidential Blocks and Mixed Use Blocks:
 - (a) Sidewalks shall be provided on both sides of a nonresidential or mixed-use block and shall connect to building entrances.

- (b) Minimum width: Eleven (11) feet, which may include a minimum six (6) foot wide sidewalk and a planting strip of five (5) feet at the curb.
 - (c) All sidewalks shall be aligned and connected with those on adjacent properties and public rights-of-way.
 - (d) Each point at which the system of sidewalks or pedestrian trails crosses a parking area or street to make a required connection, such connections shall be clearly marked using a change in paving materials or distinctive colors as approved by VDOT.
- (3) The developer shall construct temporary pedestrian paths, extending across undeveloped land designated for commercial development and linking other portions of the Village Core, at the same time as adjoining areas are developed. Such paths shall be a minimum of five (5) feet in width, constructed of gravel, sand, woodchips, or other similar type materials.
 - (4) Pedestrian paths linking land designated for commercial development with residential areas shall be constructed concurrent with development of the remainder of the network, so as to connect residential areas across undeveloped commercial areas.

(I) Road and Street Standards.

- (1) Roads, streets and alleys should be designed to:
 - (a) Parallel and preserve existing fence lines, tree lines, hedgerows and stone walls.
 - (b) Minimize alteration of natural site features and to the extent feasible follow natural site contours.
 - (c) Maximize views to prominent natural and manmade vistas.
 - (d) Promote pedestrian movement, comfort, convenience and safety.
- (2) Alleys. Alley travel ways shall not exceed twelve (12) feet of pavement width.
- (3) Within the Village Core, parking shall only be allowed on one side of the street.

(J) Parking Requirements.

- (1) Parking in the Village Core should generally be located at the rear of the lots and no off-street parking shall be permitted in front yards.

- (2) Additional parking may be provided in the Village Core by continuous parallel on-street parking to help slow traffic (Typical drawings required).
 - (3) In the Village Core, a parking facility may be shared by two or more uses if the sum of the parking space requirements of all the uses is provided and pursuant to Section 4-911(K) below.
 - (4) In the Village Core, notwithstanding the requirement of Section 5-1103(A), all parking shall be located on the lot being served, or on a separate lot or parcel within ¼ mile of the principle pedestrian entrance of the building that it serves.
 - (5) In the Village Core, access for off-street parking shall generally be achieved by means of alleys, off-street vehicular connections between adjacent parking lots and side streets.
 - (6) In the Village Core, off-street parking areas and parking lots should be designed to have low visibility and consequently shall not be located at the visual termination of roads and streets and shall not be the principal use of corner lots.
 - (7) In the Village Neighborhood, shared driveways are encouraged.
- (K) **Administrative Reductions, Waivers, or Modifications of Parking Requirements.** The Zoning Administrator may grant administrative reductions, waivers, or modifications of parking requirements in the Village Core for permitted or special exception uses contained in Section 4-907, Table 2 above, in accordance with the provisions of Section 5-1102(F), as applicable.
- (L) **Garages.** Single-family detached units in the Village Neighborhood shall include one of the following:
- (1) Rear loaded attached or detached garages located at the rear or side of the lot and accessed by alleyways or rear driveways.
 - (2) Front loaded garages and carports located a minimum of six (6) feet behind the principal building façade.
- (M) **Landscaping.** Street trees in the Village Neighborhood and Village Core shall be planted on both sides of the street, spaced at regular intervals, as best determined for a particular species, but at a density of no less than one tree per twenty-five (25) linear feet along all public and private streets except alleys. Such street trees must not obstruct sight distance from street intersections and entrances as determined by this Ordinance and VDOT. Such trees shall have a minimum caliper of one (1) inch when planted and a height at maturity of twenty (20) feet or more.

4-912

Transportation Requirements. The Concept Development Plan of a Countryside Village shall demonstrate that the following transportation requirements are satisfied:

- (A) The Countryside Village shall have at least two (2) points of access onto paved two (2) or more lane roadways designated below in Table 4-912, **Transition Transportation Route & Corridor Network**, as “maintained/planned to be maintained through State Secondary Funds”. These entrances must have left and right turn lanes as required by VDOT or the County.
- (B) Points of access to Transition Transportation Routes maintained through State Primary Funds, as listed in Table 4-912, are not permitted.
- (C) Other significant transportation routes and corridors, found to be acceptable to the County, may be used provided that such roads are paved with a minimum twenty (20) foot section or that the applicant has secured and improved, or has agreements with off site property owners to secure and improve, the right-of-way necessary to develop a paved twenty (20) foot section, which meets County standards, from the property to the nearest intersecting road listed in Table 4-912 below as maintained/planned to be maintained through state secondary funds.
- (D) Any secondary road improved to a minimum twenty (20) foot paved section through the County/VDOT Six Year Secondary Road Improvement Program or other funding source, after the adoption of this ordinance, meeting all County standards for horizontal and vertical geometry and design speed shall be, upon completion of construction, considered to be included in Table 4-912 below.
- (E) Internal streets serving the Countryside Village should not have direct access to any Transition Transportation Route or Corridor road listed in Table 4-912.
- (F) All private streets, not accepted as public streets by VDOT, must meet the standards for private streets in the Facilities Standards Manual (FSM), and must be maintained either by the property owner(s) or the Property Owners Association.
 - (1) All properties served by a private street shall be subject to a recorded covenant expressly requiring private maintenance of such street in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such street.
 - (2) The record plat and protective covenants for a Countryside Village shall expressly state that the County and VDOT have no responsibility for the maintenance, repair, or replacement of private streets.
 - (3) Sales brochures, or other literature and documents, provided by the seller of lots served by such private streets, shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such streets, including a statement that the County has no, and will have no, responsibility for the maintenance, repair, or replacement of private streets.

- (G) Lots in the Village Conservancy may be served by private access easements designed and constructed to standards in the Facilities Standards Manual.

TABLE 4-912: TRANSITION TRANSPORTATION ROUTE & CORRIDOR NETWORK	
The following road maintained through State Primary Funds: <i>Tri-County Parkway</i>	
The following roads and corridors maintained/planned to be maintained through State Secondary Funds: <i>620/705 (Braddock Road), 659 Relocated, and Gum Springs Road (659)</i>	

- 4-913 Access from Major Roads.** Unless otherwise specified in this section, the lot access requirements of Section 1-205(A) shall apply.
- 4-914 Signs.** The requirements of Section 5-1200 shall be followed for PD-CV development. Residential signs within the PD-CV district shall follow the requirements of the PD-H signs as enumerated in the Sign Requirements Matrix, Section 5-1204(D).
- 4-915 Lighting.** Street lighting shall be provided along all streets and shall meet the minimum standards required in the FSM (Facility Standards Manual).
- 4-916 Utility Requirements.**
- (A) Countryside Villages shall be served by central water and sewer systems, except for Conservancy Areas and Satellite Conservancy Areas, which may be served either by individual well and septic or central water and sewer systems.
- (B) All utilities in the Village Core shall be located underground. All above ground utility boxes and other facilities shall be co-located and screened from road and street view. In the residential areas, utility lines and utility boxes shall be located to the rear of the lots.
- 4-917 Property Owners Association.** Every Countryside Village shall have an established Property Owners Association with documents reviewed and approved by the County prior to first Record Plat approval. The Countryside Village Property Owner Association documents shall provide for maintenance of street trees, street lighting and other community landscaping such as in village greens, parks and squares, private streets, sidewalks (if not accepted by VDOT), recreation facilities, tot lots and equipment.
- 4-918 Precedence.** Where there are differences between explicit provisions of the Countryside Village Ordinance and general zoning, subdivision, or other County regulations, the provisions of the Countryside Village Ordinance shall take precedence.

- 4-919 Modification of Regulations.** The Board of Supervisors may grant modifications to the standards in this Section 4-900, except in regards to use and density, pursuant to Section 6-1217 of this Ordinance.
- 4-920 Use Limitation.** In addition to the requirements contained in Article 5, the following uses shall have limitations as specified below:
- (A) Civic uses as listed in Section 4-908, shall only be permitted either in the Village Core, or if adjacent to the Village Core, in the Village Neighborhood. Such uses when located in the Village Neighborhood shall be located along a major access roadway into the Village Core, or at a prominent location either at the end of a street or at a street intersection. Such uses, if greater than fifteen (15) acres, shall be located only on arterial and major collector roads.
 - (B) No utility, commercial, or industrial use shall be permitted which, because of its nature, location or manner of operation, is dangerous or noxious. Dangerous and/or noxious conditions include, but are not limited to, odor, fumes, gas, smoke, or emissions of particulate matter or effluent.

Section 4-1000

PD-TREC Planned Development - Transit Related Employment Center.

4-1001

Purpose. This Planned Development - Transit Related Employment Center (PD-TREC) District is established to provide for a mix of compatible uses in a high-density, pedestrian and transit-oriented, and compact employment or special activity center. The district regulations are designed to accommodate high-intensity employment or a special activity use and supporting a mixture of uses appropriate to a district location that is: (1) within the 65 Ldn noise contours associated with Washington/Dulles Airport, and (2) impeded by significant floodplain (Broad Run) and highway right-of-way (Dulles Greenway, Routes 606 and 789), and (3) adjacent to planned rapid bus and rail transit lines. Specific objectives of this district include:

- (A) Provide the opportunity for a high intensity and mix of development that is supportive of and served by mass transit service;
- (B) Encourage development that is compatible within the 65 Ldn noise contours of Washington/Dulles Airport;
- (C) Provide for pedestrian, bicycle and vehicle connections between different land uses within the district, and from development in the district to adjacent and nearby transit, open spaces, recreational and other community facilities, employment centers and adjacent pedestrian and bicycle facilities, enhanced by short “city scale” blocks arranged in a rectilinear grid-street pattern;
- (D) Provide for the use of mass transit to reduce the number of peak hour vehicle trips;
- (E) Provide for a mix of supporting commercial retail and service uses to serve the shopping and service needs of district employees, visitors, and commuters;
- (F) Encourage the development of well-configured plazas, squares, greens, landscaped streets, and parks woven into the pattern of the transit-oriented and pedestrian-oriented development and dedicated to collective social activity, recreation, and visual enjoyment; and
- (G) Ensure high-quality design and construction.
- (H) Take advantage of the future rail connection to the Washington Dulles International Airport to attract corporate office users making frequent use of the Airport.
- (I) Take advantage of the viewshed of the Washington Dulles International Airport to attract tourists visiting the Smithsonian Museum Facility and those using the airport.

4-1002

Location, Size and Components.

- (A) **Location.** The district shall be mapped only in locations that meet the following criteria:

- (1) The district shall be located entirely on the north side of the eastbound lanes of the Dulles Greenway north of the Washington/Dulles Airport property.
 - (2) A transit stop shall be planned to be an integral feature of the district at a location determined by the Washington Metro Area Transit Authority (WMATA). The district shall be located no further than ½-mile from the transit stop.
 - (3) The district location and proposed arrangement of land uses will provide opportunities to safely and conveniently connect district land uses with the transit stop.
- (B) **Minimum District Size.** The initial application to this district shall be a minimum of 40 acres. Subsequent applications shall be adjacent to or across the road from previously mapped PD-TREC districts and shall be a minimum of 25 acres. Notwithstanding the provisions of Section 6-1217, the only provision in this paragraph that may be modified is that regarding subsequent district size.
- (C) **District Subareas.** The PD-TREC District shall be divided into two (2) parts or subareas. The boundaries of the subareas will vary to correspond with physical and natural barriers that limit compact development, pedestrian connections and movement, and access to the transit station.
- (1) **“Inner Core” Subarea.** The “Inner Core” subarea of the PD-TREC District shall mean the total gross land area located generally within a one-quarter (¼) mile from the outer edge of the planned rail transit station platform, as shown on an approved Concept Development Plan. The highest land-use intensities shall be located close to the planned transit stop. The primary focal point of the development will be located in this subarea. Retail, office, and service commercial uses are located in this subarea, with a vertical mix of uses, public gathering places, and a predominance of pedestrian-oriented uses (uses located at street level that are visible and accessible from the street).
 - (2) **“Outer Core” Subarea.** The “Outer Core” of the PD-TREC District shall mean the total gross land area located outside the Inner Core subarea, but generally within one-half (½) mile from the outer edge of the planned rail transit station platform, as shown on an approved Concept Development Plan. Densities are high, yet decrease in intensity as they increase in distance from the transit stop. Supporting retail, office, light industrial, and service commercial uses are located in this subarea, with a vertical mix of uses and a predominance of pedestrian-oriented uses (uses located at street level that are visible and accessible from the street).

- (A) **CDP with Rezoning Applications.** Rezoning to and subsequent development under this district will be permitted only in accordance with a Concept Development Plan approved according to the review criteria in Section 6-1200 of this Ordinance. Flexibility in design options will be allowed.
- (B) **Preparation of CDP.** All Concept Development Plans required by this section shall be prepared according to Section 6-1200 of this Ordinance, and in addition shall include and graphically show the following items:
- (1) The type and scale of proposed uses;
 - (2) The proposed minimum and maximum intensity of development (*i.e.*, proposed floor area square footage);
 - (3) Site and building designs to include the integration of the built and open space environment, pedestrian streetscape design, pedestrian, bicycle and motor vehicle connections between the uses and planned or existing transit stops and transit parking;
 - (4) The location and design of focal points within the district; and
 - (5) Delineation of limits of subareas pursuant to Section 4-1007(B)(4), below.
 - (6) The physical and functional integration of the proposed mix of land uses, including but not limited to pedestrian, bicycle and vehicle connections between the uses and planned or existing transit stops and transit parking.
 - (7) A comprehensive pedestrian and bicycle network showing integration and connections with transit and automobile networks.
- (C) **Final Development Plan.**
- (1) **FDP Required:** Prior to the commencement of development of a parcel, the Planning Commission shall review and approve a Final Development Plan. Approval of the FDP shall serve as meeting the non-engineering requirements of a site plan. The Planning Commission shall approve a Final Development Plan if it conforms to approved proffers and the approved Concept Development Plan and contains the information enumerated in Section (C) (2) below.
 - (2) **FDP Submission Requirements:**
 - (a) The Final Development Plan shall be prepared in accordance with the approved concept development plan and proffers shall contain the following information:
 - (i) A vicinity map at a scale of not less than one inch equals two thousand feet (1" = 2,000')

- (ii) Bearings and distances of the perimeter property lines
- (iii) Total area of property presented in square feet or acres
- (iv) Scale and north arrow, with north, to the extent feasible oriented to the top of all drawings
- (v) Names and route numbers of boundary streets and widths of existing right(s)-of-way. Any proposed amendments to the public right(s)-of-way and delineation of existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of pavement and to the edge of the right-of-way.
- (vi) The location and arrangement of all proposed uses, including a preliminary subdivision layout , if proposed
- (vii) The maximum height, in feet, of all buildings and the number of floors both above and below or partially below finished grade
- (viii) Proposed building footprints and massing details
- (ix) The traffic circulation system and the pedestrian and bicycle circulation system, including the location and width of all streets, driveways, entrances to parking areas and parking structures, pedestrian walkways and bicycle paths.
- (x) Location of bus and rail stops
- (xi) Landscaping plan indicating the location and type of all plantings, in accordance with the requirements of the Facilities Standards Manual, and any trees to be conserved.
- (xii) A plan or statement showing how public utilities are, or will be provided.
- (xiii) Approximate location and estimated size of all proposed stormwater management facilities
- (xiv) When the development is to be constructed in sections, a development schedule showing the anticipated order of construction of such sections
- (xv) Location of accessory uses

- (xvi) Location and size of open space areas, specifying the proposed treatment or improvement of all such areas
 - (xvii) Cross sections of proposed buildings to evaluate the streetscape and skyline with relation to adjacent development
 - (xviii) Location and quantity of required number of off-street parking and loading spaces provided
 - (xix) Architectural sketches, if available, of typical proposed structures, including lighting fixtures and signs
 - (xx) A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards
- (b) A final statement in tabular form which sets forth the following data, when such data is applicable to a given development plan:
- (i) Total floor area and floor area for each use type and total floor area ratio in each subarea and land bay
 - (ii) Total area in open space, including recreational open space provided and the amount required
 - (iii) Total number of off-street parking and loading spaces provided and the number required
- (D) **Review of Site Plans and Subdivision Plats.** All site plans and subdivision plats for uses and developments proposed within the PD-TREC District shall be reviewed and approved according to the procedures stated in Section 6-700 of this Ordinance and in Chapters 1243 and 1244 of the Land Subdivision and Development Ordinance.

4-1004 Permitted Uses.

- (A) The following uses are permitted within both the Inner Core and Outer Core subareas:
- (1) Animal hospital (7,500 sq. ft. or less), in a completely enclosed facility, but permitted only in the Outer Core subarea.
 - (2) Ambulatory retail or food/beverage vendors and mobile vending carts, pursuant to Section 4-1010(A).
 - (3) Art gallery.
 - (4) Auction House, pursuant to Section 4-1010(B).

- (5) Automobile car sharing agency, with on-site automobile storage not to exceed 10 cars.
- (6) Automobile rental agency, with on-site automobile storage not to exceed 10 cars.
- (7) Bank or financial institution, excluding drive-through facilities.
- (8) Business service establishment.
- (9) Child care facilities, pursuant to Section 5-609, or adult day care center.
- (10) Church, synagogue, and temple.
- (11) Civic, social and fraternal association meeting place.
- (12) College, university, 50,000 sq. ft. or less (exclusive of on-site student, faculty and/or employee housing facilities).
- (13) Community center.
- (14) Conference, or training center.
- (15) Convenience food store, excluding drive-through facilities and accessory gas pumps.
- (16) Convention or exhibition facility.
- (17) Cultural amenities, e.g. fountains, ice rinks, reflecting pools.
- (18) Educational institution, less than 50,000 sq. ft.
- (19) Establishments for general research, scientific research, development and/or training where assembly, integration and testing of products in a completely enclosed building are incidental to the principal use of scientific research, development and training.
- (20) Facility for lessons in dance, gymnastics, judo and sports training (less than 5,000 square feet).
- (21) Fire, police and/or rescue station.
- (22) Health and fitness center.
- (23) Home service establishment.
- (24) Hotel/Motel, pursuant to Section 4-1010(C).
- (25) Library.
- (26) Medical care facility, outpatient only.

- (27) Museum, cultural center, arboretum.
- (28) Offices, administrative, business, and professional.
- (29) Off-street parking facilities, freestanding, in an above-ground or below-ground parking structure only.
- (30) Park, playground or plaza (public or private).
- (31) Performing arts center (10,000 sq. ft. or less).
- (32) Personal service establishment (5,000 sq. ft. of gross floor area or less), excluding drive-through facilities. Permitted dry cleaning personal service establishments shall be limited to drop-off/pick-up centers only.
- (33) Post office, drop-off and pick-up only.
- (34) Private club or lodge, less than 10,000 sq. ft.
- (35) Radio and television recording studio.
- (36) Recreation establishment, indoor, pursuant to Section 4-1010(D).
- (37) Repair service establishment (5,000 square feet of gross floor area or less), including repair of small household appliances, electronics, and similar scaled items, but not including vehicle or heavy equipment repair.
- (38) Restaurant, dine-in and carryout only, excluding drive-through facilities.
- (39) Restaurant, dinner theatre.
- (40) Restaurant, fast-food, excluding drive-through facilities.
- (41) Retail sales establishment, excluding drive-through facilities. No retail sales establishment that is located in a freestanding, single-story building shall contain more than 15,000 square feet of gross floor area.
- (42) Sewer pumping station.
- (43) Studio space – artist, craftsperson, writer, etc.
- (44) Telecommunications antenna, pursuant to Section 5-618(A).
- (45) Theater, indoor.
- (46) Transportation and public transit facilities to include transit stations, bus shelters and bicycle parking facilities, but not including park and ride (commuter parking) facilities.

- (47) Water pumping station.
- (48) Food Store.
- (49) Outdoor Amphitheater.
- (50) Craft Beverage Manufacturing, pursuant to Section 5-668.

4-1005

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

- (A) The following uses are permitted by Special Exception in the Inner Core subarea:
 - (1) Animal Hospital (7,500 sq. ft. or less) in a completely enclosed facility.
 - (2) College, university, greater than 50,000 sq. ft. (exclusive of on-site student, faculty and/or employee housing facilities).
 - (3) Educational Institution, greater than 50,000 sq. ft.
 - (4) Funeral home or mortuary.
 - (5) Medical care facility, including hospital.
 - (6) Performing arts center (greater than 10,000 sq. ft.).
 - (7) Private club or lodge, greater than 10,000 sq. ft.
 - (8) Public School (Elementary, Middle, or High) by minor special exception.
 - (9) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.
 - (10) School, private, accessory to a church.
 - (11) Telecommunications monopole, pursuant to Section 5-618(B)(2).
 - (12) Transportation or transit facilities, limited to:
 - (a) Heliport or helistop.
 - (b) Dulles Toll Road Extended (DTRE) facilities.
 - (13) Utility substation, dedicated.
 - (14) Recreation Establishment, Indoor, which does not meet the criteria in Section 4-1010(D).

- (15) Commuter parking facilities.
- (16) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (B) The following uses are permitted by Special Exception in the Outer Core subarea subject to the requirements and limitations of these regulations:
 - (1) All uses permitted by Special Exception in the Inner Core subarea.
 - (2) Flex industrial space, pursuant to Section 5-608.
 - (3) Light manufacture, processing, fabrication, and/or assembly of goods and products that does not generate noise, odor, vibration, or other hazard outside the boundaries of the subject property, pursuant to Section 4010(E). Such goods and products may include, but are not limited to: scientific and precision instruments; photographic equipment; communication or computation equipment; drugs, medicines, pharmaceutical; household appliances; toys, sporting and athletic goods; die-cut paperboard and cardboard; glass products made of purchased glass; electric lighting and wiring equipment; service industry machines; lithographic and printing processes; industrial controls; radio and TV receiving sets; watches and clocks; bags and containers; sanitary paper products; optical goods; and electrical machinery.
 - (4) Off-street parking facility, freestanding, in a surface parking lot only.
 - (5) Recycling drop-off collection center, small, pursuant to Section 5-607.
 - (6) Stadiums and arenas.

4-1006 Lot Requirements.

(A) Yards.

- (1) **Front.** No minimum. In the Inner Core, buildings shall be located a maximum of 10 feet from the front property line; however, if the building fronts on a plaza or courtyard open to the public, the maximum front yard shall be 25 feet per Section 4-1012(A)(1).
- (2) **Side.** No requirement.
- (3) **Rear.** No requirement.

(B) Other Yard Requirements.

- (1) **Yards Adjacent to Roads.** Unless greater setbacks are required under Section 5-1403(B), no building shall be permitted closer than one hundred (100) feet to the right-of-way of any arterial road

unless a component of an “urban deck,” as defined by Article 8. No parking shall be located within fifty (50) feet of the right-of-way of any arterial road.

4-1007 Building Requirements.

(A) Building Height.

- (1) **Maximum Height:** Inner Core: No Maximum; Outer Core: 125 feet, unless a lower height restriction shall be required based on Federal Aviation Regulations Part 77 – Imaginary surfaces. Unoccupied space such as rooftop mechanical structures and architectural features shall not be measured in determining maximum height.
- (2) **Minimum Height:** Inner Core: 35 feet of occupied space, 25 feet of occupied space if constructed between a parking structure and a street and effectively screens the parking structure from public view. Outer Core: 25 feet of occupied space.

(B) Floor Area Ratio.

- (1) **Maximum FAR per Building Lot/Site.** There is no maximum FAR on an individual building lot/site in the Inner or Outer Core subareas, provided the average FAR by subarea does not exceed the maximums stated in the approved Concept Development Plan, approved Final Development Plan, and Section 4-1007(B)(2) below.
- (2) **FAR by Subarea:** The highest land use intensities will be located close to the transit stop in the Inner Core subarea. Land uses will reduce in intensity as they increase in distance from the transit stop. The availability of transportation alternatives will determine the maximum Floor Area Ratio of non-residential land use in three phases (a) prior to the establishment of bus services, (b) when bus services and facilities are planned, scheduled, designed and fully funded and (c) when rail transit services and facilities are planned, scheduled, designed and fully funded as follows:

	Maximum FAR in the Inner/Outer Core Subareas
Prior to Bus	0.6
Bus	1.0
Rail	2.0

- (3) The Concept Development Plan shall specify the maximum developable floor area for each of the two subareas, including the phasing of the density based on the availability of bus and rail.

- (4) The Final Development Plan will specify the maximum developable floor area approved for the subarea(s), the amount proposed and the remaining square footage for the subarea(s).
- (5) Each development application (including site plans) shall include a tabulation of approved total floor area for the appropriate subarea, the proposed floor area for the application, and the remaining square footage for the subarea including density increases tied to the availability of bus and rail.
- (6) To concentrate intensity of land use within the Inner Core subarea, as part of the approval of the Concept Development Plan, the Board of Supervisors may approve a maximum floor area for the Inner Core calculated using the following Floor Area Ratios: Note that the maximum total floor area permitted must not exceed the permitted floor area for the combined Inner and Outer Core subareas as determined by the ratio in Section 4-1007(B)(2), above:

Availability of Transportation Alternatives	INNER CORE Max. FAR
(a) Prior to Bus	1.2
(b) Bus	2.0
(c) Rail	3.0

4-1008 RESERVED

4-1009 Land Use Arrangement.

- (A) Bus stops shall be located throughout the PD-TREC District, as determined by the County in consultation with the Washington Metro Area Transit Authority (WMATA) or similar authority.
- (B) Land uses shall be adjoining or located in close proximity to one another to ensure a compact development pattern and a continuous urban streetscape.
- (C) The PD-TREC District shall be arranged in a generally rectilinear pattern of interconnecting streets and blocks while maintaining respect for the natural landscape and floodplain.
- (D) Average block length (measured at the right-of-way) within the total development area that is the subject of a FDP application shall not exceed 400 feet. Blocks designed to include a mid-block through alley, that permits secondary vehicle access to land uses on the block, may be a maximum of 800 feet in length, half of which shall be used in the calculation of average block length.
- (E) All new utility distribution lines located on PD-TREC designated land shall be placed underground.

- (F) The street network in the Outer Core should complement and support the Inner Core subarea street network by providing multiple and direct vehicular, bicycle, and pedestrian connections to the transit station.
- (G) Awnings, canopies, trellises, and similar architectural features may cantilever over a pedestrian walkway. Eaves may cantilever over the pedestrian walkway no more than 3 feet.
- (H) Pedestrian walkways shall be located on all four sides of a block.

4-1010

Use Limitations. In addition to the requirements contained in Article 5, the following uses shall have limitations as specified below:

- (A) **Ambulatory Retail/Food and Beverage Vendors and Mobile Vending Carts.** General retail sales or provision of food and beverage services by ambulatory vendors or through the use of mobile vending carts are permitted in the Inner and Outer Core subareas of the PD-TREC district, subject to the following conditions:
 - (1) The number of vendors and carts shall be limited to the number shown on the approved Concept Development Plan;
 - (2) Vendors and carts operating in public places shall comply with any applicable County permit or licensing requirements;
 - (3) Vendors and carts on private property are restricted to one vendor or cart per property, unless otherwise allowed by the County in the terms of an approved Concept Development Plan or subsequent Final Development Plan or site development plan; and
 - (4) Mobile vending carts shall be moveable by one person, shall be non-motorized, and may not exceed six feet in length, not including a trailer-hitch.
- (B) **Auction Houses** are subject to the following conditions:
 - (1) The use must be located within a building that houses two or more distinct principal uses that do not share the same physical space; and
 - (2) The use shall contain no more than 10,000 square feet.
- (C) **Hotel/Motel.** Hotels/Motels are subject to the following conditions:
 - (1) Individual guest rooms in the hotel/motel shall be accessed only from an interior lobby in the building and shall not be directly accessible from the exterior of the building; and
 - (2) All stairwells, corridors and circulation components of the building shall be completely enclosed within the building envelope.

- (D) **Recreation establishments, indoor** are subject to the following conditions:
- (1) The facility must be located within a building that is a minimum of three stories in height,
 - (2) The building must house two or more distinct principal uses that do not share the same physical space, and
 - (3) The use shall contain no more than 10,000 square feet.
- (E) **Light Manufacture Uses.** Light manufacture uses are permitted as special exception uses in the Outer Core subarea of the PD-TREC District, subject to the following conditions:
- (1) The use complies with all applicable performance standards in Section 5-1500.
 - (2) The use is contained completely in an enclosed building; no outdoor storage or activity is allowed.
 - (3) The use does not produce any adverse noise, odor, heat or glare, or vibration impacts that are discernable to a reasonable person beyond the property lines of the use.
 - (4) The building housing the light industry use can be designed to be compatible in terms of scale, height, mass, and void-to-solid ratios with conventional commercial office design.
 - (5) The site and building design for the use shall not adversely affect the ability of pedestrians in the district to access either adjacent land uses, uses in the Inner Core subarea, or the transit station.

4-1011 Building Orientation.

- (A) Buildings in the PD-TREC District shall be oriented toward adjacent neighborhood and/or collector streets or adjacent plaza, greens, or parks; any of which may be publicly or privately owned.
- (B) The principal entrance to all buildings located in the PD-TREC District shall be from the front public sidewalk or from an adjacent public plaza.

4-1012 Pedestrian-Oriented Building Placement & Uses.

- (A) To achieve a uniform streetscape:
- (1) Within the Inner Core subarea, a minimum of 70% of any lot width, and within the Outer Core subarea a minimum of 50% of any lot width that is adjacent to a public right-of-way or a plaza, shall be occupied by a building wall built to the setback line. In the Inner Core, the building wall may be set back no greater than 25 feet when necessary to accommodate outdoor seating or

food/beverage service areas or similar active pedestrian space or amenity. The building wall may be part of a principal building or accessory building.

- (2) The remaining lot frontage in the Inner Core and Outer Core subareas may be occupied by any combination of the following:
 - (a) Building wall (within or behind the setback line),
 - (b) Decorative solid screening wall, fence or hedge no higher than 4 feet,
 - (c) Decorative wall or fence that allows visibility through it, such as wrought iron or split rail fences, no higher than 6 feet,
 - (d) Landscaped entryway signage or features,
 - (e) Pedestrian amenities such as a public plaza or park, or
 - (f) Breaks for necessary pedestrian or vehicle access ways.
- (B) Within the Inner Core subarea, at least 70% of the first floor building frontage, and within the Outer Core subarea at least 30% of the first floor building frontage, as required in subsection (A)(1) above, shall contain pedestrian-oriented development, preferably commercial retail and service uses, on the first floor.
- (C) Each FDP shall indicate how the remainder of the development may be completed.

4-1013 Pedestrian and Bicycle Connections & Amenities.

(A) Pedestrian and Bicycle Connections.

- (1) Within the PD-TREC District, each development shall provide and contribute to an on-site system of pedestrian walkways and bicycle paths and lanes designed to provide direct access and connections to and between the following:
 - (a) The primary entrance or entrances to each principal building;
 - (b) Any pedestrian walkways or bicycle paths and lanes on adjacent properties that extend to the boundaries shared with the district;
 - (c) Any public sidewalk system or bicycle path or lane along the perimeter streets adjacent to the district;
 - (d) Existing or planned bus or rail transit stops and commuter park-n-ride locations; and

(e) On-site amenities, provided according to Section 4-1014, below.

- (2) In addition to the connections required in (A)(1) above, on-site pedestrian walkways and bicycle paths and lanes shall be provided and be designed for direct access and connections between the following areas located on adjacent properties: Buildings, sidewalks, existing or planned bus or rail transit stops, commuter park and ride locations, on-site amenities, sidewalks or walkways, public parks and civic uses, and parking areas or structures.
- (3) **Most Direct Route Required.** All pedestrian connections shall be designed and sited to ensure the shortest, most direct route possible from point to point. Mid-block pedestrian walkways are encouraged wherever possible to assure a more direct connection between adjacent uses. Pedestrians shall be able to make each of the connections identified in (A)(1) and (A)(2) above without walking across grass or landscaped areas.

(B) Sidewalks and Other On-Site Pedestrian Walkways.

- (1) Sidewalks and on-site pedestrian ways shall be provided parallel to all streets.
- (2) All public sidewalks and on-site pedestrian ways shall be at least eight (8) feet wide within the Inner Core subarea and at least five (5) feet wide within the Outer Core subarea.
- (3) All sidewalks and on-site pedestrian walkways shall have and maintain a minimum unobstructed pathway at least five (5) feet wide.
- (4) All sidewalks and on-site pedestrian walkways shall be aligned and connected with those on adjacent properties and public rights-of-way.
- (5) Each point at which the system of sidewalks or pedestrian walkways crosses a parking area, street, or driveway to make a required connection shall be clearly marked through the use of change in paving materials, height, or distinctive colors. Painted crosswalks may be used only in the Outer Core subarea.

(C) Bicycle Paths and Lanes.

- (1) All bicycle paths shall be at least 5 feet wide, 8 feet wide if a multi-use path.
- (2) The PD-TREC district shall provide for bicycle lanes or paths throughout the PD-TREC district.

(D) Pedestrian/Bicyclist Underpasses or Tunnels.

- (1) Where underpasses or tunnels are used for pedestrian or bicyclist pathways, they shall be generally straight and without recesses so that the far end of the underpass or tunnel is visible to the pedestrian or bicyclist.

4-1014

On-Site Amenities.

- (A) **General Requirement.** All development in the PD-TREC District containing 25,000 or more square feet of gross floor area shall incorporate at least two (2) of the following on-site amenities or features that are accessible to all uses within the development:
 - (1) Patio or plaza with seating areas, provided such patio or plaza has a minimum depth and width of 10 feet and a minimum total area of 300 square feet.
 - (2) Landscaped mini-parks, squares, or greens, including rooftop areas, provided such park or green has a minimum depth and width of 30 feet and a minimum total area of 1,000 square feet.
 - (3) On-site transportation amenities, including bus stops and customer pick-up/drop-off stations.
 - (4) Protected customer walkways; arcades; or easily identifiable building pass-throughs containing window displays and intended for general public access.
 - (5) Water feature, such as a lake, pond, or fountain, provided the feature is easily accessed by pedestrians and includes or integrates seating areas for pedestrians.
 - (6) Athletic facilities such as lockers, showers and changing rooms.
 - (7) Street-level public restrooms immediately accessible from building pass-throughs, public plazas or other public open spaces, or enclosed plazas/atriums.
 - (8) Swimming pools (indoor or outdoor, including rooftops)
- (B) On-site amenities may be used to satisfy the minimum 15% public parks, civic and open space requirement for the Inner and Outer Core subareas in Section 4-1008 above.

4-1015

Parking Requirements.

- (A) **Provision of On-Street Parking.** Generally, on-street parking shall be provided throughout the PD-TREC District and shall not encompass more than 70% of the block frontage. Such on-street parking may be angled and shall be inset into the block with street trees, plantings and/or street furniture incorporated between groups of parking spaces. Such on-street parking shall be designed to avoid impeding pedestrian movement among buildings and spaces in the area.

(B) Amount of Off-Street Parking Required.

- (1) Each application for a Final Development Plan shall include a transportation study to be reviewed and approved by the County indicating the number of parking spaces required. Such transportation study shall take into account reductions in the requirements of Section 5-1102(F)(5)(a) of up to 20% based on the availability of bus service and up to 50% based on the availability of rail service.
- (2) The Concept Development Plan shall indicate how the quantity of required parking spaces shall be met within the Inner and Outer Core subareas.

(C) Credit for On-Street Parking. In coordination with the Loudoun County Office of Transportation Services and the Virginia Department of Transportation, the Zoning Administrator may allow on-street parking spaces, located within 400 feet of the subject principal use, to be credited to meet up to 30% of the off-street parking spaces for a particular development or building required by Section 4-1015(B) above. Such credit for on-street parking shall be included on the Final Development Plan so as to identify the particular development receiving credit.

(D) Off-Street Surface Parking Lots.

- (1) Off-street surface parking lots, either as principal or accessory uses, are prohibited in the Inner Core subarea of the District. Below-grade parking structures are strongly encouraged in the Inner Core subarea where feasible.
- (2) All off-street surface parking lots in the Outer Core, other than short-term drop-off/delivery parking, shall be landscaped and shall not interfere with the reasonable continuity of building facades and pedestrian activity.
- (3) No accessory, off-street surface parking lot in the Outer Core subarea shall be located between the principal entrance of a building and an adjacent street.

(E) Location of Off-Street Accessory Parking. Notwithstanding the requirements of Section 5-1103(A), all accessory parking shall be located on the lot being served or on a separate lot or parcel within ¼ mile of the principal entrance of the building that it serves.

(F) Access to Off-Street Parking. Off-street parking facilities shall have access from streets or, if no street access is available, from alleys with adequate security measures.

(G) Above-Grade Parking Structures. All above-grade parking structures shall be designed in a manner that is compatible with nearby building architecture to minimize visual impact.

- (H) The parking facility may be shared by two or more uses if the sum of the parking space requirements of all of the uses is provided.
- (I) After rail service is available, structured parking shall be required to meet 70% of the parking requirements for the construction of new buildings in the Inner and Outer Core subareas.

4-1016 Landscaping, Buffering, and Screening.

- (A) Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and parking from streets and residential uses.
- (B) For individual lots within the PD-TREC district that are developed in accordance with a proffered Concept Development Plan, the buffer and screening requirements of Section 5-1400 shall not be applicable between uses on adjacent lots developed within the center or between uses within the PD-TREC district and differently zoned properties.

4-1017 Street Trees. Trees shall be planted on both sides of the street at a density of one tree per twenty five (25) linear feet along all areas dedicated for use for vehicular access. Such trees shall have a minimum caliper of 1 (one) inch and a height at maturity of 15 (fifteen) feet or more. If in the opinion of the Planning Commission at time of review of the Final Development Plan, upon the advice of the County Urban Forester/Arborist, street trees will not survive in a given location, substitute plantings or substitute locations may be provided.

4-1018 Tree Canopy. Notwithstanding the requirements of Section 5-1303, the tree canopy requirements of Section 5-1303 shall not apply to the Inner Core subarea.

4-1019 Development Setback and Access from Major Roads. The lot access requirements of Section 1-205(A) and the building and parking setback of Section 5-1403(B) shall be observed.

- (A) In the Inner Core, buildings shall be located at a maximum of 10 feet from the front property line; however, if the building fronts on a plaza or courtyard open to the public, the maximum setback shall be 25 feet per Section 4-1006 (A) (1).

4-1020 Accessory Structures and Uses. Accessory structures and uses shall be permitted only where said uses and structures are customarily accessory and clearly incidental and subordinate to the permitted principal use and structures.

4-1021 Signs.

- (A) The requirements of Section 5-1204(D) shall be followed for PD-TREC development.
- (B) As applicable, commercial/office and miscellaneous signs within the PD-TREC District shall follow the requirements of similar signs in the PD-TRC district as enumerated in the Sign Requirements Matrix, Section 5-1204(D).

- (C) As applicable, industrial signs within the PD-TREC District shall follow the requirements for flex industrial signs as enumerated in the Sign Requirements Matrix, Section 5-1204(D).

4-1022

Ownership, Operation and Management of Common Open Space and Common Facilities.

- (A) All common open space shall be preserved for its intended purpose as expressed in the Final Development Plan. The applicant shall choose prior to approval of final site plan, one (1) or a combination of the following methods of administering common open space.
 - (1) Public dedication to the County of the common open space, subject to acceptance by the Board of Supervisors.
 - (2) Establishment of a non-profit association, corporation, trust or foundation of all owners of property within the planned development. Such organization shall conform to the following requirements:
 - (a) The organization must be established prior to approval of the first final site plan or first record plat, whichever is first in time, in the proposed development. The documents establishing such organization shall be reviewed and approved by the County.
 - (b) The organization shall manage, maintain, administer and operate all open space and improvements and other commonly owned land, and shall secure adequate liability insurance on the land and such improvements.
 - (c) Sales brochures or other literature and documents provided by the seller of all lots within a PD-TREC district shall include information regarding membership requirements and responsibilities of such organizations.
 - (3) Retention of ownership, control and maintenance of common open space and improvements by the property owner.
- (B) All common open space not dedicated to the County shall be subject to restrictive covenants running with the land restricting its use to that specified in the approved Final Development Plan. Such restriction shall be for the benefit of, and enforceable by all present or future property owners and the Board of Supervisors of Loudoun County.
- (C) All common open space, as well as public recreational facilities, shall be specifically included in the development schedule and be constructed and fully improved at an equivalent or greater rate than the construction of other non-residential structures.

4-1101

Purpose. This district is established to provide for a compatible mixture of commercial, cultural, institutional, governmental, recreational, and high density housing uses in compact, pedestrian oriented, transit oriented developments and transit-designed supportive areas serving as focal points for nearby related activity centers and residential areas. Planned rail and bus facilities are integral to this mixed-use concept and the County will consider density increases as roads, bus and rail service are available to the district. These higher intensity, mixed-use development projects will serve to promote linkage of employment and residential uses. Specific objectives of such districts include:

- (A) Provide a pedestrian-scale development containing residential, commercial, public, and employment uses;
- (B) Provide the opportunity for a town center at an intensity of development that can be supported by multi-modal transportation and other services;
- (C) Provide for pedestrian and bicycle facilities and for pedestrian and bicycle connections among land uses in the district and for connections with land uses in adjacent areas through links with bicycle and pedestrian systems in those other areas;
- (D) Provide for the use of mass transit to reduce the number of peak hour vehicle trips;
- (E) Encourage high-quality design; and
- (F) Encourage the development of well-configured plazas, squares, greens, landscaped streets, and parks woven into the pattern of the transit oriented development and dedicated to collective social activity, recreation, and visual enjoyment.

4-1102

Location, Size and Components.

- (A) **Location.** Land zoned PD-TRC shall be divided into three parts or subareas as described in Section 4-1102(C) below. Neither the Inner Core subarea nor the Outer Core subarea shall extend further north than Shellhorn Road (Route 643).
- (B) **Size.** The initial application to this district shall be a minimum of 40 acres. Subsequent applications shall be adjacent to or across the road from previously mapped PD-TRC districts and shall be a minimum of 25 acres. Notwithstanding the provisions of Section 6-1217, the only provision in this paragraph that may be modified is that regarding subsequent district size.
- (C) **District Subareas.** The Transit Related District shall be divided into three (3) parts or subareas. The boundaries of the subareas will vary to correspond with physical and natural barriers that limit compact development, pedestrian and bicycle connections and movement, and access to the transit station. Limiting factors will include topography and

major arterials so that the subareas may not be a full radius, but will be influenced in form by natural and man-made barriers:

- (1) *Inner Core* - shall mean the total gross land area located generally within a one-quarter (1/4) mile from the outer edge of the planned rail transit station platform, as shown on the approved Concept Development Plan. The highest land-use intensities will be located close to the planned transit stop. The primary focal point of the development will be located in this subarea. Retail, office, service commercial, and high density residential uses are located in this subarea, with a vertical mix of uses, public gathering places, and a predominance of pedestrian oriented uses (uses located at street level that are visible and accessible from the street);
- (2) *Outer Core* - shall mean the total gross land area located outside the Inner Core subarea, but generally within one-half (1/2) mile from the outer edge of the planned rail station platform, as shown on the approved Concept Development Plan. Densities are high, yet decrease in intensity as they increase in distance from the transit stop. Major retail, office, service commercial, and high density residential uses are located in this subarea, with a vertical mix of uses and a predominance of pedestrian-oriented uses (uses located at street level that are visible and accessible from the street); and
- (3) *Transit-Designed Supportive Area* - shall mean the total gross land area located outside the Outer Core subarea, but generally within one mile from the outer edge of the planned rail station platform, as shown on the approved Concept Development Plan. This subarea is meant to provide a transitional and complementary area between the high-density core and the surrounding development pattern. The Transit-Designed Supportive Area should provide a mix of land uses that complement and support the uses of the Inner and Outer Core subareas. This subarea is adjacent to and an extension of development in the Inner and Outer Core subareas and includes design features that complement the Inner and Outer Core subareas such as flexible lot design and pedestrian and bicycle connections. Commercial uses within the TDSA should complement retail, office, and service commercial uses in the Inner and Outer Core subareas.

4-1103

Rezoning & Development Process Requirements.

- (A) **CDP with Rezoning Applications.** Rezoning to, and subsequent development under, this district will be permitted only in accordance with a Concept Development Plan approved according to Section 6-1200 of this Ordinance. Flexibility in design options will be allowed.
- (B) **Preparation of CDP.** All Concept Development Plans required by this section shall be prepared according to Section 6-1200 of this Ordinance, and in addition shall include and graphically show the following items:

- (1) The type and scale of proposed uses including residential unit type and quantity;
- (2) The proposed intensity of development including the maximum proposed non-residential square footage and maximum number of dwelling units per subarea;
- (3) Site and building designs to include the integration of the built and open space environment, pedestrian streetscape design, pedestrian, bicycle and motor vehicle connections between the uses and planned or existing transit stops and transit parking;
- (4) The physical and functional integration of the proposed mix of land uses, including but not limited to pedestrian, bicycle, and vehicle connections between the uses and planned or existing transit stops and transit parking;
- (5) The location and design of focal points within the district;
- (6) Delineated limits of subareas pursuant to Section 4-1102(C); and
- (7) The relationship between development in the Transit-Designed Supportive Area and the Inner and Outer Core subareas.

(C) **Final Development Plan.**

- (1) **FDP Required.** Prior to the commencement of development of a parcel, the Planning Commission shall review and approve a Final Development Plan. Approval of the FDP shall serve as meeting the non-engineered requirements of a site plan. The Planning Commission shall approve a Final Development Plan if it conforms to approved proffers and the approved Concept Development Plan and contains the information enumerated in Section (C)(2) below:
- (2) **FDP Submission Requirements.**
 - (a) The Final Development Plan shall be prepared in accordance with the approved Concept Development Plan and proffers and shall contain the following information:
 - (i) A vicinity map at a scale of not less than one inch equals two thousand feet (1" = 2000').
 - (ii) Bearings and distances of the perimeter property lines.
 - (iii) Total area of property presented in square feet or acres.

- (iv) Scale and north arrow, with north, to the extent feasible oriented to the top of all drawings.
- (v) Names and route numbers of boundary streets and the width of existing right(s)-of-way. Any proposed amendments to the public right(s)-of-way and delineation of the existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of the pavement and to the edge of the right(s)-of-way.
- (vi) The location and arrangement of all proposed uses, including a preliminary subdivision layout, if subdivision is proposed.
- (vii) The maximum height in feet, to include penthouses, of all buildings, and the number of floors both above and below or partially below finished grade.
- (viii) Proposed building footprints and elevations.
- (ix) The traffic circulation system and the pedestrian and bicycle circulation system, including the location and width of all streets, driveways, entrances to parking areas and parking structures, pedestrian walkways, and bicycle paths.
- (x) Location of bus and rail stops.
- (xi) Landscaping plan indicating the location and type of all plantings, and any trees to be conserved.
- (xii) A plan or statement showing how public utilities are, or will be provided.
- (xiii) Approximate location and estimated size of all proposed stormwater management facilities.
- (xiv) When the development is to be constructed in sections, a final sequence of development schedule showing the order of construction of such sections, and an approximate completion date for the construction of each section.
- (xv) Location of accessory uses.
- (xvi) Location and size of open space areas, specifying the proposed treatment or improvement of all such areas.

- (xvii) Cross section of proposed buildings to evaluate streetscape and skyscape with relation to adjacent parcels.
 - (xviii) Location and quantity of required number of off-street parking and loading spaces provided.
 - (xix) Architectural sketches, if available, of typical proposed structures, including lighting fixtures and signs.
 - (xx) A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards.
- (b) A final statement in tabular form which sets forth the following data, when such data is applicable to a given development plan:
- (i) Total number of dwelling units by type.
 - (ii) Total residential units and units per acre by subarea.
 - (iii) Total floor area for each type of use and total floor area ratio in each subarea or landbay, except residential uses.
 - (iv) Total area in open space including recreational open space provided and the amount required.
 - (v) Total number of off-street parking and loading spaces provided and the number required.

4-1104 Permitted Uses.

- (A) The following uses are permitted within the Inner Core subarea:
- (1) Art gallery.
 - (2) Auction House, pursuant to Section 4-1111(A).
 - (3) Automobile car sharing agency.
 - (4) Automobile rental agency, with on site automobile storage not to exceed 10 cars.
 - (5) Bank or financial institution, excluding drive-through facilities.
 - (6) Business service establishment.
 - (7) Child care facilities, pursuant to Section 5-609, or adult day care center.

- (8) Church, synagogue, and temple.
- (9) Civic, social and fraternal association meeting place.
- (10) College, university, less than 50,000 sq. ft. (exclusive of on-site student, faculty, and/or employee housing facilities).
- (11) Community center.
- (12) Community Garden, not to exceed 20,000 square feet.
- (13) Conference and training center.
- (14) Congregate housing facility.
- (15) Convenience Food Store.
- (16) Convention or exhibition facility.
- (17) Cultural amenities, e.g. fountains, ice rinks, reflecting pools.
- (18) Dormitory, fraternity/sorority house, rooming/boarding house or other residence hall.
- (19) Dwelling, above first floor commercial uses.
- (20) Dwelling, multi-family (minimum of 4 stories in height). A multi-family structure may be less than 4 stories in height if it is constructed between a parking structure and a street and effectively screens the parking structure from public view.
- (21) Educational Institution, less than 50,000 sq. ft.
- (22) Establishment for general research, scientific research, development and/or training where assembly, integration and testing of products in a completely enclosed building is incidental to the principal use of scientific research, development and training.
- (23) Facility for lessons in dance, gymnastics, judo and sports training (less than 5,000 square feet).
- (24) Fire, police and/or rescue station.
- (25) Health and fitness center.
- (26) Home service establishment.
- (27) Hotel/Motel, pursuant to Section 4-1111(B).
- (28) Library.
- (29) Off-street parking facility, freestanding (serving two or more lots).

- (30) Public transit facilities to include bus shelters and bicycle parking facilities.
 - (31) Medical care facility, outpatient only.
 - (32) Museum, cultural center, arboretum.
 - (33) Offices, administrative, business, and professional.
 - (34) Park, playground or plaza (public or private).
 - (35) Performing arts center (10,000 sq. ft. or less).
 - (36) Personal service establishment.
 - (37) Post office, drop-off and pick-up only.
 - (38) Private club or lodge, less than 10,000 sq. ft.
 - (39) Radio and television recording studio.
 - (40) Recreation establishment, indoor, pursuant to Section 4-1111(D).
 - (41) Repair service establishment.
 - (42) Restaurant (dine-in and carryout only).
 - (43) Restaurant, dinner theatre.
 - (44) Restaurant, fast-food without drive-through facilities.
 - (45) Retail/Food and Beverage Sales – Ambulatory Vendors and Mobile Vending Carts, pursuant to Section 4-1111(E).
 - (46) Retail sales establishment.
 - (47) Sewer pumping station.
 - (48) Studio space – artist, craftsperson, writer, etc.
 - (49) Telecommunications antenna, pursuant to Section 5-618(A).
 - (50) Theater, indoor.
 - (51) Water pumping station.
 - (52) Food Store.
 - (53) Craft Beverage Manufacturing, pursuant to Section 5-668.
- (B) The following uses are permitted in the Outer Core subarea:
- (1) All uses permitted in the Inner Core subarea.

- (2) Dwelling, Single Family Attached.
 - (3) Dwelling, Single Family Detached, pursuant to Section 4-1111(G).
 - (4) Accessory dwelling (accessory to single family detached or single family attached dwelling), pursuant to Section 5-613.
- (C) The following uses are permitted in the Transit-Designed Supportive Area unless otherwise excluded through an approved Concept Development Plan:
- (1) All uses permitted in the Outer Core Subareas.
 - (2) Animal Hospital.
 - (3) Dwelling, multifamily (4 stories or less in height).
 - (4) Recycling drop-off collection center, pursuant to Section 5-607.
 - (5) Food store (10,000 sq. ft. or greater).
 - (6) A single retail use may not exceed 10,000 sq. ft. in gross floor area.

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

- (A) The following uses are permitted by Special Exception in the Inner Core subarea:
- (1) College, university, greater than 50,000 sq. ft.
 - (2) Educational Institution, greater than 50,000 sq. ft.
 - (3) Funeral home or mortuary.
 - (4) Medical care facility, including hospital.
 - (5) Performing arts center (greater than 10,000 sq. ft.).
 - (6) Private club or lodge (greater than 10,000 sq. ft.).
 - (7) Public School (elementary, middle or high) by minor special exception.
 - (8) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.
 - (9) School, private, accessory to a church.
 - (10) Telecommunications monopole, pursuant to Section 5-618(B)(2).

- (11) Transportation or transit facilities, limited to:
 - (a) Heliport or helistop.
 - (b) DTRE facilities.
- (12) Urban deck.
- (13) Utility substation, dedicated.
- (14) Recreation Establishment, Indoor, which does not meet criteria in Section 4-1111(D).
- (15) Commuter parking facilities.
- (16) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (B) The following uses are permitted by Special Exception in the Outer Core subarea subject to the requirements and limitations of these regulations:
 - (1) All uses permitted by Special Exception in the Inner Core subarea.
 - (2) Convention or exhibition facility.
 - (3) Dog Park.
 - (4) Stadiums and Arenas.
 - (5) Storage, mini-warehouse, pursuant to Section 4-1111(F).
- (C) The following uses are permitted by Special Exception in the Transit-Designed Supportive Area, unless otherwise excluded through an approved Concept Development Plan, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300:
 - (1) All uses permitted by Special Exception in the Outer Core subarea, except:
 - (a) Retail/Food and Beverage Sales – Ambulatory Vendors and Mobile Vending Carts.
 - (b) Urban Deck.
 - (2) Automobile service station.
 - (3) Bank or financial institution, with drive-through facilities.
 - (4) Commuter parking facilities, structured or surface.
 - (5) Convenience retail establishment with accessory gas pumps and/or car wash.

- (6) Pharmacy, with drive-through facilities.
- (7) Any one retail use in excess of 10,000 sq. ft.

4-1106 Lot Requirements.

- (A) **Size.** No minimum, except 2,400 square feet for single-family detached and 1,600 square feet for single family attached dwellings.
- (B) **Width.** No minimum.
- (C) **Depth.** No minimum.
- (D) **Yards.**
 - (1) Front. No minimum.
 - (2) Side. No requirement.
 - (3) Rear. No requirement.
- (E) **Other yard requirements.**
 - (1) **Adjacent to roads.** Unless greater setbacks are required under Section 5-1403(B), no building shall be permitted closer than one hundred (100) feet to the right-of-way of any arterial road unless a component of an “urban deck” as defined in Article 8. No parking shall be located within fifty (50) feet of the right-of-way of any arterial road.

4-1107 Building Requirements.

- (A) **Lot Coverage.** No requirement.
- (B) **Building Height.**
 - (1) **Maximum Height.** Unless a lower height restriction is recommended by the Washington/Dulles International Airport Authorities: Inner Core: 175 feet; Outer Core: 125 feet; Transit-Designed Supportive Area: 100 feet. Unoccupied space such as rooftop mechanical structures, penthouses and architectural features shall not be measured in determining maximum height.
 - (2) **Minimum Height.** Inner Core: 35 feet of occupied space, 25 feet of occupied space if constructed between a parking structure and a street and effectively screens the parking structure from public view. Outer Core: 25 feet of occupied space. Transit-Designed Supportive Area: no minimum height.
- (C) **Floor Area Ratio.**

(1) The maximum permitted Floor Area Ratio is as follows:

- (a) **Inner and Outer Core Subareas:** The availability of transportation alternatives will determine the maximum Floor Area Ratio of non-residential land use in three phases (a) prior to the establishment of bus services, (b) when bus services and facilities are planned, scheduled, designed, and fully funded, and (c) when rail transit services and facilities are planned, scheduled, designed, and fully funded as follows:

	Maximum FAR in <u>Inner/Outer Core Subareas</u>
Prior to Bus	.60
Bus	1.0
Rail	2.0

- (b) To concentrate intensity of land use within the Inner Core subarea, as part of the approval of the Concept Development Plan, the Board of Supervisors may approve a maximum non-residential square footage amount for the Inner Core calculated using the following Floor Area Ratios: [Note that the maximum total floor area permitted must not exceed the permitted floor area for the combined Inner and Outer Core subareas as determined by the ratios in Section 4-1107(C)(1)(a).]

	<u>Inner Core</u>
Prior to Bus	1.20 max
Bus	2.0 max
Rail	3.0 max

- (c) **Transit-Designed Supportive Subarea:** Total floor area permissible on an individual lot within the Transit-Designed Supportive Area shall not exceed .40. However the Board of Supervisors may permit an individual lot within the TDSA to achieve an FAR of 1.0 as part of approval of the Concept Development Plan, concurrent with the PD-TRC amendment, or by amendment of an existing Concept Development Plan upon recommendation of the Planning Commission at any time after the original PD-TRC amendment provided the following criteria are met:

- (i) The overall Floor Area Ratio for the TDSA subarea does not exceed .40.
- (ii) The applicant submits a plan with evidence of unified control and identifying proposed land uses,

their location, and Floor Area Ratios requested for specific landbays within the TDSA and their land area acreages.

- (iii) The applicant provides a traffic analysis that shown no deleterious effects to the local or regional road network as a result of the increased concentration of development, unless such deleterious effects are mitigated.
 - (iv) For any lot with a Floor Area Ratio other than .40, the Floor Area Ratio shall be shown on the approved record plan, site plan, and Final Development plan for the lot.
 - (v) In the event the Concept Development Plan for the TDSA subarea does not provide the information set forth in Section 6-1215, the applicant may limit the development on an individual lot to an FAR of less than .40. Such a limitation shall be placed on the approved record plat, site plan and Final Development Plan for the lot. The Board shall consider this limitation for future transfer to another portion of the TDSA subarea as part of a Concept Development Plan amendment.
 - (vi) A revised Concept Development Plan shall be submitted with the site plan and Final Development Plan to illustrate the Floor Area Ratio for the entire subarea if individual lots are allowed to increase FAR following adoption of the rezoning.
- (2) The Concept Development Plan shall specify the maximum developable floor area for each of the three subareas, including the phasing of density based on the availability of bus and rail.
 - (3) Each development application (including site plans and subdivisions) shall include a tabulation of approved total floor area for the appropriate subarea, the proposed floor area for the application, and the remaining square footage for the subarea including density increases tied to the availability of bus and rail.
 - (4) The Final Development Plan will specify the maximum developable floor area approved for the subarea(s), the amount proposed, and the remaining square footage for the subarea(s).
 - (5) In mixed use buildings containing dwellings, floor area ratio, which shall include residential floor area, shall determine the bulk of the building above finished grade. The Concept Development Plan and site plan shall identify how dwelling units per acre requirements, as identified in Section 4-1108, are achieved.

4-1108 [RESERVED]

4-1109 **Mix of Uses.**

- (A) **Inner and Outer Core Subareas.** The land use mix to be achieved within the combined Inner and Outer Core subareas shall meet the minimum as found in the table below. Such mix, and the phasing thereof, shall be identified on the Concept Development plan. Gross land area devoted to principal land uses shall be balanced in the following ratios:

<u>Land-Use Category</u>	<u>Minimum.</u>
Residential	20%
Office	20%
Commercial Retail and Services	10%
Parks, Civic & Open Space	20%

** At least one publicly-accessible plaza shall be located in the Inner Core subarea to represent the urban focal point as shown on the Concept Development Plan. In addition, publicly-accessible greens, publicly-accessible active recreation space, and publicly-accessible mini-parks shall be appropriately distributed within walking distance from uses and generally depicted as to a street block location on the Concept Development Plan. Such publicly-accessible greens, active recreation space, and mini-park locations implementing the Concept Development Plan shall be shown on the Final Development Plan. These publicly-accessible features shall be considered for each incremental addition proposed to the district to maintain open space within a reasonable actual walking distance.*

- (B) **Transit-Designed Supportive Subarea.** The land use mix to be achieved within the Transit-Designed Supportive subarea, and the phasing thereof, shall be shown on the Concept Development Plan.
- (C) In order to exceed the minimum percentage in any one category, the minimum percentage in all categories must be achieved as evidenced by an approved Final Development Plan. After the minimum percentages have been achieved, in addition to the requirements of Section 6-1000, a zoning permit for change in tenant occupancy shall include a tabulation indicating that the minimum percentages continue to be met.
- (D) A vertical mix of uses is encouraged in multi-story buildings in the Inner and Outer Core subareas, such as ground floor retail with upper story residences or offices. When multiple use types are located within a single building, the land use mix requirements for Residential, Office and Commercial Retail Services, identified in Section 4-1109(A), may be modified by 10% by the Planning Commission during review of a Final Development Plan to achieve integration of uses.

4-1110 **Land Use Arrangement and Use Limitations.**

- (A) Bus stops shall be located throughout the PD-TRC District, as determined by the County, the Washington Metro Area Transit Authority (WMATA) or similar authority.

- (B) Land uses shall be adjoining or located in close proximity to one another to ensure a compact development pattern and a continuous urban streetscape.
- (C) The Transit Related Center shall be arranged in a generally rectilinear pattern of interconnecting streets and blocks while maintaining respect for the natural landscape and floodplain.
- (D) Average block length (measured at the right-of-way) within the total development area that is the subject of a Final Development Plan shall not exceed 400 feet. Blocks designed to include a mid-block through-alley, that permits secondary vehicle access to land uses on the block, may be a maximum of 800 feet in length, half of which shall be used in the calculation of average block length.
- (E) All new utility distribution lines located on PD-TRC designated land shall be placed underground.
- (F) The Transit-Designed Supportive Area street network should complement and support the Inner and Outer Core subarea street network by providing multiple and direct vehicular, bicycle, and pedestrian connections to the transit station.
- (G) Awnings, canopies, trellises, and similar architectural features may cantilever over the pedestrian walkway. Eaves may cantilever over the pedestrian walkway no more than 3 feet.
- (H) Pedestrian walkways shall be located on all four sides of a block.

4-1111

In addition to the requirements contained in Article 5, the following uses shall have limitations as specified below:

- (A) **Auction Houses** are subject to the following conditions: the use (1) must be located within a building that houses two or more distinct principle uses that do not share the same physical space; and (2) use shall contain no more than 10,000 square feet.
- (B) **Hotel/Motel.** Hotels/Motels are subject to the following additional conditions: (1) Individual guest rooms in the hotel/motel shall be accessed only from an interior lobby in the building and shall not be directly accessible from the exterior of the building; and (2) All stairwells, corridors and circulation components of the building shall be completely enclosed within the building envelope.
- (C) **Off-street parking facility, freestanding.** If the parking structure is not effectively shielded from the street by a building, the first floor of the parking structure shall be enclosed.
- (D) **Recreation establishment, indoor** other than those owned by the public, are subject to the following conditions: (1) facility must be located within a building that is a minimum of three stories in height, (2) the building must house two or more distinct principle uses that do not share the same

physical space, and (3) the use shall contain no more than 10,000 square feet.

- (E) **Retail/Food and Beverage Sales** – Ambulatory Vendors and Mobile Vending Carts. General retail sales or provision of food and beverage services by ambulatory vendors or through the use of mobile vending carts are permitted only in the Inner and Outer Core subareas of the PD-TRC district, subject to the following conditions: (1) The number of vendors and carts shall be limited to the number shown on the approved Concept Development Plan; (2) Vendors and carts operating in public places shall comply with any applicable County permit or licensing requirements; (3) Vendors and carts on private property are restricted to one vendor or cart per property, unless otherwise allowed by the County in the terms of an approved Concept Development Plan or subsequent site development plan; and (4) Mobile vending carts shall be moveable by one person, shall be non-motorized, and may not exceed six feet in length, not including a trailer-hitch.
- (F) **Storage, mini-warehouse.** Individual units must only be accessed by an interior corridor.
- (G) **Dwellings, single family detached** shall not comprise more than two and one half (2 ½) percent of the total dwellings proposed in the District.

4-1112 Building Orientation. Buildings and their principal entrances in the PD-TRC District shall be oriented toward adjacent neighborhood and/or collector streets or adjacent plazas, greens, or parks; any of which may be publicly or privately owned.

4-1113 Pedestrian-Oriented Building Placement & Uses.

- (A) To achieve a uniform streetscape:
 - (1) Within the Inner Core subarea, a minimum of 70% of any lot width, and within the Outer Core subarea a minimum of 50% of any lot width that is adjacent to a public right-of-way or a plaza, shall be occupied by a building wall built to the setback line. The building wall may be part of a principal building or accessory building.
 - (2) The remaining lot frontage in the Inner Core and Outer Core subareas may be occupied by any combination of the following: building wall (within or behind the setback line), decorative solid wall, fence or hedge no higher than 4 feet, decorative wall or fence that allows visibility through it, such as wrought iron or split rail fences, no higher than 6 feet, landscaped entryway signage or features, pedestrian amenities such as a public plaza or park, or breaks for necessary pedestrian or vehicle access ways.
- (B) Within the Inner Core subarea, at least 70% of the first floor building frontage, and within the Outer Core subarea at least 30% of the first floor

building frontage, as required in subsection 4-1113 (A)(1) above, shall contain pedestrian-oriented development, preferably commercial retail and service uses, on the first floor. In multi-family buildings, these percentages may be accomplished with residential accessory uses, lobbies, mailboxes, meeting rooms, and indoor recreational uses. This section shall not apply to single-family dwellings.

- (C) Each Final Development Plan shall indicate how the remainder of the development may be completed.

4-1114 Pedestrian and Bicycle Connections & Amenities.

(A) Pedestrian and Bicycle Connections.

- (1) Within the PD-TRC, each development shall provide and contribute to an on-site system of pedestrian walkways and bicycle paths and lanes designed to provide direct access and connections to and between the following:
 - (a) The primary entrance or entrances to each principal building;
 - (b) Pedestrian walkways or bicycle paths and lanes on adjacent properties that extend to the boundaries shared with the district;
 - (c) Any public sidewalk system or bicycle path or lane along the perimeter streets adjacent to the district;
 - (d) Existing or planned bus or rail transit stops and commuter park and ride locations; and
 - (e) On-site amenities, as provided according to Section 4-1115 below.
- (2) In addition to the connections required in 4-1114 (A)(1) above, on-site pedestrian walkways and bicycle paths and lanes shall be provided and be designed for direct access and connections between buildings, sidewalks, existing or planned bus or rail transit stops, commuter park and ride locations, on-site amenities sidewalks or walkways on adjacent properties, public parks and civic uses and parking areas or structures.
- (3) Most Direct Route Required. All pedestrian connections shall be designed and sited to ensure the shortest, most direct route possible from point to point. Mid-block pedestrian walkways are encouraged wherever possible to assure a more direct connection between adjacent uses. Pedestrians shall be able to make each of the connections identified in Section 4-1114 (A)(2) above without walking across grass or landscaped areas.

(B) **Sidewalks and Other On-Site Pedestrian Walkways.**

- (1) Sidewalks shall be provided parallel to all streets.
- (2) All sidewalks and on-site pedestrian walkways shall be at least eight (8) feet wide within the Inner Core subarea and at least five (5) feet wide within the Outer Core and Transit-Designed Supportive Area subareas.
- (3) All sidewalks and on-site pedestrian walkways shall have and maintain a minimum unobstructed pathway at least five (5) feet wide.
- (4) All sidewalks and on-site pedestrian walkways shall be aligned and connected with those on adjacent properties and public rights-of-way.
- (5) Each point at which the system of sidewalks or pedestrian walkways crosses a parking area, street, or driveway to make a required connection shall be clearly marked through the use of change in paving materials, height, or distinctive colors.

(C) **Bicycle Paths and Lanes.**

- (1) All bicycle paths shall be at least 5 feet wide, 8 feet wide if a multi-use path.
- (2) The PD-TRC district shall provide for bicycle lanes or paths throughout the PD-TRC district.

(D) **Pedestrian/Bicyclist Underpasses or Tunnels.** Where underpasses or tunnels are used for pedestrian or bicyclist pathways, they shall be generally straight and without recesses so that the far end of the underpass or tunnel is visible to the pedestrian or bicyclist.

4-1115 On-Site Amenities.

(A) **General Requirement.** All buildings in the Inner and Outer Core subareas containing 50,000 or more square feet of gross floor area shall incorporate at least two (2) of the on-site amenities or features listed in (A)(1)-(8) below that are accessible to all uses within the building.

- (1) Patio or plaza with seating areas provided such patio or plaza has a minimum depth and width of 10 feet and a minimum total area of 300 square feet.
- (2) Landscaped mini-parks, squares or greens, including rooftop areas, provided such park or green has a minimum depth and width of 30 feet and a minimum total area of 1,000 square feet.
- (3) On-site transportation amenities, including bus stops or customer pick-up/drop-off stations.

- (4) Protected customer walkways; arcades; or easily identifiable building pass-throughs containing window displays and intended for general public access.
- (5) Water feature, such as a lake, pond, or fountain, provided the feature is easily accessed by pedestrians and includes or integrates seating areas for pedestrians.
- (6) Street-level public restrooms immediately accessible from building pass-throughs, public plazas or other public open spaces, or enclosed plazas/atriums.
- (7) Swimming pools (indoor or outdoor, including rooftop).
- (8) Athletic facilities such as lockers, showers, and changing rooms.
- (B) On-site amenities may be used to satisfy the minimum parks, civic and open space requirements of the Inner and Outer Core subareas as required in Section 4-1109(A).

4-1116 Landscaped Open Space.

- (A) The minimum landscaped open space requirement per development is as follows:

Inner Core	No Minimum
Outer Core	10%
TDSA	15%
- (B) Landscaped open space may be used to satisfy the minimum parks, civic and open space requirements of the Inner and Outer Core subareas as specified in Section 4-1109(A).

4-1117 Parking Requirements.

- (A) Generally, on-street parking shall be provided throughout the District and shall not encompass more than 70% of the block frontage. Such on-street parking may be angled and shall be inset into the block with street trees, plantings and/or street furniture incorporated between groups of parking spaces. Such on-street parking shall be designed to avoid impeding pedestrian movement among buildings and spaces in the area.
- (B) All off-street parking lots other than very short-term drop-off/delivery parking shall be landscaped and shall not interfere with the reasonable continuity of building facades and pedestrian activity. In the Inner and Outer Core subareas, no parking lot shall be located between the principal entrance of a building and the street. The Concept Development Plan shall indicate how the quantity of required parking spaces shall be met within the Inner and Outer Core subareas.

- (C) Off-street parking facilities shall have access from streets or, if no street access is available, from alleys with adequate security measures.
- (D) All above-grade parking structures shall be designed in a manner that is compatible with nearby building architecture to minimize visual impact.
- (E) Each application for a Final Development Plan shall include a transportation study to be reviewed and approved by the Office of Transportation Services indicating the number of parking spaces required. Such transportation study shall take into account reductions in the requirements of Section 5-1100 of up to 20% based on the availability of bus service and up to 50% based on the availability of rail service.
- (F) Notwithstanding the requirements of Section 5-1103(A), all parking shall be located on the lot being served, or on a separate lot or parcel within ¼ mile of the principle pedestrian entrance of the building that it serves.
- (G) Credit for On-Street parking. In coordination with the Office of Transportation Services and the Virginia Department of Transportation, the Zoning Administrator may allow on-street parking spaces, located within 400 feet of the subject principal use to be credited to meet up to 30% of the off-street parking spaces for a particular development or building required by Section 4-1115(E) above. Such credit for on-street parking shall be included on the Final Development Plan so as to identify the particular development receiving the credit.
- (H) A parking facility may be shared by two or more uses if the sum of the parking space requirements of all of the uses is provided.
- (I) After rail service is available, structured parking shall be required to meet 70% of the parking requirements for the construction of new buildings in the Inner and Outer Core subareas.

4-1118 Landscaping, Buffering and Screening.

- (A) Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading areas and parking from streets and residential uses in accordance with Section 5-1406.
- (B) For individual lots within the PD-TRC district that are developed in accordance with a proffered Concept Development Plan, the buffer yard requirements of Section 5-1404 and the parking area landscaping and screening requirements of Section 5-1407 shall not be applicable between uses on adjacent lots developed within the center or between uses within the PD-TRC district and differently zoned properties. Only the road corridor buffer requirements of Section 5-1403 for specifically listed roads, other arterial roads, and other major collector roads shall apply.

4-1119 Street Trees. Trees shall be planted on both sides of the street at a density of no less than one tree per twenty-five (25) linear feet along all areas dedicated for use for vehicular access. Such trees shall have a minimum caliper of 1 (one) inch and

a height at maturity of 15 (fifteen) feet or more. If in the opinion of the Planning Commission at time of review of the Final Development Plan, upon the advice of the County Urban Forester/Arborist, that street trees will not survive in a given location, substitute plantings or substitute locations may be provided.

4-1120 Tree Canopy. Tree canopy requirements of Section 5-1303 shall not apply to the Inner Core subarea.

4-1121 Development Setback and Access from Major Roads. The lot access requirements of Section 1-205(A) and the building and parking setback requirements of Section 5-1403(B) shall be observed.

(A) In the Inner Core, buildings shall be located a maximum of 10 feet from the front property line; however, if the building fronts on a plaza or courtyard open to the public, the maximum setback shall be 25 feet.

(B) **Private Streets.** Roads, serving single family attached, townhouse, and multifamily uses only, may be constructed to private street standards set forth in the Facilities Standards Manual, provided the following conditions are met:

(1) All residences served by the private road shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road.

(2) The record plat and protective covenants for such development shall expressly state that the County and VDOT have no and will have no responsibility for the maintenance, repair, or replacement of private roads.

(3) Sales brochures or other literature and documents, provided by the seller of lots served by such private roads, shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots, including a statement that the County has no and will have no responsibility for the maintenance, repair, or replacement of private roads.

4-1122 Accessory Structures and Uses. Accessory structures and uses shall be permitted only where said uses and structures are customarily accessory and clearly incidental and subordinate to the permitted principal use and structures. Surface parking lots are permitted as an accessory use for single-family attached and multi-family dwellings.

4-1123 Signs. The requirements of Section 5-1200 shall be followed for PD-TRC development. Residential signs within the PD-TRC district shall follow the requirements of the PD-H signs as enumerated in the Sign Requirements Matrix, Section 5-1204(D).

4-1124 Ownership, Operation, and Management of Common Open Space and Common Facilities.

- (A) All common open space shall be preserved for its intended purpose as expressed in the Concept Development Plan. The developer shall choose prior to approval of the first record plat or final site plan, one (1) or a combination of the following methods of administering common open space:
- (1) Public dedication to the County of the common open space, subject to acceptance by the Board of Supervisors.
 - (2) Establishment of a non-profit association, corporation, trust, or foundation of all owners of residential property within the planned development. Such organization shall conform to the following requirements:
 - (a) The organization must be established prior to approval of the first record plat or final site plan in the proposed development. The documents establishing such organization shall be reviewed and approved by the County.
 - (b) Membership in the organization shall be mandatory for all residential property owners, present or future, within the planned community and said organization shall not discriminate in its members or shareholders.
 - (c) The organization shall management, maintain, administer and operate all open space and improvements and other land not publicly or privately owned, and shall secure adequate liability insurance on the land and such improvements.
 - (d) Sales brochures or other literature and documents provided by the seller of all lots within a PD-TRC district shall include information regarding membership requirements and responsibilities of such organizations.
 - (3) Retention of ownership, control, and maintenance of common open space and improvements by the developer.
- (B) All common open space not dedicated to the County shall be subject to restrictive covenants running with the land restricting its use to that specified in the approved Concept Development Plan. Such restrictions shall be for the benefit of, and enforceable by, all present or future residential property owners and the Board of Supervisors of Loudoun County.
- (C) All common open space, as well as public recreational facilities, shall be specifically included in the development schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.

Section 4-1200

PD-RV Planned Development - Rural Village.

4-1201

Purpose. This district is established to provide for the development of new rural villages at a scale intended to continue Loudoun's traditional rural land use pattern and to promote its traditional concept of villages. Each village will be serviced by its own public water and sewer facility. Villages shall be permitted only in accordance with the policies and design criteria in the Comprehensive Plan. The applicant must demonstrate that its planning, design and development will achieve, but not necessarily be limited to, all of the following specific objectives:

- (A) The preservation of agricultural land, open space, scenic vistas and natural resources found within Loudoun and to minimize the potential for conflict between agricultural and other land uses.
- (B) The creation of a distinct physical settlement surrounded by a protected rural landscape of generally open land for agricultural, forestal, recreational and environmental protection purposes.
- (C) Dwellings, shops and workplaces generally located in close proximity to each other; the scale of which accommodates and promotes pedestrian travel for trips within the village.
- (D) Modestly sized buildings fronting on, and aligned with, streets in a disciplined manner, uninterrupted by parking lots.
- (E) A generally rectilinear pattern of streets, alleys, and blocks reflecting the street network in existing rural villages which provides for a balanced mix of pedestrians and automobiles.
- (F) Squares, greens, landscaped streets and parks woven into street and block patterns to provide spaces for social activity, parks and visual enjoyment.
- (G) Provision of civic buildings for assembly or other civic purposes.
- (H) A recognizable, functionally diverse, visually unified village center, focused on a village green or square.
- (I) A development size and scale which accommodates and promotes pedestrian travel rather than vehicle trips within the village.

4-1202

District Size and Location. This district, when mapped, shall be no less than three hundred (300) acres in size. No less than eighty percent (80%) of the gross land area shall be subject to a permanent open space easement and no more than twenty percent (20%) of the gross land area shall constitute the Village Center.

This district may be mapped only in locations in conformance with the Comprehensive Plan.

4-1203

Design of the Concept Development Plan. The Concept Development Plan, submitted pursuant to Section 6-1214, shall demonstrate conformance with the design requirements noted below and in the Comprehensive Plan. The Concept Development Plan shall include a plan of the Village Conservancy and Village Center subdistricts, areas, blocks and streets. It may also include a plan for a Satellite Conservancy subdistrict, if proposed. Typical sections and drawings demonstrating satisfaction of other design requirements shall be allowed as support documentation.

The Rural Village shall have at least two (2) types of subdistricts; a Village Conservancy and Village Center. A Satellite Conservancy subdistrict is optional. Within the Village Center subdistrict there are three (3) designated land use areas (See Figure 1):

- (A) Village Conservancy and/or Satellite Conservancy subdistricts.
- (B) Village Center subdistrict.
 - (1) Designated residential area.
 - (2) Designated commercial area.
 - (3) Designated workplace subarea.

4-1204

Transportation Requirements. The Concept Development Plan of a Village Center shall demonstrate that the following transportation requirements are satisfied:

- (A) The Village Center shall have at least two (2) points of access onto paved two (2) lane roadways designated in Table 4-1204 below as part of the Significant Rural Transportation Route & Corridor Network. This requirement may be modified pursuant to Section 4-1218(B) subject to County approval in cases where one (1) access point to a paved road is found to be sufficient and a secondary means of access is provided for emergency vehicles.
- (B) Additional points of access to Significant Rural Transportation Routes maintained through State Primary Funds are discouraged. County approval of all access points to such streets shall be judged on the safety merits of the proposed road network design.
- (C) Other significant transportation routes and corridors, found to be acceptable to the County, may be utilized provided that such roads are paved with a minimum twenty (20) foot section or that the applicant has secured and improved, or has agreements with off site property owners to secure and improve, the right-of-way necessary to develop a paved twenty (20) foot section, which meets County standards, from the property to the nearest intersecting road listed in Table 4-1204.

- (D) Any secondary road improved to a minimum twenty (20) foot paved section through the County Six Year Secondary Road Improvement Program after the adoption of this ordinance, meeting all County standards for horizontal and vertical geometry and design speed shall be, upon completion of construction, considered to be included on Table 4-1204.
- (E) Neighborhood streets serving a Village Center should not have direct access to any Significant Rural Transportation Route or Corridor road.
- (F) Significant Rural Transportation Route and Corridor Network roads shall not serve as through roads or neighborhood streets within a Village Center unless a new bypass road of similar function is provided.
- (G) All roads, streets and alleys, internal and external to the Village Center, and all improvements required for the proper design and safe function of the Village Center shall be provided by the applicant and maintained, in a manner approved by the County, either by the applicant, the Village Homeowner Association, or VDOT.
- (H) All private streets, not accepted as public streets by VDOT, must meet the standards for private streets in the Facilities Standards Manual (FSM), and must be maintained either by the applicant or the Village Homeowner Association.
 - (1) All residences served by a private street shall be subject to a recorded covenant expressly requiring private maintenance of such street in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such street.
 - (2) The record plat and protective covenants for such a Rural Village shall expressly state that the County and VDOT have no, and will have no, responsibility for the maintenance, repair, or replacement of private streets.
 - (3) Sales brochures, or other literature and documents, provided by the seller of lots served by such private streets, shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such streets, including a statement that the County has no, and will have no, responsibility for the maintenance, repair, or replacement of private streets.
- (I) Lots in the Village Conservancy may be served by private access easements designed and constructed to standards in the Facilities Standards Manual.

TABLE 4-1204

SIGNIFICANT RURAL TRANSPORTATION ROUTE & CORRIDOR NETWORK

1. The following road maintained through State Primary Funds:

Routes 7, 9, 15, 50, 287, 340

2. The following roads and corridors maintained through State Secondary Funds:

Routes and corridors 673/681, 621, 655, 671, 672, 704, 734
719/743/623, 626/736, 733/745, 731/728/722, 690/673
623/725, 662/665/668, 662/657/661, 626, 662, 663, 860
658, 615, 659, 682, 705, 620, 710, 709

4-1205 Purpose and Intent of Subdistricts and Areas. (See Figure 2)

- (A) **Village Conservancy and Satellite Conservancy Subdistricts.** To surround the Village Center subdistrict with open land affording rural views, to provide significant buffering of neighboring properties and to provide a land base for agricultural, forestal and open space uses.
- (B) **Village Center Subdistrict - Residential Area.** To provide for a compact settlement of single family homes in a residential neighborhood environment, complemented by compatible civic, business and residential uses, parks, squares and greens. (See Figure 3)
- (C) **Village Center Subdistrict - Commercial Area.** To provide a variety of retail shops and services to support the needs of village and neighboring residents, complemented by other compatible civic, business and residential uses, which would be housed in buildings with commercial uses on the ground floor consistent with a small downtown or central market place of a community.
- (D) **Village Center Subdistrict - Workplace Area.** To provide employment opportunities for rural village and neighboring residents and to provide sites for compatible small, light industrial uses which support the rural area without undue adverse impact on the village, surrounding lands, and neighboring residents.

4-1206 Size and Location of Subdistricts.

- (A) **Village Conservancy Subdistrict.** The Village Center shall be ringed by a buffer of land, described hereafter as the Village Conservancy, which shall create a visual and physical distinction between the settlement, the surrounding countryside and any neighboring hamlets, villages and towns. The Village Conservancy subdistrict shall be:

- (1) A contiguous and generally compact block of land.
- (2) A minimum of eighty percent (80%) of the Rural Village district, exclusive of any Satellite Conservancy subdistrict land area.
- (3) Subdivided into lots with an average size of 50 acres or more.
- (4) No less than 800 feet in depth at all points along the perimeter of the Village Center, except as modified by the County (See Section 4-1218(B)).
- (5) Placed under permanent open space conservation easement limiting uses to those listed in Sections 4-1209 and 4-1210 and prohibiting further subdivision.

(B) **Rural Village Satellite Conservancy Subdistrict.** A Rural Village district may include detached parcels constituting a Satellite Conservancy subdistrict. Transfer of development potential from a Satellite Conservancy may increase the total development potential of the balance of the Rural Village District, provided that such development potential is not increased by more than twenty percent (20%). Such Satellite Conservancy subdistricts shall:

- (1) Be located so that at least one boundary of the Satellite Conservancy is no further than one and one-half (1.5) miles from the nearest point of the Conservancy subdistrict unless these provisions are specifically modified by the County, pursuant to Section 4-1218(B).
- (2) Be at least fifty (50) acres in size.
- (3) If subdivided, be larger than 100 acres in size, and be subdivided into lots with an average size of no less than 50 acres.
- (4) Be placed under permanent open space conservation easement limiting uses to those listed in Section 4-1209 and 4-1210 and prohibiting further subdivision.

(C) **Village Center Subdistrict.** The Village Center including residential, commercial and workplace areas, shall:

- (1) Not exceed a maximum of twenty percent (20%) of the district.
- (2) Be contiguous and generally compact in shape.
- (3) Contain no more than 300 dwelling units, exclusive of conservancy lots units or accessory dwelling units, at a density of no less than 1.5 dwellings per acre and no more than 5.0 dwellings per acre of the village center.
- (4) Identify the location of all required civic lots and greens.

- (D) At a minimum, the location of the Village Center shall conform to the following general criteria:
- (1) It shall be located at least one (1) mile from the boundary of an existing town, and at least one (1) mile from the boundary of an existing village, as defined in the General Plan, and at least one (1) mile from the boundary of another approved Village Center.
 - (2) In any case, Rural Village districts shall not be located within an Urban Growth Area (UGA) as defined in the General Plan.
 - (3) It shall be located at least three (3) miles from the boundary of the Waterford National Historic Landmark unless specifically modified by the County pursuant to Section 4-1218(B).
 - (4) In the event that the County modifies the minimum one (1) mile and/or three (3) mile Village Center distance rules, the buffering and landscaping requirements of this Ordinance may be modified and additional requirements may be imposed, at the discretion of the County, in order to ensure that the identity of the existing town or village and its setting are preserved.
- (E) If located in a Mountainside Development Overlay district, the Village shall be designed to comply with performance standards and criteria in the Mountainside Development Overlay district (Section 4-1600).

4-1207 Land Use Mix. Village Conservancy, Satellite Conservancy and Village Center subdistricts, residential, commercial, workplace areas and civic lots shall conform with the land allocation requirements in Table 4-1207. (See Figures 4 and 5)

TABLE 4-1207 RURAL VILLAGE - LAND ALLOCATION REQUIREMENTS	
SUBDISTRICT/AREA	PERCENT OF RURAL VILLAGE DISTRICT LAND AREA
Village Conservancy (VC)	Minimum 80%*
Satellite Conservancy (SC)	None Required
Village Center	Maximum 20%
Civic Lots**	Minimum .6%
Greens, Parks and Squares	Minimum 1.0%
House Lots	No minimum or maximum
Commercial & workplace lots	Minimum 3,000 sq. ft.
*Note: Inclusive of any greens, parks and squares.	
**Note: For purpose of applying the percentages in the above table, land designated for use as a private or public school for more than 9 children shall be excluded from these calculations as a civic use.	

Development Potential in the Rural Village District.**(A) Designated Residential Areas.**

- (1) The maximum residential development potential of the Rural Village district, shall be calculated upon a base density of one (1) dwelling unit per three (3) acres, as adjusted by application of the following bonuses:
 - (a) The base number of proposed residential units in the village may be increased by thirty-five percent (35%) in all rural villages.
 - (b) The base number of proposed residential units in the village may be increased by an additional fifteen percent (15%) if the proposed village includes a mix of both single-family detached and single-family attached dwelling units.
 - (c) The base number of proposed residential units in the village may be increased by four (4) dwelling units for each 100 acres dedicated to serve as Village Conservancy lot(s).
 - (d) In any case, the maximum number of residential units within the Village district shall not exceed 300 dwelling units, exclusive of dwelling units developed on conservancy lots and accessory dwelling units.
- (2) The total number of residential units permitted in a village, as determined above, shall not include those residential units established on lots which are created in the Village Conservancy and Satellite Conservancy subdistricts.
- (3) The maximum residential development potential of a Satellite Conservancy subdistrict, which may be transferred to the Village Center, shall be limited by the provisions of Section 4-1206(B).

(B) Designated Commercial and Workplace Areas.

- (1) The County will permit non-residential uses in the Village Center subdistrict subject to Sections 4-1209 Permitted Uses, 4-1210 Special Exception Uses, 4-1207 Land Allocation, and 4-1213 Lot and Building Requirements.
- (2) Accessory dwellings and apartments associated with commercial and workplace uses shall be permitted, provided that all accessory units on commercial and workplace lots are located above the first floor. Such accessory units are not included in calculating the maximum residential development potential provided for above in Section 4-1208(A).

Permitted Uses.

- (A) **Village Conservancy and Satellite Conservancy Subdistricts.** The following uses shall be permitted in both the Village Conservancy and Satellite Conservancy subdistricts:
- (1) Agriculture, horticulture, forestry or fishery.
 - (2) Open space.
 - (3) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area and game preserve.
 - (4) Watershed and water impoundment protection areas.
 - (5) Nature and recreation trails.
 - (6) Stormwater management structures and ponds.
 - (7) **Reserved.**
 - (8) Child or adult day care home, pursuant Section 5-609.
 - (9) **Reserved.**
 - (10) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
 - (11) Active recreation space.
 - (12) Public or private playground, or neighborhood park.
 - (13) Convent, monastery, or seminary.
 - (14) Dwelling, single family detached.
 - (15) Accessory dwelling (accessory to single family detached dwelling), pursuant to Section 5-613.
 - (16) Public water and wastewater facilities including land application fields, identified on the approved Concept Development Plan.
 - (17) Equestrian Event Facility, with frontage on a state maintained road, pursuant to Section 5-627.
 - (18) Farm machinery sales and service, pursuant to Section 5-615.
 - (19) Guest farm or ranch, leasing no more than three (3) guest rooms.
 - (20) Guest house, pursuant to Section 5-612.
 - (21) Nursery, production, with frontage on a state maintained road, pursuant to Section 5-605.
 - (22) Recycling drop-off collection center, small, pursuant to Section 5-607.

- (23) Dwelling, single family detached, including doublewide manufactured housing.
- (24) Small business, pursuant to Section 5-614.
- (25) Stable, Livery, with frontage on a state maintained road, pursuant to Section 5-627.
- (26) Stable, Private.
- (27) Tenant dwelling, pursuant to Section 5-602(A)(1) and (C).
- (28) Wayside stand, pursuant to Section 5-604.
- (29) Utility substation, dedicated.
- (30) Veterinary service.
- (31) Bus shelter.
- (32) Commuter parking lot, with less than 50 spaces.
- (33) Sewer pumping station.
- (34) Feed and Farm Supply Center.
- (35) Water pumping station.
- (36) Telecommunications antenna, pursuant to Section 5-618(A).
- (37) Short-Term Rental – Commercial Whole-House, pursuant to Section 5-670.

(B) Village Center - Residential Area.

- (1) Dwelling, single family detached.
- (2) **Reserved.**
- (3) Child or adult day care home.
- (4) **Reserved.**
- (5) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
- (6) Office, as an accessory use and occupying no more than 1,200 square feet of floor area per lot.
- (7) Accessory dwelling (accessory to single family detached or single family attached dwelling), pursuant to Section 5-613.
- (8) Greens, parks and squares.

- (9) Dwelling, single family attached.
- (10) Studio space - artist, crafts person, writer, etc.
- (11) Bed and Breakfast Inn, pursuant to Section 5-601(B).
- (12) Retail sales, accessory to residential use and occupying no more than 600 square feet of floor area per lot.
- (13) Telecommunications antenna, pursuant to Section 5-618(A).
- (14) Short-Term Rental – Commercial Whole-House, pursuant to Section 5-670.

(C) Village Center - Commercial and Workplace Areas.

- (1) Church, synagogue and temple.
- (2) Convent, monastery, or seminary.
- (3) Library.
- (4) Post office.
- (5) Museum, historical and cultural center.
- (6) Child or adult day care center.
- (7) Community center.
- (8) Theater.
- (9) Greens, parks and squares.
- (10) Accessory dwelling, located above the ground floor, pursuant to Section 5-613.
- (11) Retail sales, occupying no more than 5,000 square feet of floor area per lot.
- (12) Personal service establishment.
- (13) Business service establishment.
- (14) Banks or financial institution, pursuant to Section 5-659.
- (15) Structures or use for federal, state or local government purposes.
- (16) Office, occupying no more than 10,000 square feet of floor area per lot.
- (17) Restaurant.

- (18) Studio space - artist, crafts person, writer, etc.
- (19) Country Inn, pursuant to Section 5-601(C).
- (20) Bed and Breakfast Inn, pursuant to Section 5-601(B).
- (21) Office, medical and dental.
- (22) Continuing care facility, with less than 20 rooms.
- (23) Veterinary service.
- (24) Fire and/or rescue station.
- (25) Farm market.
- (26) Contractor service establishment, without outdoor storage.
- (27) Convenience food store, without gas pumps.
- (28) Telecommunications antenna, pursuant to Section 5-618(A).
- (29) Police Station.
- (30) Country Inn with Restaurant, pursuant to Section 5-601(C).
- (31) Short-Term Rental – Commercial Whole-House, pursuant to Section 5-670.

4-1210 Special Exception Uses.

- (A) **Village Conservancy and Village Satellite Conservancy Subdistrict.**
The following uses shall be permitted by special exception in both the Village Conservancy and Satellite Conservancy subdistricts unless otherwise designated:
 - (1) Golf course, clubhouse and supporting uses including restaurant, pro-shop, maintenance structures, tennis/racquet ball courts and parking lots in the Village Conservancy subdistrict.
 - (2) Rural Resort pursuant to Section 5-601(D), supporting recreational uses for hotels/motels, community recreation facilities including restaurants, swimming pools and changing facilities, maintenance structures, tennis/racquet ball courts and parking lots in the Village Conservancy subdistrict.
 - (3) Public School (Elementary, Middle, or High), by Minor Special Exception.
 - (4) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.

- (5) Child and/or adult day care center in the Village Conservancy subdistrict.
- (6) Public water and wastewater facilities including land application fields, not identified on the approved Concept Development Plan, in the Village Conservancy subdistrict.
- (7) Cemetery.
- (8) Park, regional.
- (9) Museum, historical and cultural center, arboretum.
- (10) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.
- (11) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (12) Rural Corporate Retreat, pursuant to Section 5-619.

(B) Village Center - Residential Area.

- (1) Church, synagogue and temple.
- (2) Convent, monastery, or seminary.
- (3) Library.
- (4) Post office.
- (5) Museum, historical and cultural center, arboretum.
- (6) Child and/or adult day care center.
- (7) Community center.
- (8) Theater.
- (9) Public School (Elementary, Middle, or High), by Minor Special Exception.
- (10) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (11) Structures or uses for federal, state or local government purposes.
- (12) Art gallery.
- (13) Continuing care facility.
- (14) Retail sales, occupying less than 3,000 sq. ft. of floor area per lot.

- (15) Office, less than 6,000 square feet of floor area per lot.
- (16) Hotel/Motel, with more than twenty (20) guest rooms.
- (17) Personal service establishment.
- (18) Business service establishment.
- (19) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.

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

- (1) Retail sales, occupying more than 5,000 and less than 10,000 square feet of floor area per lot.
- (2) Office, occupying more than 10,000 and less than 20,000 square feet of floor area per lot.
- (3) Hotel/Motel.
- (4) Rural Resort.
- (5) Public School (Elementary, Middle, or High), by Minor Special Exception.
- (6) Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils, pursuant to Section 5-655, by Minor Special Exception.
- (7) Continuing care facility, with more than 20 rooms.
- (8) Car wash.
- (9) Automobile service station.
- (10) Storage, outdoor.
- (11) Sale and storage of building materials and garden supplies.
- (12) Motor vehicle storage, outdoor.
- (13) Convenience food store, with gas pumps.
- (14) Warehousing facility.
- (15) Establishments for assembly, fabrication, processing, production and/or manufacturing of goods or products.
- (16) Farm machinery sales and service.

- (17) Utility substation, communal water and wastewater treatment facilities and other utilities to serve the Rural Village district.
- (18) Animal hospital.
- (19) Nursery, commercial.
- (20) Repair service establishment, with accessory outdoor storage.
- (21) Contractor service establishment, with accessory outdoor storage.
- (22) Stone cutting, welding, blacksmith, tinsmith and woodworking shops with accessory enclosed storage.
- (23) Storage, mini-warehouse.
- (24) Private club or lodge.
- (25) Banquet/Event Facility, pursuant to Section 5-642, by Minor Special Exception.
- (26) Private School (Elementary, Middle, or High) for more than fifteen (15) pupils, by Minor Special Exception.
- (27) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (28) Rural Corporate Retreat, pursuant to Section 5-619.

4-1211 Permitted Uses on Civic Lots. The following uses are permitted on Civic Lots in this district:

- (A) Church, synagogue and temple.
- (B) Convent, monastery, or seminary.
- (C) Library.
- (D) Post office.
- (E) Museum, historical and cultural center, arboretum.
- (F) Community center.
- (G) Theater.
- (H) Public School (elementary, middle or high), pursuant to Section 5-666.
- (I) Structures or uses for federal, state or local government purposes.
- (J) Art gallery.
- (K) Greens, parks and squares.

- (L) Recreational structure or use primarily for village residents.

4-1212 Use Limitations.

- (A) No off-street parking shall be permitted in front yards within the Village Center.
- (B) Automobile service stations shall be limited to one (1) per block and one (1) per street intersection.
- (C) No workplace use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of odor, fumes, gas, smoke, emission of particulate matter or effluent, or for other reasons.
- (D) Outdoor Storage.
 - (1) No storage of any kind shall be permitted within any front yard.
 - (2) Underground bulk storage of gasoline or petroleum products shall not be permitted, except for automobile service stations or as incidental to manufacturing and research and development operations or the servicing of company owned or leased vehicles within enclosed areas defined in (3) below.
 - (3) Outdoor storage of materials, equipment, and vehicles shall be screened in accordance with Section 5-1406.
 - (4) Waste materials must be stored in a closed container. The burning of waste materials is prohibited.

4-1213 Lot and Building Requirements.

- (A) **Village Conservancy and Satellite Conservancy Subdistricts.**
 - (1) **Average Lot Size.** Fifty (50) acres minimum.
 - (2) **Minimum Lot Size.** Ten (10) acres, exclusive of major floodplain and steep slopes.
 - (3) **Minimum Lot Width.** 300 feet.
 - (4) **Length/Width Ratio.** 9:1 maximum.
 - (5) **Perimeter Yard.** Sixteen (16) feet minimum.
 - (6) **Maximum Lot Coverage.** 8% for Single Family Residential and 25% for all other uses.
 - (7) **Building Height.** Three (3) stories or forty (40) feet maximum whichever is less.
- (B) **Village Center - Residential Area.**

(1) **Single-Family Detached Lots.**

- (a) **Lot Size.** 5,000 sq. ft. minimum, exclusive of major floodplain and steep slopes.
- (b) **Lot Width.** 60 feet minimum.
- (c) **Length/width ratio.** 5:1 maximum.
- (d) **Front yard.** Six (6) feet minimum and thirty (30) feet maximum for lots 10,000 square feet in size or less. Twenty-five (25) feet minimum and sixty (60) feet maximum for lots greater than 10,000 square feet in size. (See Figure 6B)
- (e) **Side yard.** Eight (8) feet minimum.
- (f) **Rear yard.** Sixteen (16) feet minimum.
- (g) Detached garages located at the rear of a lot and attached to a similar garage on a contiguous lot may be located within the side yard setback and within six (6) feet of the rear property line. No minimum rear yard shall be required for garages which are accessed from the front of a lot.
- (h) **Front Sidewalk Width.** Six (6) feet minimum, which may include a minimum four (4) foot wide sidewalk and planting strip of two (2) feet at the curb. Sidewalks shall be provided on both sides of the street.
- (i) **Lot Coverage.** 40% maximum.
- (j) **Building Height.** Three (3) stories or 40 feet maximum whichever is less.

(2) **Single-family attached Lots.**

- (a) **Lot Size.** 1,600 square feet minimum, exclusive of major floodplain and steep slopes.
- (b) **Lot Width.** Sixteen (16) ft. minimum; 48 ft. maximum.
- (c) **Length/Width Ratio.** 9:1 maximum for lots less than 32 feet in width; 5:1 maximum for lots of 32 feet in width or greater.
- (d) **Front Yard.** Four (4) feet minimum; sixteen (16) feet maximum. (See Figure 6A)
- (e) **Lot Coverage.** 70% maximum.

- (f) **Front Sidewalk Width.** Six (6) feet minimum, which may include a minimum four (4) foot wide sidewalk and planting strip of two (2) feet at the curb. Sidewalks shall be provided on both sides of the street.
 - (g) **Building Height.** Three (3) stories or forty (40) feet maximum, whichever is less.
 - (h) **Access.** Off-street parking for single family attached dwellings of less than 32 feet frontage shall be provided at the rear of the lot and shall be accessed either from an alley or from a side street. This requirement may be modified if a block of parking is provided within 200 feet of the townhouse units served.
- (3) **Greens, Parks and Squares.**
- (a) **Lot Size.** 20,000 sq. ft. minimum for the main village green minimum; 10,000 sq. ft. minimum for other greens, parks and squares. (See Figure 4)
 - (b) **Lot Width.** 96 ft. minimum for the main village green minimum; 64 ft. minimum for other greens, parks and squares.
 - (c) **Length/Width Ratio.** 5:1 maximum.
- (4) **Commercial/Workplace Lots.**
- (a) **Lot Size.** 1,600 square feet minimum, exclusive of major floodplain and steep slopes.
 - (b) **Lot Width.** Sixteen (16) feet minimum; forty-eight (48) feet maximum for attached buildings and one hundred twenty (120) feet maximum for detached buildings.
 - (c) **Length/Width Ratio.** 9:1 maximum.
 - (d) **Front Yard & Entrance.** A maximum front yard setback of sixteen feet for all commercial uses except day care facilities. The maximum front yard setback for daycare facilities is 50 feet. A minimum of 60% of buildings located on a single block shall share a common set back. The principal entrance of a commercial building shall be from the front.
 - (e) **Side Yard.** Storefront buildings fronting on the same street and located on the same block shall be attached except where pedestrian ways are located between buildings.
 - (f) **Lot Surface Coverage.** 70% maximum.

- (g) **Building Height.** Three (3) stories or 40 feet maximum, whichever is less.
- (h) **Front Sidewalk.** Eight (8) feet minimum width, which may include a minimum six (6) foot wide sidewalk and planting strip of two (2) feet wide at the curb. (See Figure 7A) Open colonnades constructed over a sidewalk which adjoins storefront buildings may be permitted subject to an appropriate easement.
- (i) **Alleys.** Off-street parking for storefront buildings may be provided at the rear of the lot and may be accessed either from an alley or from a side street perpendicular to that on which the townhouses enfront.
- (j) **Pedestrian Access.**
 - (i) Temporary paths shall be constructed, extending across undeveloped land designated for commercial development and linking other portions of the Village Center, by the developer at the same time as adjoining areas are developed. Such paths shall be a minimum of three (3) feet in width, constructed of gravel, sand, woodchips, or other similar type materials.
 - (ii) Paths linking land designated for commercial development with residential areas shall be constructed concurrent with development of the individual commercial lots.
- (k) **Parking.** Off-street parking for commercial and workplace lots shall not be provided in the front of the lot.
- (l) **Buffering.**
 - (i) Between Village Workplace Areas and residential areas, a continuous buffer a minimum of fifty (50) feet in width that meets the plant unit requirements for a Buffer Yard Type B under Section 5-1404(D) shall be provided.
 - (ii) Between Village Workplace Areas and public streets and open space areas, a continuous buffer a minimum of thirty (30) feet in width that meets the plant unit requirement for a Buffer Yard Type B under Section 5-1404(D) shall be provided.
 - (iii) Workplace lots used for open storage shall have either an additional fifty (50) foot wide planted buffer (for a total width of 100 feet if located on a

workplace subdistrict boundary) or a masonry wall no less than six (6) feet minimum in height.

4-1214 Utility Design and Financing Requirements. The applicant shall demonstrate to the satisfaction of the Board of Supervisors, the technical and financial ability to provide an appropriately sized water treatment and sewage collection system for both immediate and long term needs. The location of the water and wastewater treatment facilities, or connections to public water and sewer mains, proposal shall be shown in the Concept Development Plan and shall be accompanied with a financing plan designed to obtain sufficient revenue from the system users to pay all construction, operating, service and replacement costs incurred by the LCSA. All proposals must meet State and Local Health Department requirements for water and wastewater treatment facilities.

- (A) Lots within the Village Center shall be served by appropriately sized public water and wastewater collection facilities provided and constructed by the applicant and dedicated to the Loudoun County Sanitation Authority (LCSA), the public body which will be ultimately responsible for utility operation, control and maintenance.
- (B) Lots in the Village Conservancy and Satellite Conservancy subdistricts, which are not adjacent to the Village Center, may be served by private water supply and sewage disposal systems meeting all State and Local Health Department criteria.

4-1215 Utilities. All utilities in the Village Center shall be located underground. All above ground utility boxes and other facilities shall be co-located and screened from road and street view. (Typical drawings permitted.)

4-1216 Land Use Arrangement.

- (A) **Overall Form.** (See Figures 2-8)
 - (1) The boundaries of Village Conservancy and Satellite Conservancy subdistrict lots should be designed to follow natural features whenever possible and such lots should seek to provide for an agricultural, forestal, or open space use of the land.
 - (2) The Village Center shall be distinguished from the Village Conservancy by a well defined "hard edge" of closely spaced buildings in contrast with the open, largely unbuilt farm, forestal and open space character of the conservancy.
 - (3) The village should be sited so as to best preserve natural vistas and the existing rural topography.
 - (4) The Village Center should be designed in a generally rectilinear pattern of blocks and interconnecting streets and alleys, defined by buildings, street furniture, landscaping, pedestrian ways and sidewalks.

- (5) A hierarchy of parks and squares shall be distributed strategically for maximum benefit and convenience throughout the Village Center and shall include a central civic park, called the main village green.

(B) Spatial Relationship of Village Subdistricts and Areas.

- (1) The Village Conservancy subdistrict shall surround the Village Center subdistrict unless explicitly modified pursuant to Section 4-1218(B) upon a finding that unique topographical or other natural features or pre-existing boundary constraints require an alternative arrangement.
- (2) Village Center commercial and workplace areas shall be surrounded by the residential lots or, where applicable, by a combination of residential lots and civic areas.
- (3) Higher density residential lots should generally be located between the designated commercial area and lower density residential lots, providing a transition between the business and residential uses of each.
- (4) The designated workplace area should generally abut the designated commercial area, shall be located in no more than two (2) geographic places at the periphery of the Rural Village Center subdistrict and shall be buffered to have the least impact on residences within the Rural Village District or on adjacent properties.
- (5) Every Village Center shall be provided with a centrally located main village green. The main village green should abut the designated commercial and civic areas.

(C) Block Design.

- (1) Blocks of a generally rectangular shape should be the main organizing feature of the Village Center subdistrict. While topography, existing vegetation, hydrology and design intentions should influence block shape and size, the perimeter of such blocks should range between 1,100 and 1,800 feet in length as measured along lot frontage lines, between intersections of streets.
- (2) The blocks of the Village Center subdistrict may be subdivided into lots, having frontage on a street, whose generally rectangular shape should respond to environmental factors, the proposed use and design intentions. This Ordinance is best served by Village Center lot design which includes a variety of sizes.
- (3) Village Center subdistrict lots should minimize both front and side yards, garage aprons and entrances and blank walls and should

generally have as narrow a width as is practical in order to encourage pedestrian movement. (Typical drawings permitted.)

- (4) Townhouse lots of less than thirty two (32) feet in width shall not be developed with garage doors on their principal facade.

(D) Additional Criteria.

- (1) Road, street and alley layouts in the Village Center subdistrict shall be designed in a hierarchical, rectilinear pattern with geometrical variation as required by traffic safety, environmental factors and design intentions. Village Center roads, streets and alleys should terminate on other roads and streets.
- (2) Roads, streets and alleys should be designed to:
 - (a) Parallel and preserve existing fence lines, tree lines, hedgerows and stone walls.
 - (b) Minimize alteration of natural site features.
 - (c) Secure the view to prominent natural and man made vistas.
 - (d) Minimize the area devoted to motor vehicle travel.
 - (e) Promote pedestrian movement so that it is generally more convenient and safe to walk than to drive.
- (3) Village roads and streets should be designed as a set of parallel zones:
 - (a) A zone of moving vehicles.
 - (b) A buffer area of street trees, planting and parked cars.
 - (c) A sidewalk or pedestrian path zone.
 - (d) A yard adjacent to residential buildings or an entrance adjacent to other buildings. (Typical drawings permitted.)
- (4) **Parking.**
 - (a) Parking for residential, civic, commercial, workplace and recreational uses in Village Center should generally be located at the rear of lots and no off-street parking shall be permitted in front yards. Adjacent off-street parking lots shall have off-street vehicular and pedestrian ways. Continuous parallel parking for additional cars and visitors should be provided on the streets. (Typical drawings permitted.)

- (b) Access for off-street parking in Village Center subdistrict shall generally be achieved by means of alleys, off-street vehicular connections between adjacent parking lots and side streets. Driveway curb cuts on neighborhood streets serving residential lots may be allowed if spaced to allow parallel parking for at least two (2) cars (a minimum of 36 feet) between successive driveways. (Typical drawings permitted.)
- (c) Off-street parking areas, carports, and garages in a Village Center should be designed to have low visibility and consequently shall not be located at the visual termination of roads and streets and shall not be the principal use of corner lots. To this same end, front load garages and carports should offset from direct view and should be located a minimum of six (6) feet behind the principal building facade. Any parking lot which abuts a street shall be buffered by a landscaped strip no less than ten (10) feet wide and planted with a continuous row of shrubs no less than 3 1/2 feet high, and/or shielded by a wall no less than 3 1/2 feet and no more than six (6) feet high.

(5) **Landscaping.**

- (a) The applicant shall submit a conceptual Landscape Master Plan as part of the Concept Development Plan which identifies design intentions, the general location and size of both existing vegetation to be retained and proposed new vegetation, typical landscape sections and drawings, typical planting materials, and the phasing of landscape installation and planting methods.
- (b) Roads and streets in Village Center residential areas should generally be planted on both sides with street trees spaced, according to species, at regular intervals. The width of sidewalks required pursuant to Section 4-1213 should account for such street trees. Streets in the storefront areas of the Village Center shall be planted on at least one (1) side with street trees spaced, according to species, at regular intervals. (Typical drawings permitted.)

4-1217

Village Governance. Every rural village shall have an established homeowners association with documents reviewed and approved by the County prior to first Record Plat approval. The Rural Village Homeowner Association documents shall provide for maintenance of street trees, and other community landscaping such as in village greens, parks and squares, private streets, stormwater management systems, water and sewer facilities. In addition, all roads, streets and alleys, and infrastructure improvements shall be provided by the applicant and maintained in a manner approved by the County either by the applicant or the Village Homeowner Association unless accepted for maintenance by a public entity.

4-1218**Modification of Regulations.**

- (A) **Precedence.** Where there are explicit differences between provisions of the Rural Village Ordinance and general zoning, subdivision or other County regulations, the provisions of the Rural Village Ordinance shall apply.
- (B) **Locational Requirements.** The Board of Supervisors may grant modifications permitted pursuant to Section 6-1217.

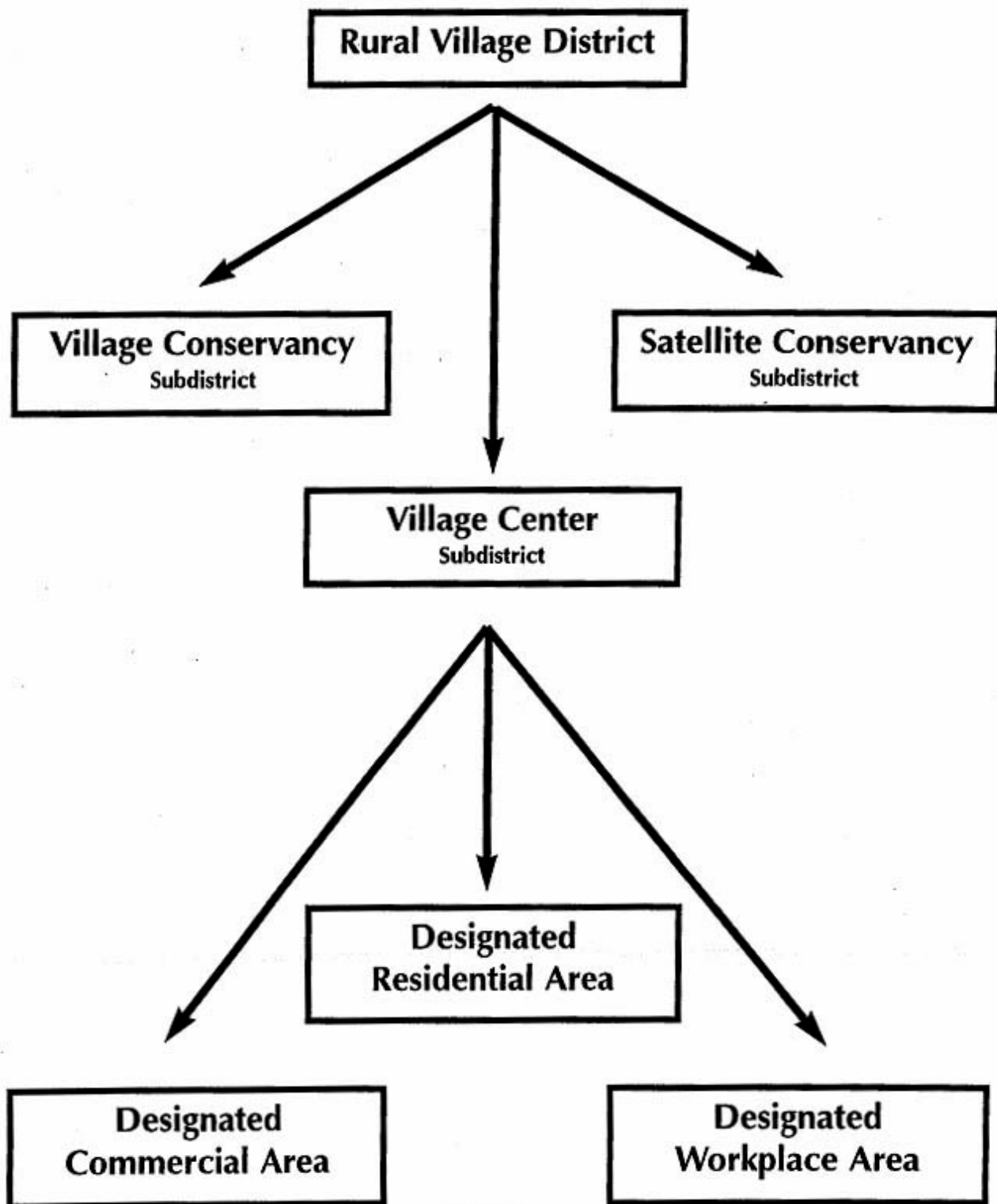


Figure 1

Hierarchy of Village Zones

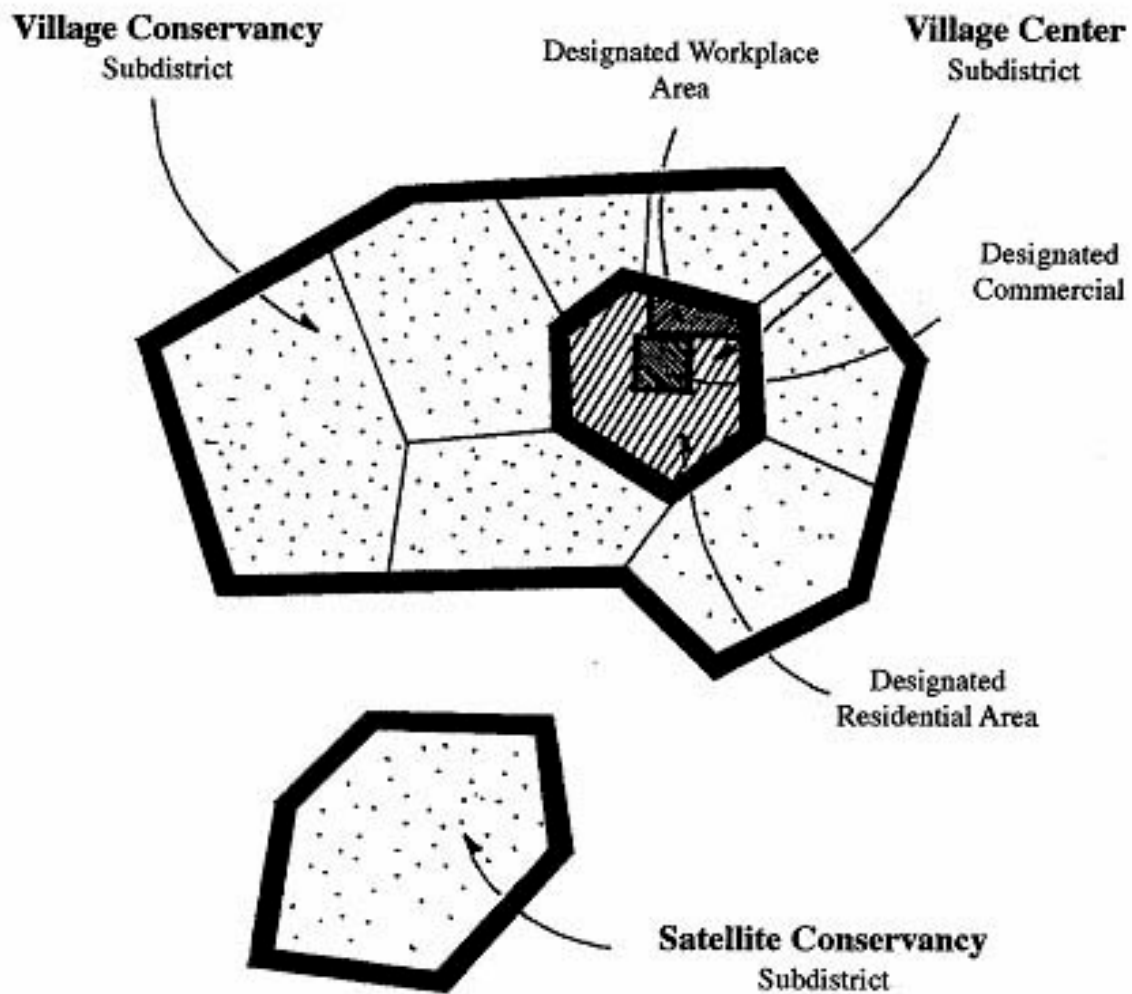


Figure 2

Major Village Zones

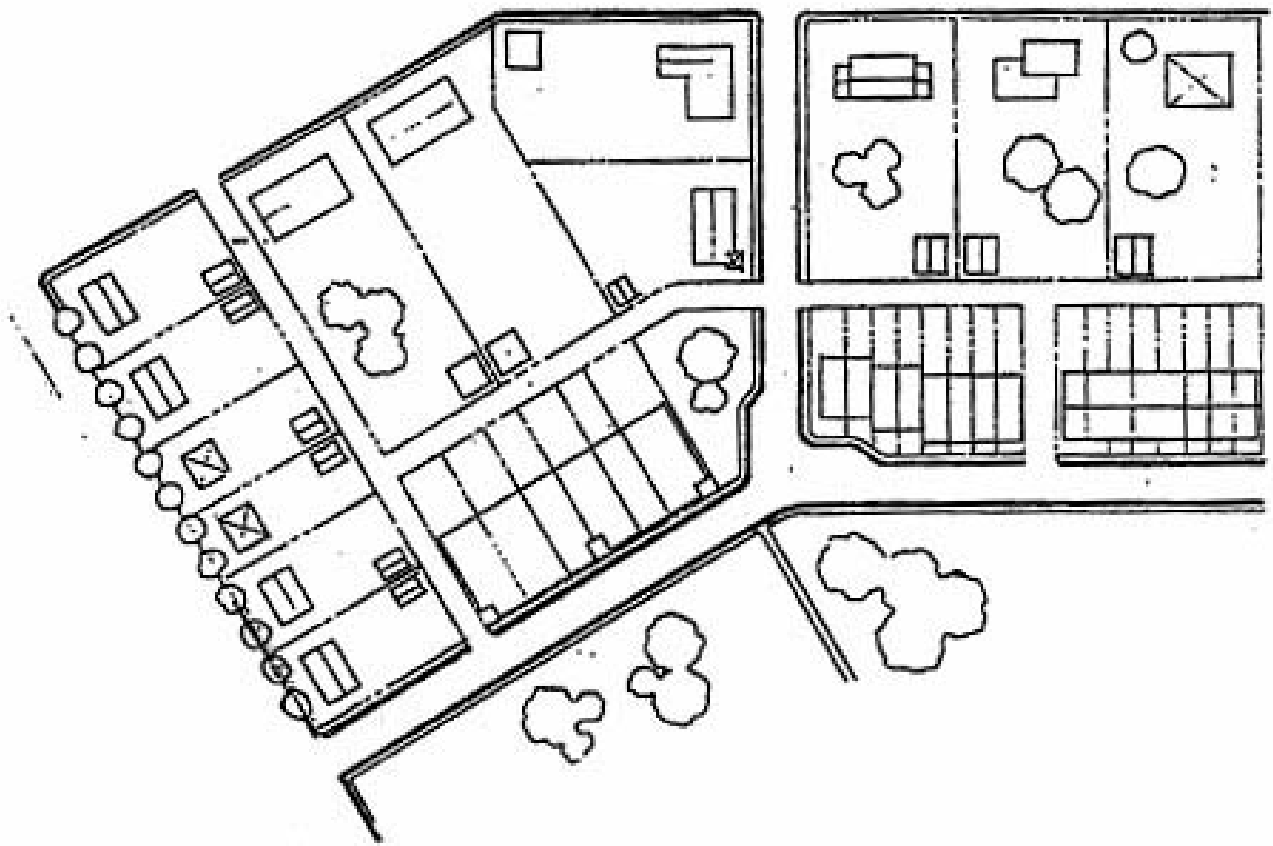


Figure 3

Detail of Village Center



Figure 4

Village Center Uses (minimum area)



Legend	
A	Commercial/Workplace Lot (maximum)
B	Block Size (maximum)

Figure 5

Village Center Uses (maximum area)

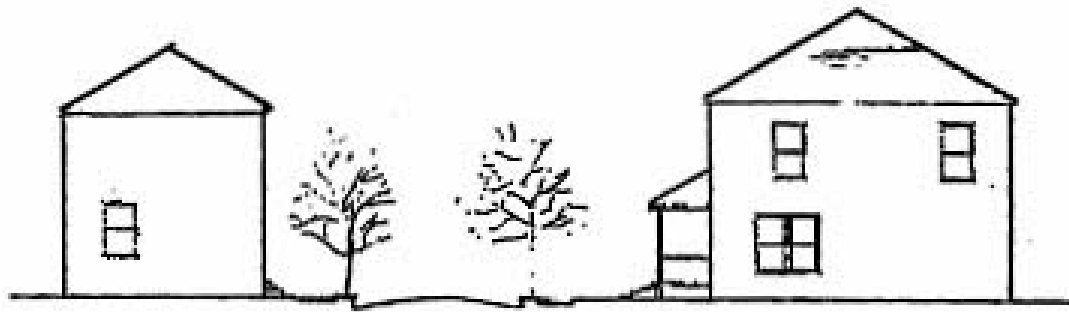


Figure 6A

Single Family Attached Street Cross Section

Minimum and Maximum Front Yards

(1:20 Scale)

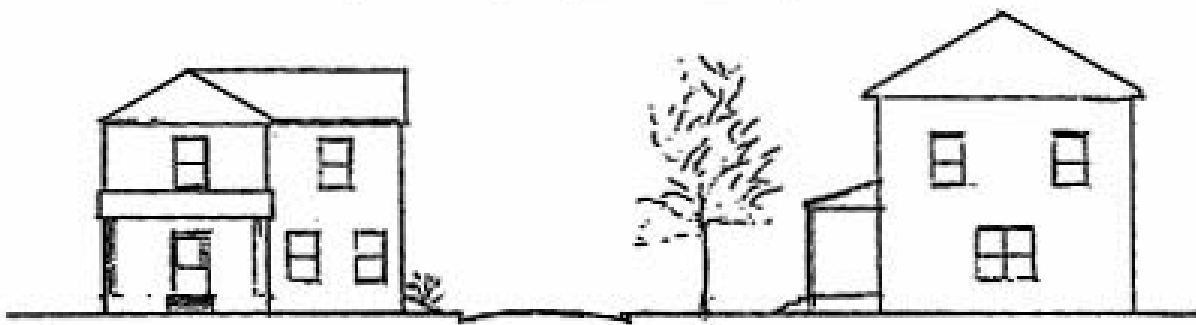


Figure 6B

Single Family Detached Street Cross Section

Minimum and Maximum Front Yards

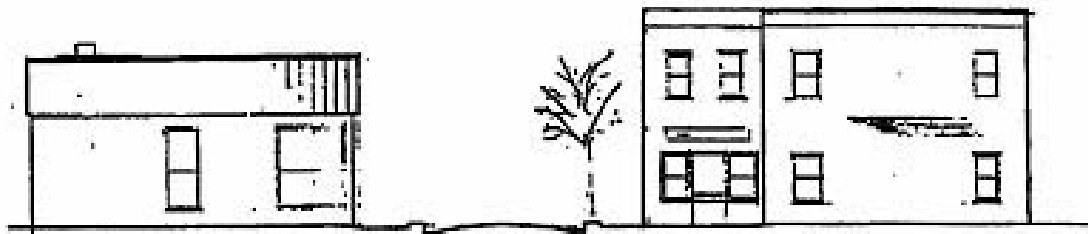


Figure 7A

Commercial Workplace Street Cross Section

(1:20 Scale)

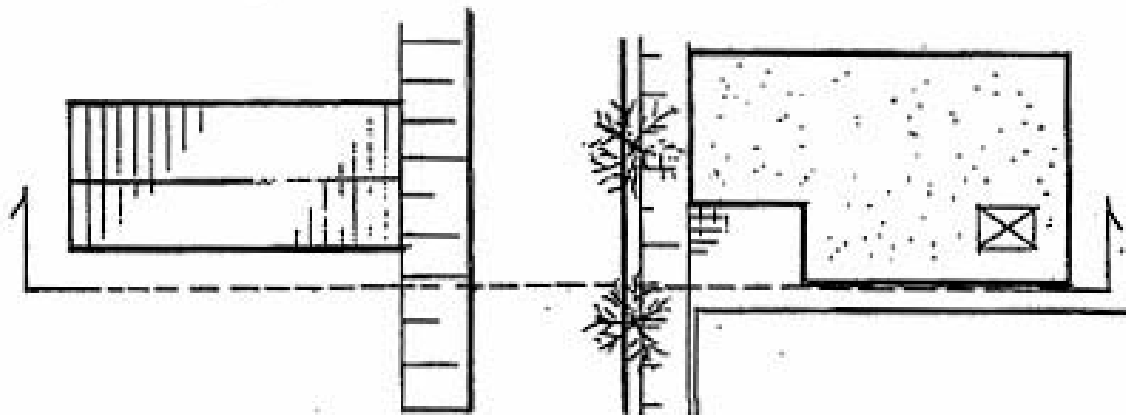
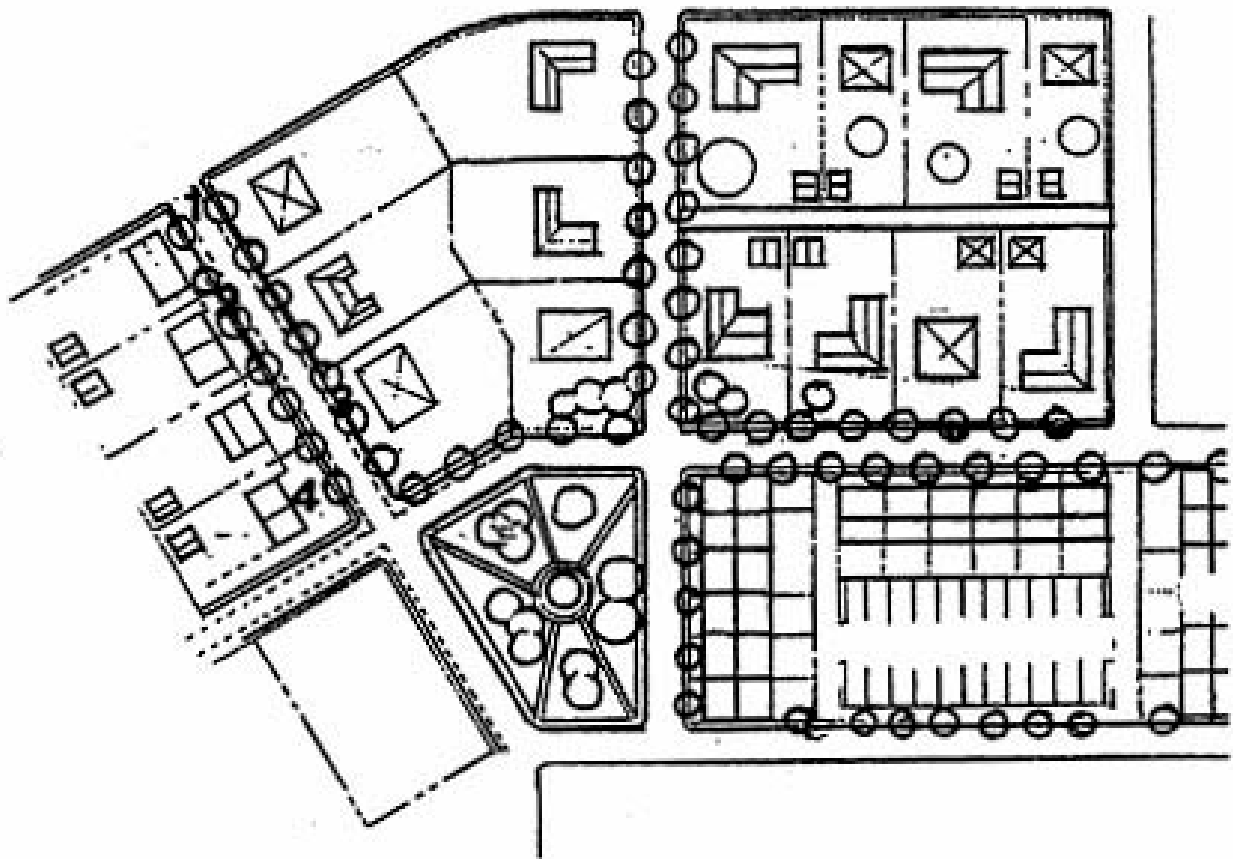


Figure 7B

Commercial Workplace Street Plan View



Road/Street Zones	
A	Zone of Moving Vehicles
B	Buffer Area
C	Pedestrian Movement and Meeting Zone
D	Yard and Entry Zone

Figure 8

Village Blocks Detail

- 4-1301 Purpose.** The purpose and intent of the PD-AAAR district is to provide for the establishment of planned adult residential communities that provide important housing opportunities for a population 55 years of age or older, in accord with Virginia Code Section 36-96.7, as amended. The PD-AAAR district is intended to be located in urban and suburban areas of the County where high density residential uses would otherwise be consistent with the County's Comprehensive Plan policies. Development shall occur in accordance with an approved Concept Development Plan. The district will be designed to provide a safe and convenient environment which compliments the surrounding uses and other amenities for the residents of the district. In addition, the district shall be designed to provide adequate open space within the development, and have minimum impact on the surrounding land by providing open space adjacent to the exterior boundaries.
- 4-1302 Size and Location.** This district shall have no less than 25 acres. It shall only be located as follows:
- (A) In areas served by one or more major arterial or major collector roads;
 - (B) Consistent with the locations identified in the Comprehensive Plan for high density, Urban Residential Neighborhoods;
 - (C) In areas served by public water and sewer;
 - (D) No more than 100 acres shall be developed residentially.
- 4-1303 Required Uses.** The following uses shall be required in the PD-AAAR district, subject to the requirements and limitations of these regulations:
- (A) Active Adult/Age Restricted Community, which shall consist of:
 - (1) Dwelling units, (multi-family, single-family detached, and single-family attached) for an active adult, age-restricted population.
 - (2) Clubhouse, solely for the residents, employees and their guests, including meeting rooms, auditorium, theater, business office, and recreational facilities and other uses related to adult community living.
 - (3) Ancillary retail uses only for the development, such as grocery/convenience food store, pharmacy, medical services, barber shop, beauty shop, personal care facilities, eating and drinking establishments, library, bank and financial institutions (pursuant to Section 5-659), business services, laundry, cleaners, and other similar retail uses. The floor area for retail and community service uses shall not exceed 10 percent of the gross residential floor area of the buildings.
 - (4) Swimming pool.

- (5) Health or fitness center.
- (6) Recreation space, active.
- (7) Bus stops/shelters with bus service.

4-1304 Permitted Uses. The following uses shall be permitted in the PD-AAAR district, subject to the requirements and limitations of these regulations:

- (A) Public utility buildings and structures.
- (B) Park.
- (C) Utility substation, dedicated.
- (D) Sewer pumping station.
- (E) Water pumping station.
- (F) Telecommunications antenna, pursuant to Section 5-618(A).
- (G) Church, synagogue, and temple.
- (H) Golf course (minimum 18 holes).
- (I) Chapel.
- (J) Medical care facility, outpatient only.
- (K) Recreation space, passive.
- (L) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (M) Telecommunications tower, pursuant to Section 5-618(C)(1).
- (N) Accessory dwelling (accessory to single family detached or single attached dwelling), pursuant to Section 5-613.

4-1305 Special Exception Uses. The following uses may be approved by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300:

- (A) Nursing home or like type of convalescent facility.
- (B) Congregate care facility.
- (C) Assisted living facility.
- (D) Heliport and/or helistop.
- (E) Fire and/or rescue station.
- (F) Water storage tank, elevated.

- (G) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (H) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (I) Police Station.

4-1306 Maximum Residential Density. The number of dwelling units in an active adult/age-restricted community shall not exceed 30 dwelling units per acre of the developable area as set out in Section 4-1302(D). Such number does not include dwelling units which may be required under Article 7 of this ordinance.

4-1307 Lot Requirements.

- (A) **Size.** 6,000 sq. ft. minimum for single family detached dwellings; 3,000 sq. ft. minimum for duplex dwellings; 2,200 sq. ft. minimum for triplex end units or quadruplex dwellings; 1,800 sq. ft. minimum for triplex interior dwellings; 1,600 sq. ft. minimum for townhouse dwellings; 8,000 sq. ft. minimum for a multi-family structure; each exclusive of major floodplain.
- (B) **Width.** 50 feet minimum for single family detached dwellings; 40 feet for duplex dwellings; 30 feet for triplex end unit dwellings; 18 feet for triplex interior dwellings; 35 feet for quadruplex dwellings; 26 feet for townhouse end unit dwellings; 16 feet for interior townhouse dwellings; 80 feet minimum per lot for multi-family structures.
- (C) **Yards.** Each lot shall provide the following yards:
 - (1) **Single Family Detached Dwellings.**
 - (a) **Front.** 25 feet minimum.
 - (b) **Side.** 8 feet minimum if two side yards are provided; 16 feet if only one side yard is provided. In no case shall the distance between dwellings be less than 16 feet.
 - (c) **Rear.** 25 feet minimum.
 - (2) **Single Family Attached Dwellings.**
 - (a) **Front.** 40 feet minimum from centerline of travelway which does not include parking. 45 feet minimum from the centerline of travelway which does include parking.
 - (b) **Side.** No requirement along common walls; minimum side yard on end unit shall be 8 feet.
 - (c) **Rear.** 25 feet minimum, no requirement along common walls.
 - (3) **Multi-Family Dwellings.** Each multi-family structure shall provide the following yards:

- (a) 100 feet from edge of adjoining residential, commercial, institutional, or industrial district.
 - (b) 50 feet from edge of adjoining office district.
 - (c) 40 feet from any internal private street or road, not including service entrances.
 - (d) 60 feet between buildings.
- (4) **Adjacent to roads.** No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road.
- (5) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than (100) feet to any agricultural district, any existing or planned residential district, or land bay allowing residential uses. No parking shall be permitted closer than (50) feet to any such area. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses are visible from said agricultural and residential areas.

(D) **Length/Width Ratio.** 6:1 maximum

4-1308 **Building Requirements.**

(A) **Lot Coverage.**

- (1) Single-family detached and single-family attached, 50 percent maximum.
- (2) Multi-family not to exceed a maximum of 30 percent.

(B) **Building Height.** Sixty (60) feet maximum provided that a building may be erected to a maximum height of one hundred feet if it is set back from streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions a distance of not less than one (1) foot for each one (1) foot of height that it exceeds the 60 foot limit, except where it adjoins a non residentially zoned district, the building height shall be 100 feet maximum.

4-1309 **Common Open Space, Including Recreational Spaces.** Not less than 50 percent of the gross area of the development.

- 4-1310 Utility Requirements.** All utility distribution lines in the PD-AAAR district shall be placed underground.
- 4-1311 Development Setback and Access from Major Roads.** In designing residential development, the lot access requirements of Section 1-205(A) and the building and parking setback requirements of Section 5-1403(B) shall be observed.
- (A) **Private Streets.** Internal roads may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met:
- (1) All facilities served by the private road shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat or site plan of a reserve fund for repairs to such road.
 - (2) The record plat, site plan, and/or protective covenants for such development shall expressly state that the County and VDOT have no and will have no responsibility for the maintenance, repair, or replacement of private roads.
 - (3) Sales brochures or other literature and documents, provided by the seller whose development is served by such private roads, shall include information regarding responsibility for maintenance, repair, replacement, and covenants including a statement that the County has no and will have no responsibility for the maintenance, repair, or replacement of private roads. Roads serving other uses shall be designed and constructed to VDOT standards for inclusion in the State highway system.
- 4-1312 Development Criteria.** The following recreational, educational, and cultural facilities solely for the residents, employees and their guests shall be located on site or within 10 miles of the site. If facilities are not provided on site, a guaranteed use of and vehicular or other guaranteed means of transportation to such facilities for the residents of the development shall be provided.
- (A) Golf course (minimum 18 holes).
 - (B) Chapel.
 - (C) Medical care facility, outpatient only.
 - (D) Recreation space, passive.
- 4-1313 Age of Residents.** The development of an active adult/age restricted community shall include homeowners documentation reviewed by the County that specifies the age restricted nature of the proposed use. A development designated for an active adult/age-restricted development community shall be in accord with Virginia Code, Section 36-96.7, as amended, and shall include in the homeowners association documentation policies and procedures which:

- (A) Ensure that at least 80 percent of the units are occupied by at least one person 55 years of age or older per unit; and
- (B) Demonstrate an intent by the owner or manager to providing housing for persons 55 years of age or older.

4-1314

Common Areas, Recreational Facilities.

(A) Ownership, Operation and Management of Common Open Space and Common Facilities.

- (1) All common open space and common facilities shall be preserved for its intended purpose as expressed in the Concept Development Plan. The developer shall choose prior to approval of the first record plat or final site plan, one (1) or a combination of the following methods of administering common open space:
 - (a) Establishment of a non-profit association, corporation, trust, or foundation of all owners of residential property within the planned development. Such organization shall conform to the following requirements:
 - (i) The organization must be established prior to approval of the first record plat or final site plan in the proposed development. The documents establishing such organization shall be reviewed and approved by the County.
 - (ii) Membership in the organization shall be mandatory for all residential property owners, present or future, within the planned community and said organization shall not discriminate in its members or shareholders.
 - (iii) The organization shall manage, maintain, administer and operate all common facilities, open space and improvements and other land not publicly or privately owned, and shall secure adequate liability insurance on the land and such improvements.
 - (iv) Sales brochures or other literature and documents provided by the seller of all lots within a PD-AAAR district shall include information regarding membership requirements and responsibilities of such organizations.
 - (b) Retention of ownership, control, and maintenance of common open space and improvements by the developer.

- (2) All common open space shall be subject to restrictive covenants running with the land restricting its use to that specified in the approved Development Plan. Such restrictions shall be for the benefit of, and enforceable by, all present or future residential property owners and the Board of Supervisors of Loudoun County.
- (3) All common open space, as well as public recreational facilities, shall be specifically included in the development schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.

4-1315 Site Planning - External Relationships. Site planning within the PD-AAAR district shall provide protection of the development from potentially adverse surrounding influences, and protection of surrounding areas from potentially adverse influences within the development. In particular and without limitation, the proposed development shall demonstrate the following features:

- (A) Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. In general, minor streets shall not be connected with streets outside the district and the use of such minor streets by substantial amounts of through traffic shall be discouraged.
- (B) **Protection of visibility - pedestrian/cyclist.** Where there is pedestrian or bicycle access to a street, no impediment to visibility more than 2-1/2 feet above the level of the center of the street shall be allowed within the visibility triangle required in Section 5-300(B) or VDOT standard, whichever is greater.

4-1316 Site Planning - Internal Relationships. The PD-AAAR district shall provide the following:

- (A) Streets, drives, parking and service areas shall provide immediate, safe and convenient access and circulation for dwelling units and project facilities and for service and emergency vehicles including fire fighting equipment, furniture moving vans, fuel trucks, garbage collection, deliveries, and snow removal.
- (B) Vehicular access from off-street parking and service areas shall be designed to minimize the number of curb cuts and to promote safe traffic flow.
- (C) **Ways for pedestrians and cyclists; use by emergency or service vehicles.** Ways shall be provided to all dwelling units, project facilities and principal off-site destinations. Street crossings shall be held to a minimum on such walkways. Pedestrian ways may be combined with other easements and used only by emergency or service vehicles.
- (D) **Protection of visibility - cyclists and pedestrians.** Visibility clearance at intersections shall be as provided in Section 5-300.

4-1351

Purpose and Intent. A Planned Development Mixed Use Business district is established to provide for mixed use business developments. The district encourages a compact pedestrian-oriented mix of uses, such as, but not limited to office, flex-industrial, retail, service, civic, public amenities and/or residential, located in close proximity to each other in order to create an attractive environment in which to live, work and play. The mix of uses is anticipated to create a sense of place, organized in a manner to unify the overall development. The district is desirable and generally consistent for properties located within the Suburban Policy Area of the Revised General Plan.

The pedestrian-oriented nature of the district should be emphasized by the building scale and design, block sizes, pedestrian-oriented uses and pedestrian-friendly streetscapes. The major land uses shall be linked by way of pedestrian linkages, trails and greenways that connect the businesses, residences and open space. Environmental features shall be preserved and integrated into the plan of development to the greatest extent feasible. Specific objectives of the Planned Development Mixed Use Business (PD-MUB) district include:

- (A) Provide the opportunity for a high intensity development and vertical mix of uses that is supportive of and served by an adequate transportation network;
- (B) Provide a design and layout that efficiently utilizes the land, is arranged in a generally rectilinear grid-street pattern, and that provides for multi-modal connections between different land uses within the district and from development in the district to nearby development;
- (C) Provide for a mix of supporting commercial retail and service uses to serve the shopping and service needs of district employees, visitors, and residents;
- (D) Encourage the development of well-configured and well utilized open space, such as plazas, squares, greens, landscaped streets, and parks, that promotes the collective social activity, recreation, and visual attractiveness of the district to visitors, employees, and residents;
- (E) Ensure high-quality design and construction;
- (F) Promote the assemblage of parcels to form a unified development concept;
- (G) Provide housing choices and opportunities compatible within the district; and
- (H) Encourage centralized parking facilities with complimentary on-street parking to collectively support principle uses within the district.

4-1352

Size and Location. A PD-MUB district shall contain no fewer than 25 acres, except that the district may contain fewer than 25 acres, but no fewer than 5 acres, where the district is integrated, visually and functionally, within an existing

nonresidential development that is under unified control with the proposed PD-MUB district or subject to an approved concept development plan that will be amended to include the proposed PD-MUB district, and the proposed PD-MUB district demonstrates a compatible site design.

Contiguous additions of any size shall be allowed to an existing PD-MUB district if the applicant demonstrates that the addition is integrated with the district that was previously approved. Existing uses on lots that are included within a proposed PD-MUB district may be used to meet the minimum use percentages required in Section 4-1354(A) during the rezoning process.

A PD-MUB district shall be located on sites served by one or more arterial or major collector roadways and shall be supported by an adequate road network or transit as demonstrated by a traffic impact study. The district shall be located in areas served by public central water and sewer systems.

4-1353

Use Regulations. Table 4-1353 provides the principal use regulations of the PD-MUB district.

(A) **Organization of Use Table.** Table 4-1353 organizes the uses in the PD-MUB district by Use Classifications, Use Categories and Use Types.

- (1) **Use Classifications.** The Use Classifications are: residential uses; public and civic; institutional uses; commercial uses; employment uses; and utility uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., employment uses and residential uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classifications, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
- (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, multi-family dwellings and single-family attached dwellings are Use Types in the Household Living Use Category.

(B) **Permitted and Special Exception Uses.** A “P” in the column identified “PD-MUB” indicates that a Use Category or specific Use Type is a

Permitted Use in the PD-MUB district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type may be permitted in the PD-MUB district by the Board of Supervisors by Special Exception approval and may be subject to certain conditions, pursuant to Section 6-1300. An “M” indicates that a Use Type may be permitted in the PD-MUB district by the Board of Supervisors by Minor Special Exception approval and may be subject to certain conditions, pursuant to Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be a Permitted Use under certain conditions or may be permitted by Special Exception or Minor Special Exception approval under other conditions. Such instances are identified as “P/S” or “P/M,” as appropriate.

- (C) **Reference to General Use Category.** References to “General Use Category” under the Use Type column means that all of the uses in the Use Category are allowed. The Use Category is defined in Article 8. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article 8.
- (D) **Use Limitations and Additional Regulations for Specific Uses.** References to sections in the column titled “Use Limitations and Additional Regulations for Specific Uses” of Table 4-1353 (PD-MUB Planned Development Mixed-Use Business Use Table) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Use Limitations” in Section 4-1358 and/or the “Additional Regulations for Specific Uses” in Section 5-600.

TABLE 4-1353: PD-MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	PD-MUB DISTRICT	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Horticulture	General Use Category	P	Section 5-626
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached or single family attached dwelling)	P	Section 5-613
	Continuing care facility, congregate living facility	P	
	Dwelling, multi-family	P	
	Dwelling, single-family attached	P	Section 4-1358

TABLE 4-1353:
PD-MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	PD-MUB DISTRICT	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Dwelling, single-family detached	P	Section 4-1358
Group Living	Congregate housing facility	P	
	Dormitory, fraternity/sorority house, rooming/boarding house or other residence hall	S	
PUBLIC AND CIVIC USES			
Cultural and Government Facilities	Civic, social and fraternal association meeting place	P	
	Community center	P	
	Cultural center	P	
	Library	P	
	Museum, cultural center, arboretum	P	
	Private Club or Lodge	P	
	Public use	P	
Education	College, university, without on-site student, faculty and/or employee housing facilities (50,000 sq ft or less)	P	
	College, university, (greater than 50,000 sq ft)	S	
	Educational institution	P	
	Public School (Elementary, Middle, or High)	M	
	Private School (Elementary, Middle, or High) for fifteen (15) or fewer pupils	M	Section 5-655
	Private School (Elementary, Middle, or High) for more than fifteen (15) pupils	M	
Park and Open Space	Community garden	P	
	Cultural amenities, e.g. fountains, ice rinks, reflecting pools	P	
	Dog park	P	
	Outdoor amphitheater (2,000 seats or less)	P	

TABLE 4-1353:
PD-MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	PD-MUB DISTRICT	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Outdoor amphitheater (greater than 2,000 seats)	S	
	Park	P	
	Urban deck	S	
Public Safety	Fire and/or rescue station or substation	P	
	Police station or substation	P	
Religious Assembly	Church, synagogue, temple or mosque	P	
COMMERCIAL USES			
Conference and Training Centers	Convention or exhibition facility	S	
Food and Beverage	Ambulatory retail or food/beverage vendors and mobile vending carts	P	
	Banquet/Event Facility	P	
	Craft Beverage Manufacturing	P	Section 5-668
	Restaurant, carry-out only, excluding drive through facilities	P	
	Restaurant, dine-in, excluding drive through facilities	P	
	Restaurants, dinner theater	P	
	Restaurants, fast food, excluding drive through facilities	P	
	Restaurants, with drive through facilities	S	
Recreation and Entertainment	Bowling alley	P	
	Golf course	S	
	Health and Fitness Center	P	
	Recreation establishment, indoor	P	
	Recreation establishment, outdoor	P	

TABLE 4-1353:
PD-MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	PD-MUB DISTRICT	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Sports Stadium, Complex, Arena or Sports Field (40,000 sq. ft. or less)	S	
	Theater, indoor	P	
Retail Sales and Service	Animal hospital	S	
	Antique shop	P	
	Art gallery or art studio	P	
	Auction house	P	Section 4-1358
	Automobile car sharing agency	P	Section 4-1358
	Automobile rental agency	P	Section 4-1358
	Automobile service station	S	
	Car wash	S	
	Commercial retail and service uses with drive-throughs	S	
	Commuter parking facilities	P	
	Construction retail establishment, without outdoor storage (less than 50,000 square feet of floor area)	P	
	Construction retail establishment, without outdoor storage (greater than 50,000 square feet of floor area)	S	
	Convenience food store, freestanding	S	Section 5-617
	Convenience food store	P	
	Crematorium	S	
	Facility for lessons in dance, gymnastics, judo, and sports training	P	
	Food store	P	
	Funeral home or mortuary	S	
	Health and fitness center	P	

TABLE 4-1353:
PD-MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	PD-MUB DISTRICT	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Home service establishment	P	
	Motor vehicle service and repair, light	S	
	Off-street parking facilities, freestanding, surface parking lot only	M	
	Off-street parking facilities, freestanding, in an above-ground or below-ground structure only	P	
	Personal service establishments	P	
	Pharmacy	P	Section 5-659
	Printing service	P	
	Repair service establishment	P	
	Retail sales establishment	P	
	Storage, mini-warehouse	S	Section 4-1358
	Wholesale trade establishment	S	
Visitor Accommodation	Hotel/motel	P	Section 4-1358, Section 5-611
	Short-Term Rental – Commercial Whole-House	S	Section 5-670
EMPLOYMENT USES			
Aviation	Heliport, helistop	S	
Conference and Training Centers	Conference and training centers	P	
Day Care Facilities	Adult day care center	P	
	Child care home	P	Section 5-609(A)
	Child day care center	P	Section 5-609(B)
Flex-Industrial Uses	Flex-industrial uses	S	Section 5-608
	Manufacturing, processing, fabrication, and/or assembly of products	S	Section 4-1358
Government Facilities	Post office	P	

TABLE 4-1353:
PD-MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	PD-MUB DISTRICT	USE LIMITATIONS AND ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Public transit facilities and stations	S	
Health Services	Continuing care facility, Adult Assisted Living	S	
	Continuing Care facility, Nursing Home	S	
	Hospital	S	Section 5-610
Office	Bank or financial institution	P	Section 5-659
	Business service establishment	P	Section 5-661
	Medical care facilities, outpatient only	P	
	Offices, administrative, business or professional	P	
	Offices, medical and dental	P	
	Radio and television recording studio	P	
	Research and development	P	
	Studio space – artist, crafts person, writer etc.	P	
Telecommunication Use and/or Structure	Radio, radar and/or television tower	S	
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunications transmission tower	S	Section 5-618(C)(2)
Utility	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewer Pumping Station	P	Section 5-621
	Utility Substation	S	Section 5-616, 5-621
	Water Storage Tank	S	Section 5-621
	Water Pumping Station	P	Section 5-621

- (A) **Minimum Use Percentages.** A PD-MUB district shall have the following minimum percentages of use based on the total floor area or land area, as appropriate, of the district. The total floor area of the district shall not include the floor area of Single-Family Attached Dwellings and Single-Family Detached Dwellings. (See Section 4-1356 to determine how the use percentages are calculated.):
- (1) **Nonresidential Use.** At least 50% of the total floor area of the district shall be devoted to nonresidential uses. Nonresidential uses shall be composed of the following minimum use percentages:
- (a) **Employment Use.** Prior to establishment of bus services at least 15% of the total floor area of the district shall be devoted to uses listed in the Employment use classification. After establishment of bus services at least 20% of the total floor area of the district shall be devoted to uses listed in the Employment use classification..
- (b) **Commercial Use.** At least 5% of the total floor area of the district shall be devoted to uses listed in the Commercial use classification.
- (c) **Public and Civic Use.** At least 2% of the total floor area of the district shall be devoted to uses listed in the Public and Civic use classification. The floor area devoted to this classification may also count towards the minimum floor area required for Employment uses, at the Applicant's request.
- (2) **Residential Use.** At least 10% of the total floor area of the district shall be devoted to Multi-Family Dwellings. Attached Multi-Family Dwellings shall always have the largest percentage of residential floor area.
- (3) **Parks and Open Space.** Prior to establishment of bus services at least 10% of the land area of the district shall be devoted to parks and/or open space. After establishment of bus services at least 15% of the land area of the district shall be devoted to parks and/or open space. The land area of indoor plazas that are open and accessible to the public may count towards the minimum land area required for Parks and Open Space, at the Applicant's request.
- (B) **Public Plaza.** Each PD-MUB district shall provide a minimum of 1 plaza in accordance with the following:

TABLE 4-1354(B): PD - MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS PUBLIC PLAZA REQUIREMENTS TABLE	
Size of PD-MUB District (acres)	Minimum Area of Required Public Plaza
No more than 25 acres	5,000 square feet
Greater than 25 acres but no more than 50 acres	10,000 square feet
Greater than 50 acres but no more than 75 acres	15,000 square feet
Greater than 75 acres but no more than 100 acres	20,000 square feet
Greater than 100 acres	1% of total land area of the PD-MUB district

The public plaza shall also meet the following requirements:

- (1) At least one side of the public plaza shall adjoin a road.
- (2) The public plaza shall include public amenities, such as ponds, fountains, public art, plant beds, benches, drinking fountains, clock pedestals, and the like.
- (3) Buildings that adjoin the public plaza shall be a minimum of 2 stories and shall contain a vertical mixture of uses.
- (4) Design Guidelines governing the areas surrounding the public plaza shall be required at the time of rezoning. Such Design Guidelines shall include
 - (a) Design criteria to emphasize the prominence of the public plaza as a focal point for the development;
 - (b) Design criteria that demonstrate the public plaza's function as public gathering place for both formal and informal events;
 - (c) Sidewalks that provide a minimum unobstructed walkway width of 5 feet and accommodate any additional space needed for outdoor dining areas and planting and furniture areas; and
 - (d) A Planting and furniture area that is a minimum of 4 feet in width surrounding the perimeter of the public plaza.

Such planting and furniture area shall be located between the curb and sidewalk when adjacent to a street. The planting and furniture area shall provide pedestrian amenities, such as benches, transit shelters, kiosks, lamp posts, public art, and the like.

- (C) **Vertical Mix.** At least 50% of the buildings within the district shall contain a vertical mix of at least 2 different use classifications. Single-Family Attached Dwellings and Single-Family Detached Dwellings shall be excluded from this calculation.
- (D) **On-Street Parking.** On-street parking may be counted towards meeting the required parking in Section 5-1100, provided such parking is located within 400 feet of the subject principal use.
- (E) **Building Entrances.** The principal entrance of buildings shall be oriented towards the street or adjacent plazas, greens, parks, squares or pedestrian passageways in a manner to primarily accommodate pedestrians. Other additional entrances or prominent entrances that accommodate drop-off lanes for automobile traffic also shall be permitted.
- (F) **Sidewalks.** Continuous sidewalks that provide a minimum walkway width of 5 feet shall be provided along both sides of all streets within the district, excluding alleys. Areas for outdoor dining and entertainment may be located within sidewalks, but shall not encroach within this minimum 5-foot walkway.
- (G) **Bicycle Network.** A bicycle network consisting of trails, routes and/or lanes shall be provided throughout the district and shall be connected to other properties and existing or approved bicycle networks adjoining the district.
- (H) **Streets.** Streets shall be arranged in a generally rectilinear pattern of interconnecting streets and blocks, while maintaining respect for the natural landscape.
- (I) **Concept Development Plan.** In addition to addressing the standards in Section 6-1210(E), the Concept Development Plan (CDP) for a PD-MUB district shall :
 - (1) Exhibit a compact pattern of development that efficiently facilitates interconnection between the uses to unify the entire project.
 - (2) Include a development program chart that depicts the proposed mix of uses to be provided upon full development, to include minimum and maximum floor area for each use classification, minimum and maximum heights of buildings in stories and feet, and minimum and maximum floor area for each parcel.
 - (3) Show any access points on arterial and collector roads.

- (J) **Design Guidelines.** Design guidelines for the PD-MUB district shall be provided at the time of rezoning. Such design guidelines shall include:
- (1) General building location, articulation and facade standards that accommodate pedestrians as the primary user, ensure a high quality appearance, and ensure compatibility between uses;
 - (2) General streetscaping and dimensional standards for the street network and block structure that efficiently utilize the land and interconnect multiple modes of transportation;
 - (3) Standards in regard to the general size, location, purpose, and use of parks and open space that establish such uses as prominent features within the development; and
 - (4) Standards establishing the general location and architectural treatment of parking structures within the development.

4-1355 Lot and Building Requirements.

- (A) **Size.** No minimum lot size is required, except the lot size for Single-Family Detached Dwellings shall be 2,500 square feet minimum, and the lot size for Single-Family Attached Dwellings shall be 1,600 square feet minimum exclusive of major floodplain. No lot for a Single-Family Detached Dwelling shall exceed 5,000 square feet exclusive of major floodplain.
- (B) **Yards.**
- (1) **Front.** See Section 5-1403(B) for arterial and collector roads; and 0 feet minimum and 30 feet maximum from other roads. The maximum front yard can be expanded to 50 feet where a courtyard, plaza, terrace, or other common gathering space, that is a minimum of 300 square feet, is provided adjacent to the front property line.
 - (2) **Side.** 0 feet minimum, except 15 feet minimum for a side yard abutting a lot allowing Single-Family Attached Dwellings or Single-Family Detached Dwellings.
 - (3) **Rear.** 0 feet minimum, except 15 feet minimum for a rear yard abutting a lot allowing Single-Family Attached Dwellings or Single-Family Detached Dwellings.
- (C) **Building Height.** 100 feet maximum.

4-1356 Floor Area Ratio (FAR) and Residential Density.

- (A) **Floor Area Ratio (FAR).** 1.2 maximum, except as permitted to increase under Section 4-1357. Individual lots may exceed the maximum FAR of the district, provided that the proffered concept development plan limits

the maximum overall FAR of the entire district pursuant to the regulations herein.

(1) **Calculation of Minimum Floor Area Required for Each Use Category.** The minimum floor area required in the district for each Use Category shall be calculated as follows:

(a) First calculate the total floor area allowed in the district by multiplying the maximum overall FAR permitted for the district times the total land area in square footage of the rezoning application excluding any land area proposed for Single-Family Attached Dwellings and Single-Family Detached Dwellings. Then multiply the total floor area allowed in the district by the minimum percentage required for each Use Category to derive the minimum floor area required for each Use Category. The floor area of Single-Family Attached Dwellings and Single-Family Detached Dwellings shall be excluded from this floor area calculation.

(B) **Residential Density.** The availability of bus service to the PD-MUB district shall determine the maximum number of dwelling units permitted per acre in 2 phases: (1) prior to the establishment of bus service to the district, and (2) after the establishment of bus service to the district. For the purpose of this section, bus service to the district shall be established when facilities for the riders of such bus service, whether located internal to buildings, attached to the exterior of buildings or externally located on a property as a bus shelter, have been constructed within one-quarter (1/4) mile of the boundary of the district and scheduled bus service is operational. The minimum and maximum density for each phase shall be as follows:

TABLE 4-1356(B): PD - MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS DENSITY TABLE					
Availability of Bus Service	Minimum Number of Dwelling Units Per Acre	Maximum Number of Dwelling Units Per Acre	Minimum % of Land Area Required for Parks and Open Space	Minimum % of Floor Area Required for Employment Use	Required Number of Affordable Dwelling Units (ADUs) and Unmet Housing Needs Units (UHNUs)
Prior to Establishment of Bus Services	8	20*	10%	15%	ADUs to be provided in accordance with Article 7.
After Establishment of Bus Services	8	30**	15%	20%	UHNUs to be provided in accordance with Section 4-1357. ADUs to be provided in accordance with Article 7.

*The maximum number of dwelling units per acre does not reflect any density bonuses that may be provided pursuant to Article 7. Prior to establishment of Bus Services, no density bonuses may be provided pursuant to Section 4-1357.

** The maximum number of dwelling units per acre does not reflect any density bonuses that may be provided pursuant to Section 4-1357 and/or Article 7. In no event shall the maximum density of a PD-MUB district, including any density bonuses received pursuant to Section 4-1357 and/or Article 7, exceed 54 dwelling units per acre.

(1) Calculation of Minimum and Maximum Number of Dwelling Units.

To calculate the minimum number of dwelling units required for a PD-MUB district multiply the total land area of the PD-MUB district times the minimum number of dwelling units per acre required in Table 4-1356(B). The result is the minimum number of dwelling units required for the PD-MUB district.

To calculate the maximum number of dwelling units permitted for a PD-MUB district multiply the total land area of the PD-MUB district times the maximum number of dwelling units per acre permitted in Table 4-1356(B). The result is the maximum number of dwelling units permitted for the PD-MUB district (excluding any density bonuses that may be provided pursuant to Section 4-1357 and/or Article 7)

The resulting minimum number of dwelling units required and maximum number of dwelling units permitted for the PD-MUB district is irrespective of dwelling unit type.

(2) The total number of dwelling units proposed for a PD-MUB district shall not exceed a maximum density of 54 dwelling units per acre (including any density bonuses that may be provided pursuant to Section 4-1357 and/or Article 7).

Individual lots developed with Multi-Family Dwellings may exceed the maximum density of the district, provided that the proffered concept development plan limits the total number of dwelling units and maximum density of the district pursuant to the regulations herein.

4-1357

Unmet Housing Needs Units (UHNUs). Applications for a rezoning to the PD-MUB district proposing a maximum density greater than 20 dwelling units per acre (possible only after establishment of bus services) shall provide dwelling units affordable for rental to households earning 60% or less and affordable for purchase to households earning greater than 30% but no more than 100% of the median income for the Washington Metropolitan Statistical Area (MSA), herein referenced as the Washington Area Median Income (AMI), in accordance with Table 4-1357(A). This requirement shall not apply if the maximum proposed density exceeds 20 dwelling units per acre solely due to the application's compliance with Article 7. All UHNUs, unless provided pursuant to Section 4-1357(F), shall be administered by the County under the County's UHNU Rental and Purchase Program. Under the County's UHNU Rental and Purchase Programs, UHNUs shall be administered pursuant to the applicable Affordable Dwelling Unit Provisions of Article 7 of the Zoning Ordinance and in accordance

with the applicable provisions of Chapter 1450 of the Codified Ordinances of Loudoun County. Rents for UHNUs shall be controlled for a period of at least 30 years from the date of the issuance of the occupancy permit for each rental UHNU and sales prices for UHNUs shall be controlled for a period of at least 20 years from the initial sale transaction for the respective UHNU.

(A) UHNUs shall be of the same dwelling unit type and occupancy type (rental or purchase) as the market rate dwelling units receiving the density bonus. The architectural style of UHNUs shall be compatible with the market rate dwelling units within the proposed development. In general, an UHNU's dimensions and number of bedrooms shall be comparable to equivalent market rate dwelling units within the proposed development.

(1) If an application proposing for rent dwelling units is required to provide rental UHNUs pursuant to this section, a minimum of one-third of such rental UHNUs shall be affordable for rental to households earning 30% or less of the AMI.

(2) If an application proposing for purchase dwelling units is required to provide for purchase UHNUs pursuant to this section a minimum of one-third of such for purchase UHNUs shall be affordable for purchase to households earning greater than 30% but less than 70% of the AMI, and a minimum of one-third of such for purchase UHNUs shall be affordable for purchase to households earning 70% or greater but no more than 100% of the AMI.

TABLE 4-1357(A): PD - MUB PLANNED DEVELOPMENT MIXED-USE BUSINESS UNMET HOUSING NEEDS UNITS TABLE			
Column A	Column B	Column C	Column D
Dwelling Unit Type	Density Bonus	Required Percentage of Dwelling Units to be Provided as Unmet Housing Needs Units	Additional Regulatory Adjustment
Attached Multi-Family Dwellings	20%	6.25%	Increase maximum FAR permitted by 0.2
Stacked Multi-Family Dwellings	10%	6.25%	Increase maximum FAR permitted by 0.1
Single-Family Attached Dwellings and Single-Family Detached Dwellings	10%	6.25%	Increase maximum land area permitted for Single-Family Attached Dwellings and Single-Family Detached Dwellings under Section 4-1358(J) by 2% of total district size

(B) **Calculation of Density Bonus.** Multiply the number of each type of dwelling unit (Column A of Table 4-1357(A)) proposed for the PD-MUB district prior to compliance with Article 7 times the corresponding Density

Bonus (Column B of Table 4-1357(A)) for that dwelling unit type. The resulting number is the total number of bonus dwelling units that shall be permitted for that dwelling unit type.

- (1) Although the bonus dwelling units will increase the maximum number of dwelling units per acre permitted by the PD-MUB district, such bonus dwelling units shall be provided only as the dwelling unit type for which the density bonus percentage was calculated.
 - (2) In no event shall bonus dwelling units cause the maximum number of dwelling units per acre permitted by the PD-MUB district to exceed 54 dwelling units per acre (including any density bonuses that may be provided pursuant to Section 4-1357 and/or Article 7).
- (C) **Calculation of Required Percentage of Dwelling Units to be Provided as Unmet Housing Needs Units (UHNUs).** Multiply the number of each type of dwelling unit (Column A of Table 4-1357(A)) proposed for the PD-MUB district prior to compliance with Article 7 times the Required Percentage of Dwelling Units to be Provided as Unmet Housing Needs Units (Column C of Table 4-1357(A)). The resulting number is the number of dwelling units that shall be provided as UHNUs for that dwelling unit type.
- (D) In the event that bonus dwelling units cause an application to exceed the upper density limit set forth in the Comprehensive Plan, then the upper density limit set forth in the Comprehensive Plan applicable to the area subject to the rezoning application shall be increased by the total number of bonus dwelling units calculated pursuant to Section 4-1357(B).
- (E) Nothing in this Section shall be construed to prohibit an applicant's voluntary participation with Article 7, to include providing additional units and receiving density increases, or to prohibit an application from providing more than the required number of units addressing the income ranges specified in this section so long as the application is in conformance with Section 4-1357 and Article 7, and the maximum density of the district does not exceed 54 dwelling units per acre (including any density bonuses that may be provided pursuant to Section 4-1357 and/or Article 7).
- (F) **Compliance with State/Federal/Local Laws.**
- (1) A development that provides a total number of rental UHNUs, pursuant to Federal, State, or other local programs that meet the terms and restrictions of Section 4-1357, and ADUs, pursuant to Article 7 if applicable, that equals the same number or more UHNUs as required under Section 4-1357 shall satisfy the requirements of Section 4-1357.
 - (2) A development that provides a total number of rental UHNUs, pursuant to Federal, State, or other local programs that meet the terms and restrictions of Section 4-1357, and ADUs, pursuant to

Article 7 if applicable, that equals a fewer number of UHNUs as required under Section 4-1357 shall provide the additional number of UHNUs necessary to make up the shortage pursuant to the County's UHNU Rental and Purchase Programs.

- (3) The rents prices for rental UHNUs provided pursuant to Federal, State, or other local programs shall be in accordance with the rules and regulations governing such programs and these dwelling units shall be marketed in accordance with such rules and regulations, provided that rents shall not exceed those set pursuant to this section and shall be controlled by covenant for a period of at least 30 years for subsequent re-rentals after the initial rental transaction for the respective rental UHNU. Such covenant shall be recorded among the land records of Loudoun County, Virginia, shall run with the land, shall be in a form approved by the applicable Federal or State program administrator and shall be in favor of such Federal or State program or its designee, or, if such UHNU's are not provided pursuant to a Federal or State Program, in a form approved by the County and in favor of the County or its designee and shall provide the rent control described by this section for 30 years from the date of the issuance the occupancy permit for each rental UHNU.

4-1358 Use Limitations.

- (A) **Utility Requirements.** All new utility lines shall be placed underground.
- (B) **Buffering and Screening.**
 - (1) No loading areas or refuse collection areas shall be located closer than 100 feet from an agricultural zoning district or closer than 50 feet from a residential district. No parking areas shall be located closer than 50 feet to an agricultural zoning district or closer than 30 feet to a residential district.
 - (2) Loading areas and refuse collection areas shall be screened from view as seen from adjoining streets and residential areas. Refuse collection areas separated from building walls and placed in parking areas shall also be landscaped and buffered from the view of adjoining streets and residential areas.
 - (3) The buffer yard requirements of Section 5-1404 and the parking area landscaping and screening requirements of Section 5-1407 shall not be applicable between uses on adjacent lots developed within the PD-MUB district or a different district subject to the same proffered Concept Development Plan. Only the road corridor buffer requirements of Section 5-1403 for specifically listed roads, other arterial roads, and other major collector roads shall apply.
- (C) **Street Trees.** Trees shall be planted at a density of 1 tree per 25 linear feet along all areas dedicated for vehicular travel, excluding alleys or

commercial loading areas. Such trees shall have a minimum caliper of 2 inches and a height at maturity of 15 feet or more.

- (D) **Outdoor Storage.** No outdoor storage shall be permitted within the district except for the outdoor storage of vehicles associated with Automobile car sharing agency and Automobile rental agency uses. All storage shall be contained completely within an enclosed building.
- (E) **Auction Houses.** Auction House uses shall be designed in accordance with the following:
 - (1) The use shall be located within a building that contains 2 or more distinct principal uses that do not share the same physical space; and
 - (2) The use shall contain no more than 10,000 square feet.
- (F) **Automobile car sharing agency and Automobile rental agency.** Automobile car sharing agency and Automobile rental agency uses shall be designed in accordance with the following:
 - (1) Any office area associated with the use shall be located within a building that contains 2 or more distinct principal uses that do not share the same physical space; and
 - (2) The land area used for storage of vehicles associated with the use shall not exceed 4,000 square feet.
- (G) **Storage, Mini-warehouse.** Storage, mini-warehouse uses shall be designed in accordance with the following:
 - (1) No individual unit may be accessed directly from the exterior of the building;
 - (2) The use shall be contained within a minimum of 3-story building
- (H) **Hotels/Motels.** Hotel/motel uses shall be designed in accordance with the following:
 - (1) Individual guest rooms in the hotel/motel shall be accessed only from the interior of the building and shall not be directly accessible from the exterior of the building; and
 - (2) All stairwells, corridors and circulation components of the building shall be completely enclosed within the building envelope.
- (I) **Single-Family Residential Uses (Single-Family Attached Dwellings and Single-Family Detached Dwellings).** This use shall meet the following regulations:

- (1) No more than 10% of the total land area of the district shall be devoted to such uses; and
- (2) Such uses shall be located along the periphery of the district and serve as a compatible transition between the district and offsite uses.

(J) Manufacturing, processing, fabrication, and/or assembly of products.

This use shall meet the following regulations:

- (1) The use shall be contained completely within an enclosed building. No outdoor storage or activity shall be permitted.
- (2) The use shall not produce any adverse noise, odor, heat or glare, or vibration impacts that are discernable to a reasonable person beyond the property line of the parcel upon which the use is located.
- (3) The building that contains the light industry use shall be designed to be compatible in terms of scale, height, and mass with conventional commercial office design.

4-1359 Sign Regulations for Residential Uses.

- (A) Signs for residential uses within the PD-MUB District shall follow the requirements of the PD-H signs as enumerated in the Sign Requirements Matrix, Section 5-1204(D).

4-1360 Ownership, Operation and Management of Common Open Space and Common Facilities.

- (A) All common open space shall be preserved for its intended purpose as expressed in the Concept Development Plan. The developer shall choose, prior to approval of the first record plat or site plan, whichever is first in time, one (1) or a combination of the following methods of administering common open space:
 - (1) Public dedication to the County of the common open space, subject to acceptance by the Board of Supervisors.
 - (2) Establishment of a non-profit association, corporation, trust, or foundation of all owners of residential property within the planned development. Such organizations shall conform to the following requirements:
 - (a) The organization must be established prior to approval of the first record plat or site plan, whichever is first in time, in the proposed development. The documents establishing such organizations shall be reviewed and approved by the County.

- (b) Membership in the organization shall be mandatory for all residential property owners, present or future, within the planned community and said organization shall not discriminate against members or shareholders.
 - (c) The organization shall manage maintain, administer and operate all open space and improvements and other land not publicly or privately owned and shall secure adequate liability insurance on the land and such improvements.
 - (d) Sales brochures or other literature and documents provided by the seller of all lots within a PD-MUB district shall include information regarding membership requirements and responsibilities of such organizations.
- (3) Retention of ownership, control and maintenance of common open space and improvements by the developer.
- (B) All common open space not dedicated to the County shall be subject to restrictive covenants running with the land restricting its use to that specified in the approved Concept Development Plan. Such restrictions shall be for the benefit of and enforceable by all present or future residential property owners and the Board of Supervisors of Loudoun County.
- (C) All common open space, as well as public recreational facilities, shall be specifically included in the development schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.

DIVISION B: SECTION RESERVED FOR FUTURE USE

DIVISION C: ENVIRONMENTAL IMPACT DISTRICTS

Section 4-1400 AIOD-Airport Impact Overlay District

4-1401 Purpose. The purpose of the Airport Impact Overlay District (AIOD) is to acknowledge the unique land use impacts of airports, regulate the siting of noise sensitive uses, ensure that the heights of structures are compatible with airport operations, and complement Federal Aviation Administration (FAA) regulations regarding noise and height.

4-1402 AIOD Boundaries.

(A) The following sources were used as a basis for delineating the Ldn aircraft noise contours:

- (1) Washington Dulles International Airport: Washington Dulles International Airport Aircraft Noise Contour Map Update, May 2019, and
- (2) Leesburg Municipal Airport: Environmental Assessment Report, October 1985.

(B) The AIOD is composed of three (3) aircraft noise impact areas:

- (1) **Within one (1) mile of Ldn 60.** The area outside of but within one mile of the Ldn 60 noise contour.
- (2) **Ldn 60 – 65.** The Ldn 60 noise contour and the area between the Ldn 60 noise contour and Ldn 65 noise contour.
- (3) **Ldn 65 or higher.** The Ldn 65 noise contour and the area within the Ldn 65 noise contour.

4-1403 Overlay District Established. The AIOD is hereby established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the AIOD may be used as permitted in the underlying district, subject to the separate regulations of the AIOD. The AIOD boundaries are depicted on the AIOD Map, which is a component of the Zoning Map.

4-1404 Use Limitations. In addition to the use limitations and regulations for the district over which the AIOD is located, the following use limitations apply to residential uses and structures located within the AIOD:

(A) **Within one (1) mile of Ldn 60:**

- (1) **Disclosure Statement.** A disclosure statement must be provided in accordance with Section 4-1405.

(B) **Ldn 60 – 65:**

- (1) **Disclosure Statement.** A disclosure statement must be provided in accordance with Section 4-1405.
 - (2) **Acoustical Treatment.** The applicant must incorporate acoustical treatment into all residential uses and structures to ensure that interior noise levels within living spaces (not including garages, sunrooms, or porches) do not exceed an average sound level of Ldn 45 db(A). Compliance with this must be based upon a certification from a Licensed Professional Engineer (P.E.) or Architect licensed in the Commonwealth of Virginia, submitted prior to zoning permit approval, that the design and construction methods and materials to be used in the construction of the residential use or structure are such that the foregoing standard will be met, assuming exterior noise levels between Ldn 60 – 65.
 - (3) **Avigation Easements.** Prior to the approval of any subdivision plat creating a lot upon which a residential use could be constructed, zoning permit for a residential use or structure on an existing lot of record, excluding residential accessory uses and structures, or site plan for one or more dwellings, the owner(s) of the property subject to such subdivision plat, zoning permit, or site plan must dedicate an avigation easement to the Metropolitan Washington Airports Authority, indicating the right of flight to pass over the property, as a means to securing the long-term economic viability of Washington Dulles International Airport.
- (C) **Ldn 65 or higher:** Residential uses and structures are not permitted.
- (1) Exception: New residential uses and structures and additions to existing legally established residential uses and structures may be permitted, provided that:
 - (a) **Lot Creation.** The lot upon which such residential use is established or proposed was recorded or had subdivision plat approval prior to June 16, 1993 (original adoption date) or notwithstanding Section 1-103(O), such residential use was designated on a proffered rezoning approved prior to January 17, 2023 as being located outside of the Ldn 65 or higher aircraft noise impact area, and subsequently became located within the Ldn 65 or higher aircraft noise impact area as a result of the adoption of ZMAP-2021-0011 & ZOAM-2021-0002;
 - (b) **Disclosure Statement.** A disclosure statement must be provided in accordance with Section 4-1405;
 - (c) **Acoustical Treatment.** The applicant must incorporate acoustical treatment into all residential uses and structures to ensure that interior noise levels within living spaces (not including garages, sunrooms, or porches) do not exceed an average sound level of Ldn 45 db(A). Compliance with

this must be based upon a certification from a Licensed Professional Engineer (P.E.) or Architect licensed in the Commonwealth of Virginia, submitted prior to zoning permit approval, that the design and construction methods and materials to be used in the construction of the residential use or structure are such that the foregoing standard will be met, assuming exterior noise levels between Ldn 65–70; and

- (d) **Avigation Easements.** Prior to the approval of any subdivision plat creating a lot upon which a residential use or structure could be constructed, zoning permit for a residential use on an existing lot of record, excluding residential accessory uses and structures, or site plan for one or more dwellings, the owner(s) of the property subject to such subdivision plat, zoning permit, or site plan must dedicate an avigation easement to the Metropolitan Washington Airports Authority, indicating the right of flight to pass over the property, as a means to securing the long-term economic viability of Washington Dulles International Airport.

- (D) **Building Heights:** Notwithstanding Section 1-103(D)(2), no building or other structure will be located in a manner or built to a height that constitutes a hazard to aerial navigation. Where a structure is proposed in a location or to be built to a height that may be hazardous to air traffic such structure shall not be erected without certification from the FAA that it will not constitute a hazard to air traffic.

4-1405

Disclosure Statement Required. A disclosure statement, in a form approved by the Zoning Administrator, must be conspicuously placed on all subdivision plats and site plans applicable to any lot or development within the AIOD, that clearly identifies any lot that is located within the AIOD and any aircraft noise impact area of the AIOD (i.e., Section 4-1402(B)(1), 4-1402(B)(2), or 4-1402(B)(3)) within which the lot is located, and states that such lot is located within an area that will be impacted by aircraft overflights and aircraft noise. Such disclosure statement also must be provided in writing by the applicant and every subsequent owner of such lot to all prospective purchasers of, and included in all sales contracts, brochures, and promotional documents, including any illustrative site plan(s) on display within any sales related office(s), and all deeds of conveyance applicable to, such lot. At the time they are created, homeowner association Declarations must clearly state that the community is located near an airport, may be impacted by overflight noise, and subject to the regulations of the Airport Impact Overlay District of the Loudoun County zoning ordinance. In addition, homeowner associations may include a statement in their resale disclosure packets as follows: “Homes in this community are located near an airport and subject to aircraft overflights and noise due to aircraft. Contact Loudoun County Government to verify whether your home is located within the Airport Impact Overlay District and the regulations that apply.”

4-1406

Definitions. Unless otherwise specially provided, or unless clearly required by the context, the words and phrases defined in this subsection shall have the following meanings when used in Section 4-1400.

- (A) Ldn: The term for "yearly day-night average sound level", which means the 365-day average, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between 10 p.m. and 7 a.m.
- (B) Ldn 45 db(A): The term for the required level of noise attenuation in residential structures, expressing a required yearly interior day-night average sound level of 45 decibels or or less.

4-1501

Purpose and Intent. The purpose of these provisions is to conserve the natural state of watercourses and watersheds and to prevent: the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by (1) regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies; (2) restricting or prohibiting certain uses, activities, and development from locating within areas subject to flooding; (3) requiring all those uses, activities, and developments that do occur in areas susceptible to flooding to be protected and/or flood-proofed against flooding and flood damage; and ; (4) preventing individuals from using land and erecting structures which are unsuited for intended purposes because of flood hazards. These provisions shall apply to all privately and publicly owned lands within the jurisdiction of the County of Loudoun and identified as being located within the Floodplain Overlay District (FOD). Only those uses set forth in Section 4-1505 and 4-1506 shall be permitted or special exception uses within the FOD, and land so encumbered may be used in a manner permitted in the underlying zoning district only if and to the extent such use is also permitted in the FOD.

The degree of flood protection sought by Section 4-1500 is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study, but does not imply total flood protection. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. Section 4-1500 does not imply that property outside the FOD or land uses permitted within the FOD will be free from flooding or flood damages. Section 4-1500 shall not create liability on the part of Loudoun County or any officer or employee thereof for any flood damages that result from reliance on Section 4-1500 or any administrative decision lawfully made thereunder.

4-1502

Authority. Authority for these provisions includes:

- (A) Flood Damage Reduction Act, Va. Code Sections 10.1-600 et seq.
- (B) Va. Code Sections 15.2-2200 through 15.2-2329 (Planning, Subdivision of Land and Zoning).
- (C) Soil Conservation Districts Law, Va. Code Sections 10.1-500 et seq.
- (D) Erosion and Sediment Control Law, Va. Code Section 62.1-44.15:51 et seq.
- (E) Potomac River Basin Compact, Va. Code Section 28.2-1001.
- (F) National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., as amended by the National Flood Insurance Reform Act of 1994 and the Flood Insurance Reform Act of 2004.

(G) Code of Federal Regulations, Title 44, Section 59.1-70.9

4-1503

Definitions. The words and phrases defined in this subsection shall have the following meanings when used in Section 4-1500.

- (A) **Alteration.** A development action which will change the cross section of the floodplain and will increase either the erosive velocity or height of floodwaters either on-site or off-site. Alterations include, but are not limited to, land disturbing activities.
- (B) **Base Flood.** The flood having a one percent (1%) chance of being equaled or exceeded in any given year. Also known as the 100-year flood.
- (C) **Base flood elevation.** The water surface elevations of the base flood. The water surface elevation of the base flood is calculated based on the datum specified on Loudoun County's Flood Insurance Rate Map.
- (D) **Basement.** That portion of a building having its floor below ground level on all sides.
- (E) **Conditional Letter of Map Revision (CLOMR).** A formal review and written comment from FEMA on a proposed project that would, upon construction, cause an increase in base flood elevation. Upon completion of the construction of such project, a Letter of Map Revision (LOMR) issued by FEMA, determining that the increase was warranted, shall be required.
- (F) **Cross section.** Shape and dimensions of a channel and valley of the floodplain perpendicular to the line of flow.
- (G) **Development.** Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
- (H) **Elevated building.** A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).
- (I) **Flood or Flooding.**
 - (1) A general or temporary condition of partial or complete inundation of normally dry land areas from:
 - (a) the overflow of inland waters; or,
 - (b) the unusual and rapid accumulation or runoff of surface waters from any source.
 - (c) mudflows which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of

normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

- (2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1(a) of this definition.
- (J) **Flood Insurance Rate Map (FIRM).** The official map of Loudoun County on which the Federal Emergency Management Agency (FEMA) has delineated areas in the floodplain subject to inundation of the base flood and the risk premium zones based on the technical data in the Flood Insurance Study. The FIRM that has been made available digitally is called the Digital Flood Insurance Rate Map (DFIRM).
- (K) **Flood Insurance Study (FIS).** A report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.
- (L) **Floodplain.** Any land area susceptible to being inundated by water from the base flood and having a drainage area greater than one hundred (100) acres. For purposes of regulation under this Ordinance, a distinction is made between the Major Floodplain and Minor Floodplain. Major floodplain shall correspond to Zones AE and A as shown on the FIRM, as may be subsequently revised or amended by FEMA, and is considered to be the Special Flood Hazard Area by FEMA. All watersheds draining greater than 640 acres shall be considered Major Floodplain. Minor Floodplain shall correspond to watersheds of 640 acres or less that are not designated as Zone AE or A.
- (M) **Floodproofing.** Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- (N) **Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without any cumulative increase the base flood elevation. Floodways are included within, and regulated as, FOD (Major Floodplain). Floodways are not shown on the FIRM but are included within the Special Flood Hazard Area designated on the FIRM, which is regulated as FOD (Major Floodplain).
- (O) **Freeboard.** A factor of safety expressed in feet above a flood level for purposes of floodplain management. "Freeboard" compensates for the many unknown factors that contribute to flood heights greater than the

height calculated for Base Flood, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.

- (P) **Historic structure.** Any structure that is:
- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - (3) Individually listed on the Virginia Landmarks Register; or,
 - (4) Individually listed on the Loudoun County Register of Heritage Resources.
- (Q) **Lowest floor.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Code of Federal Regulations 44CFR §60.3.
- (R) **Manufactured Home.** A structure constructed and subject to federal regulation, which is transportable in one or more sections; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to utilities. The term "manufactured home" also includes recreational vehicles placed on a site for greater than 180 consecutive days whether connected to utilities or not.
- (S) **New construction.** Structures for which the start of construction commenced on or after January 5, 1978. All such structures shall comply with the Loudoun County regulations in effect at the time of construction. Any improvement(s) to a structure shall comply with the Loudoun County regulations in effect at the time of construction of the improvement(s).
- (T) **Recreational Vehicle.** A vehicle which is
- (1) built on a single chassis;
 - (2) 400 square feet or less when measured at the largest horizontal projection;
 - (3) designed to be self-propelled or permanently towable by a light duty truck; and

- (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.
- (U) **Road, Crossing of the Floodplain or Road Crossing.** Any public road, private road or driveway traversing a floodplain generally perpendicular to the flow of the drainageway.
- (V) **Special Flood Hazard Area (SFHA).** The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year. This area corresponds to where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and includes Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, and V as shown on the FIRM.
- (W) **Start of construction.** Means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- (X) **Stormwater Management Improvements.** Surface or subsurface drainage improvements, storm sewers, detention and retention ponds and other such improvements as required by the Facilities Standards Manual (FSM), the Loudoun County Stormwater Management Ordinance, Chapter 1096 of the Codified Ordinances of Loudoun County, or the Loudoun County Erosion and Sediment Control Ordinance and Plan, Chapter 1220 of the Codified Ordinances of Loudoun County.
- (Y) **Stream Corridor.** Includes the stream and extends in cross section from the channel's bankfull level towards the upland (perpendicular to the direction of streamflow) to a point on the landscape where channel-related surface and/or soil moisture no longer influence the plant community.
- (Z) **Stream Restoration.** Converting an unstable, altered, or degraded stream corridor, including adjacent riparian area and flood-prone areas, to its natural stable condition considering recent and future watershed conditions.

- (AA) **Structure.** An assembly of materials forming a construction for occupancy or use including, among others, buildings, stadiums, gospel and circus tents, platforms, stagings, observation towers, telecommunications towers, radio and TV broadcasting towers, water tanks, trestles, piers, open sheds, coal bins, shelters, walls, power line towers, pipelines, railroad tracks, manufactured homes, and gas or liquid storage tanks that are principally above ground.
- (BB) **Substantial damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.
- (CC) **Substantial improvement.** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred flood related damages on two (2) occasions in which the cost of the repair on the average equaled or exceeded twenty-five percent (25%) of the market value of the structure at the time of each such flood event or substantial damage regardless of the actual repair work performed. The term does not, however, include either:
- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
 - (2) Any altering, repair or rehabilitation of a historic structure, provided that the altering, repair or rehabilitation will not preclude the structure's continued designation as a historic structure. Historic structures undergoing altering, repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all requirements of Section 4-1500 that do not preclude the structure's continued designation as a historic structure. Documentation that a specific requirement of Section 4-1500 will cause removal of the structure from the National Register of Historic Places or the Virginia Landmarks Register must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from the requirements of Section 4-1500 will be the minimum necessary to preserve the historic character and design of the structure.
- (DD) **Utility Lines in the Floodplain.** Storm sewers, sanitary sewers, water lines and similar lines running generally parallel and perpendicular to the flow of the drainageway; and other public utility lines traversing a floodplain generally perpendicular to the flow of the drainageway.
- (EE) **Violation.** The failure of a structure or other development to be fully compliant with this Section 4-1500. A structure or other development

without a FEMA approved Elevation Certificate, other certifications, or other evidence of compliance required in this Section 4-1500 shall be presumed to be in violation until such time as that documentation is provided.

- (FF) **Watercourse.** A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial damage resulting from flooding may occur.

4-1504 Administration.

- (A) **Designation of Floodplain Administrator.** The Zoning Administrator, or his/her designee, shall administer and implement these regulations and is referred to herein as the Floodplain Administrator.
- (B) **Duties and Responsibilities of the Floodplain Administrator.** The Floodplain Administrator shall:
- (1) Review all applications for development located within the FOD.
 - (2) Interpret FOD boundaries in accordance with Section 6-407 and provide available base flood elevation and flood hazard information.
 - (3) Review applications for development to determine whether proposed activities will be reasonably safe from flooding and meet the requirements of Section 4-1500.
 - (4) Review applications for reconstruction, rehabilitation, addition or other improvement of a structure to determine whether such proposed activities constitute substantial improvements.
 - (5) Review applications for development to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or altering of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any altering of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 100-year frequency floodplain of free-flowing non-tidal waters of the State.
 - (6) Verify that applicants proposing to alter a watercourse have notified affected adjacent towns, cities, county or state government, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (Virginia Department of Environmental Quality, United States Army Corps of Engineers) and have submitted copies of such notifications to FEMA.

- (7) Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with Section 4-1500 or to determine if non-compliance has occurred or violations have been committed.
- (8) Review submitted FEMA Elevation Certificate applications and require incomplete or deficient applications to be corrected.
- (9) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including Floodplain Studies and Floodplain Alterations approved in accordance with the FSM, within six (6) months after such data and information becomes available if the analyses indicate changes in base flood elevations.
- (10) Maintain and permanently retain records that are necessary for the administration of the FOD, including:
 - (a) Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps), and Letters of Map Change; and
 - (b) Documentation supporting approval or denial of development permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, other required design certifications, variations pursuant to Section 4-1511, and records of enforcement actions taken to correct violations of these regulations.
- (11) Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.
- (12) Advise the Board of Supervisors regarding the intent of these regulations and, for each application for a variation pursuant to Section 4-1511, prepare a staff report and recommendation.
- (13) Administer the requirements related to proposed work on existing buildings:
 - (a) Make determinations as to whether buildings and structures that are located in FOD (Major Floodplain only) and that are damaged by any cause have been substantially damaged.
 - (b) Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct such damaged structures; and prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective

measures necessary to secure a property or stabilize a building or structure to prevent additional damage.

- (14) Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to development permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in FOD; and provide property owners with information necessary to file claims for Increased Cost of Compliance coverage under the National Flood Insurance Program (NFIP) flood insurance policies.
 - (15) Notify FEMA when the corporate boundaries of the County have been modified and:
 - (a) Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to Section 4-1500 has either been assumed or relinquished through annexation or otherwise; and
 - (b) For any new area for which the authority to regulate pursuant to this Section 4-1500 has been assumed, prepare necessary amendments to the Zoning Map and appropriate requirements, and submit such amendments to the Board of Supervisors for adoption. A copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.
 - (16) Upon the request of FEMA, complete and submit information regarding the number of buildings in the FOD (Major Floodplain only), number of approved permits for development in the FOD (Major Floodplain only), number of approved variations pursuant to Section 4-1511. Any variations that are approved shall be noted in the annual or biennial report submitted to FEMA's Federal Insurance Administrator.
 - (17) Serve as a referral agent on all legislative land development applications.
- (C) **Delineation of the FOD.** The original basis for the delineation of the FOD shall be the floodplain as shown on the Flood Insurance Study (FIS) and the Flood Insurance Rate Map (FIRM) for the County of Loudoun prepared by FEMA, Federal Insurance Administration, dated February 17, 2017. The boundaries of the floodplain and FOD may change based on

information submitted in accordance with this Chapter, and/or subsequent revisions or amendments to the FIS and FIRM approved by FEMA.

4-1505

Permitted Uses. The following uses shall be permitted within the FOD provided such uses conform with Section 5-1000. Uses allowed in the underlying district shall be prohibited to the extent such uses are not permitted, or special exception uses in the FOD. Where any uses, structures or improvements will result in development within the FOD, an application for a Floodplain Alteration shall be submitted in accordance with Section 4-1508(B) and the FSM.

- (A) Permitted uses in FOD (Major Floodplain). Such uses shall not cause any increases in base flood elevation of the FOD (Major Floodplain) unless otherwise provided below.
 - (1) Agriculture, horticulture, forestry, and fisheries, not requiring the erection of structures, except that incidental structures shall be permitted in accordance with this Section. An increase in base flood elevation may be permitted provided a CLOMR is obtained from FEMA prior to approval of the requisite Floodplain Alteration application for such use.
 - (2) Passive and Active Recreation Uses, except swimming pools, provided that the area of impervious surfaces within the FOD (Major Floodplain) does not exceed three percent (3%) of the area of FOD (Major Floodplain) located within the subject parcel and the boundary of the FOD (Major Floodplain) does not change.
 - (3) Stormwater management improvements as follows:
 - (a) Rooftop disconnection. Associated soil amendments shall be located outside of areas of existing tree cover and shall not require the clearing of existing tree cover.
 - (b) Sheet flow to conservation area.
 - (c) Sheet flow to vegetated filter and associated soil amendments located outside of areas of existing tree cover and not requiring the clearing of existing tree cover.
 - (d) Grass channel and associated soil amendments.
 - (e) Soil amendments located outside of areas of existing tree cover and not requiring the clearing of existing tree cover.
 - (f) Other stormwater management improvements provided that such improvements shall only serve permitted or approved special exception uses in the FOD, and shall only serve those portions of such uses that are located within the FOD.
 - (4) Utility lines in the floodplain and road crossings. An increase in base flood elevation on site may be permitted provided a CLOMR is

obtained from FEMA prior to approval of the requisite Floodplain Alteration application for such use. Road crossings shall be designed and constructed in accordance with the standards and regulations of the Virginia Department of Transportation (VDOT) and/or the FSM, whichever shall apply.

- (5) Public roads shown on the Comprehensive Plan or included in a Capital Improvement Program project. An increase in base flood elevation may be permitted provided a CLOMR is obtained from FEMA prior to approval of the requisite Floodplain Alteration application for such use.
- (6) Public roads, private roads, and driveways.
- (7) Repair, reconstruction or improvement of existing residences, so long as the footprint of the existing residence is not increased within the FOD and provided that such repair, reconstruction or improvement, whether located within or outside of the FOD, is not a substantial improvement. If such repair, reconstruction or improvement is a substantial improvement then conformance with Section 4-1509 shall be required.
- (8) Parking areas accessory to permitted or approved special exception uses in the FOD. All such parking areas shall be equipped with best management practices in accordance with Chapter 5 of the FSM and Chapter 1096 of the Codified Ordinances.
- (9) Incidental structures, not exceeding 840 square feet of floor area, associated with permitted or approved special exception uses in the FOD, and temporary structures associated with Special Events in the FOD. Incidental structures include storage sheds, maintenance sheds, backstops, bath houses and locker rooms. Provided, however, bulk storage of gasoline, chemicals, fuels or similar substances are prohibited in the FOD; and further provided that any new construction shall comply with applicable FEMA standards.
- (10) Temporary storage of material or equipment necessary in the construction of permitted or special exception uses in the FOD.
- (11) Alterations of the floodplain associated with any permitted or approved special exception uses in the FOD. Such alterations shall not relocate or alter the natural active channel except for road crossings permitted under Section 4-1505(A)(4) or Section 4-1505(A)(13), to protect existing habitable structures subject to periodic flooding, or for stream restoration permitted under Section 4-1505(A)(16). Applications for alterations of the floodplain shall be in accordance with Section 4-1508(B). To the extent that the boundaries of the FOD change as a result of an approved Floodplain Alteration, any areas no longer within the FOD may be used for any use in the underlying zoning district,

subject to the provisions of the applicable zoning district regulations and conditions of any approved special exception.

- (12) Restoration and rehabilitation of historic structures.
- (13) Road crossings that result in an increase in the base flood elevation off-site provided that:
 - (a) A CLOMR is obtained from FEMA prior to approval of the requisite Floodplain Alteration application for such use.
 - (b) The road crossing shall be a feature shown on the Comprehensive Plan or included in a Capital Improvements Program project.
 - (c) The road crossing shall be designed and constructed in accordance with the standards and regulations of the Virginia Department of Transportation and/or the FSM, whichever shall apply.
 - (d) The resulting increase in the base flood elevation shall not affect existing buildings and structures.
 - (e) Affected off-site property owners may at any time mitigate impacts on their land as a result of an increase in the base flood elevation by:
 - (i) Submitting a Floodplain Alteration to reclaim that portion of their land subject to the increase in base flood elevation as a result of the road crossing, provided there is no increase in the base flood elevation; and/or
 - (ii) Requesting a modification of the building setback or parking setback requirements on specific lots or parcels of land affected by the increase in the base flood elevation by special exception approved by the Board of Supervisors, in accordance with Section 6-1300 and 4-1507 of the Zoning Ordinance.
- (14) Public water utility drinking water supply reservoirs, including, without limitation, reclaimed quarries.
- (15) Maintenance of the design conditions of an approved Floodplain Alteration.
- (16) Stream Restoration designed in accordance with the FSM and approved by the County. An increase in base flood elevation may be permitted provided a CLOMR is obtained from FEMA prior to approval of the requisite Floodplain Alteration application for such use.

- (17) Wetland Mitigation. An increase in base flood elevation may be permitted provided a CLOMR is obtained from FEMA prior to approval of the requisite Floodplain Alteration application for such use.
 - (18) Flood mitigation practices carried out in order to minimize and reduce flood risk in accordance with the Code of Federal Regulations, Title 44, Section 78.1, et seq.
 - (19) Special Events, pursuant to 5-500(C), without land disturbing activity.
- (B) Permitted uses in floodplains in FOD (Minor Floodplain), with or without an increase in base flood elevation:
- (1) Uses allowed under Section 4-1505(A), except that increases in the base flood elevation in the FOD (Minor Floodplain) shall be permitted.
 - (2) Alteration of the floodplain whether or not associated with a permitted or approved special exception use in the FOD. To the extent that the boundaries of the FOD change as a result of the Floodplain Alteration, any areas no longer within the FOD may be used for any use in the underlying zoning district, subject to the provisions of the applicable zoning district regulations and conditions of any approved special exception.
 - (3) Stormwater management improvements whether or not associated with permitted or approved special exception uses in the FOD.
 - (4) Ponds designed by the Natural Resources Conservation Service, a Licensed Professional Engineer, or a Class B Land Surveyor.
 - (5) Basketball or tennis courts, and swimming pools.
 - (6) Parking areas less than 5,000 square feet not otherwise permitted. Such parking areas shall not be subject to 100-year flooding greater than one (1) foot in depth, shall be equipped with best management practices in accordance with Chapter 5 of the FSM and Chapter 1096 of the Codified Ordinances, and shall not result in any change in existing grade.

4-1506

Special Exception Uses. The following uses and structures may be permitted in the FOD (Major Floodplain or Minor Floodplain) by the Board of Supervisors by special exception, subject to Section 6-1300 and Section 4-1507, provided that such uses conform with Section 5-1000 and such uses shall not cause any increase in the base flood elevation of the FOD (Major Floodplain) unless otherwise provided below. Uses allowed in the underlying district shall be prohibited to the extent such uses are not permitted or special exception uses in the FOD. Where any uses, structures or improvements will result in development within the FOD,

an application for a Floodplain Alteration shall be submitted in accordance with Section 4-1508(B) and the FSM.

- (A) Marinas, boat rentals, docks, piers, wharves, water ski jump facilities.
- (B) Special Events, pursuant to 5-500(C), with land disturbing activity.
- (C) Riding stables.
- (D) Structures required for the operation of a public utility not otherwise permitted by this Ordinance.
- (E) Incidental structures, greater than 840 square feet of floor area, associated with permitted or approved special exception uses in the FOD. Incidental structures include storage sheds, maintenance sheds, backstops, bath houses and locker rooms. Provided, however, bulk storage of gasoline, chemicals, fuels or similar substances are prohibited in the FOD; and further provided that any new construction shall comply with applicable FEMA standards.
- (F) Passive and Active Recreation Uses, except swimming pools, provided that the area of impervious surfaces within the FOD (Major Floodplain) does not exceed ten percent (10%) of the area of FOD (Major Floodplain) located within the subject parcel, that cause the boundary of the FOD (Major Floodplain) to change, and/or that cause an increase in base flood elevation. Such increase in base flood elevation may be permitted provided a CLOMR is obtained from FEMA prior to approval of the requisite Floodplain Alteration application for such use.

4-1507

Standards For A Special Exception. In considering applications for a special exception, the Board of Supervisors shall be satisfied that the following standards and those of Section 6-1300 have been met:

- (A) The proposed use will not increase the danger to life and property due to increased flood heights or velocities.
- (B) The proposed use will not increase the danger that materials may be swept downstream to the injury of others.
- (C) The proposed water supply and sanitation systems are designed to prevent disease, contamination, and unsanitary conditions.
- (D) The proposed use or structure shall be located and designed to limit its susceptibility to flood damage, and available alternative locations, not subject to flooding, for the proposed use shall be considered.
- (E) The proposed use is compatible with existing and planned development.
- (F) The proposed use is in harmony with the Comprehensive Plan.

- (G) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site shall not cause significant damage.

4-1508

Floodplain Overlay District Development Procedures.

- (A) **Floodplain Information to be Submitted with Land Development Applications.** All new subdivision proposals and other proposed development greater than fifty (50) lots or five (5) acres, whichever is the lesser, on any parcel of land which includes FOD within its boundaries, shall include with such proposals base flood elevation data in accordance with Chapter 5 of the FSM. The submission of such base flood elevation data shall be considered a request for a cartographic interpretation pursuant to Section 6-407, to interpret the exact location of the boundaries of the FOD based on such data.
- (B) **Floodplain Alteration.** Any proposed development in the FOD shall require approval of a Declaration of No Impact to Floodplain or Floodplain Alteration in accordance with Chapter 5 of the FSM. Any required Floodplain Alteration shall conform with the following:
 - (1) **Procedures for Floodplain Alterations.** Applications for Floodplain Alterations shall be in accordance with Chapters 5 and 8 of the FSM and conform with the following procedures:
 - (a) An approved CLOMR from FEMA shall be provided prior to approval of a Floodplain Alteration that proposes any increase in the base flood elevation within the FOD (Major Floodplain).
 - (b) Floodplain Alterations that would result in changes to the boundaries of the FOD shall be subject to the following:
 - (i) The application for such Floodplain Alteration shall be considered a request for a cartographic interpretation pursuant to Section 6-407 to interpret the exact location of the boundaries of the FOD upon approval of the Floodplain Alteration.
 - (ii) Prior to approval of a Floodplain Alteration that would result in any increase in the base flood elevation off-site or other changes to the boundaries of the FOD off-site, an instrument describing the change in the base flood elevation executed by each affected property owner shall be recorded among the land records of Loudoun County, Virginia.
 - (2) **Engineering and Environmental Criteria for Floodplain Alterations.** All proposed alterations to the floodplain shall meet the following criteria:

- (a) Alterations to the floodplain shall not create erosive water velocity on-site or off-site (where erosive water velocity is based on analysis of the surface material and permissible velocities for specific cross sections affected by the proposed alteration,), and the mean velocity of stream flow at the downstream end of the site after alteration shall be no greater than the mean velocity of the stream flow under existing conditions.
 - (b) Alterations to the floodplain shall be in conformance with Chapter 1220 of the Codified Ordinances of Loudoun County and the Erosion and Sediment Control Law, Va. Code Section 62.1-44.15:51 et seq.
 - (c) The flood carrying capacity within the altered floodplain shall be maintained.
- (C) **Zoning Permit Required.** All development occurring within the FOD (Major Floodplain), including placement of manufactured homes, shall be undertaken only upon the approval of a zoning permit. The following provisions shall apply to all such zoning permits:
 - (1) In addition to the requirements of Section 6-1001, the application for such zoning permit shall include the following:
 - (a) Copies of all necessary permits from Federal, State, or local agencies from which prior or concurrent approval is required.
 - (b) The base flood elevation.
 - (c) The elevation of the lowest floor (including basement).
 - (d) For a structure to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed.
 - (e) Topographic information showing existing and proposed ground elevations.

4-1509

Floodplain Overlay District Development Standards:

- (A) **General Development Standards.** The following provisions shall apply to development located in the FOD (Major Floodplain):
 - (1) **Residential Construction.** New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated to or above (one (1) foot freeboard recommended) the base flood elevation.
 - (2) **Non-Residential Construction.** New construction or substantial improvement of any commercial, industrial, or non-residential building (including manufactured homes) shall have the lowest floor, including basement, elevated to or above the base flood

elevation. Non-residential buildings may be flood-proofed in lieu of being elevated provided that all areas of the building components lower than one (1) foot above the base flood elevation are water tight with walls impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, including the base flood elevation to which such structures are floodproofed, shall be retained by Floodplain Administrator.

- (3) All new construction and substantial improvements (including manufactured homes) shall be in accordance with all applicable sections of this Ordinance, the FSM, and Chapter 1410 of the Codified Ordinances, and anchored to prevent flotation, collapse or lateral movement of the structure.
- (4) Newly placed manufactured homes and/or substantial improvements to manufactured homes shall meet all applicable State anchoring requirements for resisting wind forces and shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- (5) All new construction and substantial improvements (including manufactured homes) shall be constructed with materials and utility equipment resistant to flood damage.
- (6) All new construction or substantial improvements (including manufactured homes) shall be constructed by methods and practices that minimize flood damage.
- (7) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (8) New and replacement public and individual water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (9) New and replacement public sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (10) Individual sewage disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

- (11) Prior to the approval of a Floodplain Alteration for any proposed alteration or relocation of any channel or watercourse, all required permits shall be obtained from the U. S. Army Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these agencies). The applicant shall provide notification of such alteration or relocation to the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA. If such alteration or relocation results in a change to the floodplain in an adjacent town, city, county, or state, notification shall also be provided by the applicant to such jurisdiction.
 - (12) The flood carrying capacity within an altered or relocated portion of any channel or watercourse shall be maintained. Under no circumstances shall any development adversely affect the water carrying capacity of any channel or watercourse.
- (B) **Space Below the Lowest Floor.** In FOD (Major Floodplain), fully enclosed areas, of new construction or substantially improved structures, which are below the base flood elevation shall meet the following minimum standards:
- (1) Such areas shall not be designed or used for human habitation. Such areas shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to such areas shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).
 - (2) Such areas shall be constructed entirely of flood resistant materials below the base flood elevation.
 - (3) Such areas shall include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters that are either certified by a licensed professional engineer or architect or that meet the following minimum design criteria:
 - (a) Provide a minimum of two (2) openings on different sides of each enclosed area. Foundation enclosures made of flexible skirting are not considered enclosed areas for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, are considered as enclosed areas and require such openings.
 - (b) The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.

- (c) If a building has more than one (1) enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.
 - (d) The bottom of all required openings to such enclosed areas shall be no higher than one (1) foot above the adjacent grade.
 - (e) Openings shall only be equipped with screens, louvers, or other opening coverings or devices that permit the automatic flow of floodwaters in both directions.
- (C) **Standards for Recreational Vehicles.** The following provisions shall apply to recreational vehicles located within the FOD (Major Floodplain):
- (1) Any recreational vehicles placed on a site shall be fully licensed, on its wheels or jacking system, and attached to the site only by quick disconnect type utilities and security devices, and shall have no permanently attached additions; or
 - (2) Recreational vehicles placed on a site for 180 days or longer shall be deemed to be manufactured homes and shall meet all development standards of Section 4-1509(A) and 4-1509(B).
- (D) **Standards for Subdivision Proposals.** The following provisions shall be required for any subdivision of a parcel that includes FOD (Major Floodplain):
- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
 - (2) All subdivision proposals that have public utilities and facilities, such as sewer, gas, electrical and water systems, shall have such utilities and facilities located and constructed to minimize flood damage.
 - (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

4-1510 Density Calculations. For purposes of calculating the permitted floor area and number of residential units in the underlying zoning district, the land area in any portion of the FOD shall be included as part of the land area for such calculations.

4-1511 Variations.

- (A) **Authority.** Pursuant to Code of Federal Regulations 44CFR60.6, the Board of Supervisors may approve a variation of the standards of Sections 4-1509(A), (B), and (C) for any proposed development within the FOD (Major Floodplain) in the instances as set forth below. Requests for approval of a variation of the standards of Sections 4-1509(A), (B), and (C) shall be made in accordance with the procedures for a Minor Special Exception application as set forth in Section 6-1300, except that the issues

for consideration shall be as set forth in Section 4-1511(B). No variation shall be approved for any proposed development within the FOD (Major Floodplain) that will cause any increase in the base flood elevation of the FOD (Major Floodplain).

- (1) New construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood elevation provided that such new construction or substantial improvement is protected by methods that minimize flood damages during the base flood and creates no additional threats to public safety.
- (2) Repair or rehabilitation of historic structures provided that such repair or rehabilitation shall not preclude the structure's continued designation as a historic structure and the variation is the minimum necessary to preserve the historic character and design of the structure.

(B) **Application for a Variation of the Standards of Sections 4-1509(A), (B), and (C).** Any person owning property, or having a possessory or contract interest in property and the consent of the owner, may file an application for variation of the standards of Sections 4-1509(A), (B), and (C) in regard to such property with the Floodplain Administrator. The application shall contain the following information and such additional information as required by Section 6-403:

- (1) The particular standards of Sections 4-1509(A), (B), and (C) that prevent the proposed construction on, or use of, the property.
- (2) The existing zoning of the property, including any previously approved modifications, conditions, or proffers.
- (3) The special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the standards of Sections 4-1509(A), (B), and (C).
- (4) The particular hardship that would result if the specified standards of Sections 4-1509(A), (B), and (C) were to be applied to the property.
- (5) The extent to which it would be necessary to vary the standards of Sections 4-1509(A), (B), and (C) in order to permit the proposed construction on, or use of, the property.
- (6) An explanation of how the requested variation conforms to each of the applicable standards set out in Section 4-1511(D).

(C) **Issues for Consideration.** In considering an application for a variation of the standards of Sections 4-1509(A), (B), and (C), the following factors shall be given reasonable consideration:

- (1) The danger to life and property due to increased flood heights or velocities caused by encroachments.
- (2) The danger that materials may be swept on to other lands or downstream to the injury of others.
- (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
- (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
- (5) The importance of the services provided by the proposed facility to the community.
- (6) The requirements of the facility for a waterfront location.
- (7) The availability of alternative locations not subject to flooding for the proposed use.
- (8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- (9) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- (10) The safety of access by ordinary and emergency vehicles to the property in time of flood.
- (11) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
- (12) The historic nature of a structure.
- (13) Such other factors which are relevant to the purposes of this ordinance.

(D) **Decision on Application for Variation of the Standards of Sections 4-1509(A), (B), and (C).** No such variation of the standards of Sections 4-1509(A), (B), and (C) shall be approved by the Board of Supervisors unless all of the following findings are made:

- (1) The applicant has demonstrated good and sufficient cause.
- (2) Failure to grant the variation of the standards of Sections 4-1509(A), (B), and (C) would result in exceptional hardship to the applicant.
- (3) Granting of such variation of the standards of Sections 4-1509(A), (B), and (C) will not result in:

- (a) any increase in base flood elevation of the FOD (Major Floodplain);
 - (b) additional threats to public safety;
 - (c) extraordinary public expense;
 - (d) the creation of nuisances;
 - (e) fraud or victimization of the public; or
 - (f) conflicts with other local laws or ordinances.
- (4) The variation of the standards of Sections 4-1509(A), (B), and (C) is the minimum required to provide relief.
- (E) **Notice of Approval.** Upon approval of a variation of the standards of Sections 4-1509(A), (B), and (C), the Floodplain Administrator shall notify the applicant of such approval, in writing, and that development in accordance with the approved variation may increase the risks to life and property and may result in increased premium rates for flood insurance.

4-1601

Purpose and Intent. These provisions are created to regulate land use and development on the mountainsides of the County, in such a manner as to provide for low density residential development in remote areas and to: (1) assure mountainside development will not result in substantial damage to significant natural resource areas, wildlife habitats or native vegetation areas; (2) assure that mountainside development is compatible with the slope of the land; (3) assure proper design is utilized in grading and in the development of structures, roadways and drainage improvements; (4) assure mountainside conditions are properly identified and incorporated into the planning process for subdivision and site development; (5) prevent erosion and minimize clearing and grading; (6) ensure that all development is compatible with the existing topography and soils conditions; and (7) implement the intent of the Comprehensive Plan.

4-1602**Mountainside Development Overlay District Established.**

- (A) The Mountainside Development Overlay District is hereby established as an overlay district, meaning that this district is overlaid upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such use is also permitted in the overlay district.
- (B) Mountainsides will be defined by the presence of certain natural features such as elevation, forests, steep slopes, unstable soils, and groundwater recharge areas that are commonly associated with these areas.
- (C) The limits of this district shall be shown on the Loudoun County Mountainside Protection Area Map, which is adopted as a part of this Ordinance. The Zoning Administrator is charged with making necessary cartographic interpretations of that map with recommendation and referral from the County Soil Scientist.
- (D) The following categories of mountainside area are established within the Mountainside Development Overlay District as shown on the Mountainside Protection Area Map:
 - (1) **Somewhat Sensitive Areas.** Areas with potentially slight or limited environmental and/or public safety impacts from development.
 - (2) **Sensitive Areas.** Areas with moderate environmental and/or public safety impacts from development.
 - (3) **Highly Sensitive Areas.** Areas with potentially severe environmental and/or public safety impacts from development.

4-1603**Uses in the Mountainside Development Overlay District.**

- (A) **Permitted Uses.** All uses and structures permitted by right in the underlying zoning district are permitted subject to the performance standards listed in Section 4-1604, except that permitted uses involving

land disturbing activity in highly sensitive areas shall meet the criteria of Section 4-1605 and shall require special exception approval granted in accordance Section 6-1300 of this ordinance prior to issuance of a zoning permit.

- (B) **Special Exception Uses.** All uses and structures permitted by special exception in the underlying zoning district may be permitted subject to the performance standards listed in Section 4-1604, except that special exception uses involving land disturbing activity in highly sensitive areas shall meet the criteria set forth in Section 4-1605 and shall require special exception approval granted in accordance with Section 6-1300 of this ordinance prior to issuance of a zoning permit.
- (C) **Exemptions.** Agricultural, horticultural, forestry, or silvicultural uses are exempt from the application of the performance standards in Sections 4-1604 and 4-1605 except that, (1) agricultural operations shall be conducted only in conformance with a Farm Management Plan approved by the Loudoun County Soil and Water Conservation District, and (2) timber harvesting shall be conducted only in conformance with a plan approved by the Virginia Division of Forestry. Furthermore, any addition to a single family detached dwelling which existed within a highly sensitive area prior to October 4, 1995 shall be permitted by right, subject to the criteria in Sections 4-1604 and 4-1605, and provided that such addition does not increase the total floor area of the dwelling, as existed on October 4, 1995, by more than fifty percent (50%).
- (D) The uses described in and subject to Article I Section 1-404(B)(2) are exempted from the special exception requirements, subject to obtaining an approved "Location Clearance Permit" from the Zoning Administrator or his/her designee, accompanied by as much information as the Zoning Administrator deems pertinent and such additional information as the Zoning Administrator may require to approve such "Location Clearance Permit."

4-1604

Performance Standards in Somewhat Sensitive and Sensitive Areas. All uses and structures permitted by right or special exception in Somewhat Sensitive and Sensitive Areas of the Mountainside Development Overlay District, shall comply with the following standards:

- (A) In somewhat sensitive areas, land disturbing activities exclusive of house, driveway, drainfield and wells shall be permitted subject to the following:
 - (1) Selective clearing, to the extent necessary to locate the use, of up to fifty percent (50%) of forestal areas on existing slopes less than fifteen percent (15%).
 - (2) Selective clearing, to the extent necessary to locate the use, of up to 25 percent of forestal areas on existing slopes of fifteen (15) to 25 percent.

- (3) No clearing of existing slopes greater than 25 percent except the minimum necessary to locate the use.
 - (4) The limits of land disturbing activities shall be reduced by fifty percent (50%) in the following soil conditions associated with major groundwater recharge areas: soil mapping units 27, 48, 50, 52, 54, 55 and 89.
- (B) On lots in sensitive areas containing ten (10) acres or less, no more than one (1) acre of land disturbing activity shall be permitted, exclusive of house, driveway, drainfield and well. On lots containing more than ten (10) acres, land disturbing activities shall not exceed ten percent (10%) of the lot exclusive of house, driveway, drainfield and well. In addition to the above area constraints, in areas where the existing slope is over fifteen percent (15%), land disturbing activity limits shall be reduced by fifty percent (50%) and shall be permitted only after the applicant has demonstrated that no suitable alternative locations exist on areas with existing slopes less than fifteen percent (15%). In all such cases, a grading plan shall be submitted to demonstrate methods of minimizing the extent of erosion.
 - (C) No land disturbing activity shall be permitted on soil mapping units 59 or 88 except for access roads and drives when no alternatives exist.
 - (D) Prior to any land disturbing activity on existing slopes of 25 percent or more, or in soil mapping units 27, 59, 88 or 89, the applicant shall provide a Type I Preliminary Soils Review concurrent with zoning permit application. The review shall follow the procedures found in The Loudoun County Facilities Standards Manual.
 - (E) No land disturbing activities shall be permitted within 100 feet of springs.
 - (F) Prior to any land disturbing activity, the applicant shall provide a sketch plan which shows how the disturbed area will be restored; including existing and proposed slope contour and ground cover.

4-1605

Performance Standards in Highly Sensitive Areas. Land disturbing activity in Highly Sensitive Areas of the Mountainside Development Overlay District shall comply with the following criteria in addition to the standards set forth in Section 4-1604. Where there is a conflict between these sections, the more restrictive standard shall apply.

- (A) Roads, drives, and dwellings shall not be placed on existing slopes greater than 25% or placed in Soil Mapping Unit 59 without a geotechnical study approved by the Department of Building and Development.
- (B) The centerline grade of private roads and drives shall not exceed 16%. Under drainage and culvert design shall conform to the requirements of the Loudoun County Facilities Standards Manual.

- (C) Land disturbing activities, exclusive of utility easements, such as clearing and grading shall be minimized, but shall be allowed as necessary for building sites and related improvements, not to exceed one (1) acre, exclusive of house, driveway, drainfield and well, and existing cleared areas and shall require a grading permit. Special exception conditions limiting clearing may include, but are not limited to:
 - (1) Selective clearing up to a maximum 50% of existing forest areas on existing 0-15% slopes.
 - (2) Selective clearing up to a maximum 25% of existing forest areas on existing 15-25% slopes; and
 - (3) Minimal clearing for roads and drives on existing slopes of greater than 25%.
- (D) Standards and criteria set out in Sections 4-1605(A), (B), and (C) may be modified by Special Exception procedures set forth in Section 6-1300 provided that the application satisfies the public purpose of those standards and criteria to an equivalent degree.
- (E) Where a site is to be served by groundwater, a proven supply approved by the County Health Department shall be provided as follows:
 - (1) **Existing lots.** Prior to issuance of a zoning permit.
 - (2) **Lots created after the effective date of this Ordinance.** Prior to approval of a record plat.
- (F) Such other standards which are relevant, including Section 6-1310 Issues for Consideration and Section 1-102, Purposes of Zoning.

4-1606

Procedures.

- (A) **Permitted Uses.** Application for approval of a location clearance permit shall be made to the Department of Environmental Resources prior to or concurrent with the initial submission for approval of a zoning permit, subdivision, or site plan application.
 - (1) **Single Family Dwellings on Existing Lots.** Application for approval of a location clearance permit shall be made concurrent with the initial submission for approval of a Zoning Permit. No Zoning Permit shall be issued unless the location clearance permit has been approved.
 - (2) **Additions to Existing Single Family Dwellings.** Application for approval of additions to single family dwellings, existing as of October 4, 1995 within highly sensitive areas, shall apply for approval of a location clearance permit concurrent with the initial submission for approval of a Zoning Permit. No Zoning Permit shall be issued unless a locational clearance, confirming

compliance with the standards in Section 4-1604 and 4-1605, has been approved.

- (3) **Preliminary Subdivision Plans and Preliminary Site Plans.** An application for preliminary subdivision or preliminary site plan within the MDOD shall clearly identify the portion of the site within the MDOD and the location of springs, steep slopes, moderately steep slopes, somewhat sensitive, sensitive and highly sensitive areas, soil mapping units 27, 59, & 88, forest cover, along with the existing and proposed building sites, roads, driveways, drainfields, wells, and limits of clearing and grading. A note should be placed on that plan that also identifies the acreage of land proposed to be disturbed by clearing and grading on each proposed lot. The preliminary subdivision or site plan shall be approved only if the County determines that the preliminary plan is in compliance with the performance standards listed in Section 4-1604 of this ordinance.
- (B) **Special Exceptions.** Application for special exceptions shall be submitted prior to or concurrently with the initial submission for approval of a subdivision or site plan proposing land disturbing activity in a Highly Sensitive Area. If the proposed use or structure does not require the subdivision of land or the approval of a site plan, but involves land disturbing activity in a Highly Sensitive Area, a special exception must be applied for separately. Applicable permits shall not be issued until approval of a special exception application. Special exception applications shall be made and processed in accordance with the provisions of Section 6-1300 of this ordinance.

In addition to the requirements for a special exception application established in Section 6-1300 of this ordinance, the following information must be submitted:

- (1) Existing conditions map, prepared at a scale of 1 inch = 200 feet and including planimetric detail with 5 foot contour intervals. This map shall include the location of existing wells, drainfields, and springs within 100 feet of the property boundary to the extent available from existing records.
- (2) Concept plan of proposed development including proposed roads, lot lines, buildings, wells, drainfield location, and limits of clearing, grading or other land disturbing activity.
- (3) Soil map approved by the Department of Environmental Resources.
- (4) Removed pursuant to ZOAM 1993-0002.

Section 4-1800 QN - Quarry Notification Overlay District.

4-1801 Purpose. This district is established to acknowledge the unique land use impact of a quarry on neighboring land uses and the need to notify the owners of the presence of a neighboring quarry.

4-1802 District Boundaries. The Quarry Notification (QN) Overlay District boundaries shall be based on the presence of quarrying operations at any location in the County. The district shall include all parcels within 3,000 (three thousand) feet of any property approved for quarrying operations regardless of whether or not blasting operations occur on such property.

4-1803 Overlay District Established. The Quarry Notification (QN) Overlay District is hereby established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the Quarry Notification (QN) Overlay District may be used as permitted in the underlying district, subject to the additional regulations of this district.

4-1804 Use Limitations. In addition to the use limitations and regulations for the zoning district over which a Quarry Notification (QN) Overlay District is located, the following use limitation shall apply:

Full Disclosure Statement. For all residential and/or non-residential structures constructed within the Quarry Notification (QN) Overlay District, the owner shall disclose in writing to all prospective purchasers that they are located within an area that may be impacted by quarry operations and blasting. Such notification will be accomplished by inclusion of this information in all sales contracts, brochures and promotional documents, including the *Illustrative Site Plan(s)* on display within any sales related office(s), as well as in homeowner association documents, and displayed on all subdivision and site plans, and within all *Deeds of Conveyance*.

Section 4-1900

Limestone Overlay District

4-1901

Purpose and Intent. The County seeks to preserve and protect the unique geologic characteristics and the quality of the groundwater in its limestone area. A large area just east of the Catocin Mountain range in the Rural Policy Area of Loudoun County is comprised of limestone and “Karst terrain” areas. The limestone geology of carbonate deposits in Karst terrain areas is dissolved over time by mildly acidic precipitation, creating fissures. The deposits are highly permeable, allowing surface water to pass through quickly to underlying aquifers and groundwater, and possibly to reappear elsewhere as springs. The terrain is also characterized by the presence of certain natural features, such as sinkholes and rock outcrops. Thus development on Karst terrain has a direct correlation to the potential for ground surface collapse and the susceptibility of groundwater and surface water pollution, and spring contamination, posing serious risks to public health, safety and welfare. The limestone cannot environmentally support land development activity without performance standards and monitoring. Therefore, the provisions of this Section 4-1900 are intended to regulate land use and development in areas underlain by limestone and in areas with Karst features and Karst terrain in such a manner as to:

- (A) Protect the health, safety and welfare of the public;
- (B) Protect groundwater and surface water resources from contamination; and
- (C) Reduce potential for property damage resulting from subsidence or other earth movement.

4-1902

Authority. Authority for these provisions includes:

- (A) Chapter 11, Title 15.2, Code of Virginia (Planning, Subdivision of Land and Zoning).
- (B) Soil and Water Conservation, Va. Code Sections Title 10.1, Chapter 5.
- (C) Environmental Quality law, Va. Code Title 10.1, Chapter 11.1.
- (D) Erosion and Sediment Control law, Va. Code Section 10.1-560 *et seq.*
- (E) Uniform Statewide Building Code and International Building Code Chapter 18.

4-1903

Applicability and Exemptions.

- (A) **Applicability – Land Area Included in the LOD.** This Section 4-1900 shall apply to all land included in the Limestone Overlay District (LOD), as shown on the official Limestone Overlay District Map (“LOD Map”), which, with all explanatory matter thereon, is hereby incorporated by reference. The LOD is established as an overlay district, meaning that this district is overlaid upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent that such use is also permitted in the overlay district. Pursuant to Section 6-407, the Zoning Administrator is charged with making

necessary cartographic interpretations of the LOD Map with recommendation and referral from the County Soil Scientist.

- (B) **Applicability – Covered Activities.** This Section shall apply to all land development applications, including all Zoning Map Amendments, Special Exception applications and Commission Permit applications, as well as all land disturbing activities, including non-agricultural rural economy uses, new single-family development, preliminary subdivisions, family subdivisions, preliminary/record subdivisions, site plans, grading permits, construction plans and profiles, and zoning/building permits that involve land disturbing activities, that occur within the LOD.
- (C) **Exemptions.** The following land disturbing activities shall be allowed within the LOD, subject to the specific limits set forth below:
 - (1) **Agricultural Operations.** This section shall not apply to agricultural, horticultural, or animal husbandry operations located in the LOD that are covered by, and conducted in conformance with, a Conservation Farm Management Plan, that includes best management practices, approved by the Loudoun County Soil and Water Conservation District or the U.S. Natural Resources and Conservation Service, and a Nutrient Management Plan approved by the Loudoun County Soil and Water Conservation District. Structures associated with agricultural operations are not exempt from these provisions. For purposes of this Section 4-1900, the term “structure” shall include, but not be limited to, all buildings, water/dam embankments, retaining walls, field/ tile drainage, road construction and cut or fill operations.
 - (2) **Forestry and Silviculture.** This section shall not apply to Forestry and Silviculture conducted in conformance with a Forest Management Plan that is prepared by the Virginia Department of Forestry, or a professional forester with, at a minimum, a Bachelor of Science degree from and accredited School of Forestry, in accord with requirements in the Facilities Standards Manual and approved by the County Urban Forester.
 - (3) **Gardens.** Gardens shall be exempt from the provisions of this Section 4-1900 provided that no cutting, filling, or berming is required to create such garden.
 - (4) **Existing Structures within LOD.** Except as provided herein expansion, alteration, or reconstruction of legally existing buildings, structures, and impervious surface areas existing on February 17, 2010 shall be exempt from the provisions of Section 4-1900, provided that such alteration does not increase the total footprint of a building or structure, or increase the total amount of impervious surface areas (exclusive of existing buildings and structures), as it existed on February 17, 2010, by more than twenty-five percent (25%) or 2,000 square feet, whichever is greater, and provided further that any such expansion does not

encroach into a Karst/Sensitive Environmental Feature Setback. If the existing building, structure, or impervious surface is located within a Karst/Sensitive Environmental Feature Setback, then such expansion shall not get closer to the Karst/Sensitive Environmental Feature than the closest point of the existing structure, as it existed on February 17, 2010. However, if expansion away from a Karst/Sensitive Environmental Feature is not feasible, then such expansion may get closer to the Karst/Sensitive Environmental Feature if such expansion conforms to the provisions of Section 4-1906(A)(2)(a). Expansion or alteration of legally existing buildings, structures or impervious surfaces pursuant to this section shall require locational clearance approved by the County Department of Building and Development, as set forth in Section 4-1904(A)(2). Reconstruction of a structure pursuant to this section, in the exact location it occupied on February 17, 2010 shall not require a locational clearance.

- (5) **Paving of Existing Driveways.** The paving of driveways existing on February 17, 2010 shall be exempt from the requirements of this Section 4-1900 except that any proposed paving shall require locational clearance approved by the Department of Building and Development, as set forth in Section 4-1904(A)(2).
- (6) **Structures or Land Disturbance of 720 Square Feet or Less.** Any land disturbing activities or structures involving the disturbance of 720 square feet or less of land shall be exempt from the provisions of this Section 4-1900, except:
 - (a) No such disturbance shall be permitted within 20 feet of a Karst/Sensitive Environmental Feature; and
 - (b) No structures, even if 720 square feet or less, shall be permitted within the Karst/Sensitive Environmental Feature Setback; and
 - (c) This exemption shall not apply to swimming pools, principal dwellings, accessory dwellings, or to structures or land disturbing activities whose purpose is to change water flow; and
 - (d) This exemption shall not apply to wells, except in cases involving the replacement of a dry well serving an existing inhabited structure.

4-1904 Review Procedures.

(A) Administrative Applications

- (1) All land disturbing activities, including non-agricultural rural economy uses, new single-family development, preliminary subdivisions, family subdivisions, preliminary/record

subdivisions, site plans, grading permits, and construction plans and profiles in the LOD shall be governed by procedures in Chapter 8 of the Facilities Standards Manual (FSM). In addition, each such application shall include proposed roads, lot lines, buildings, wells, drainfield locations and limits of clearing and grading and other land disturbing activities.

- (2) All zoning/building permits within the LOD shall require that an applicant obtain a locational clearance from the County Department of Building and Development. The applicant shall submit a map, plan, or plat showing the location and extent of land disturbing activities and mitigation measures, and shall include the proposed building sites, paved areas, drainfields, well locations, and other uses.

(B) **Legislative Applications.** All applications for Zoning Map Amendments, Special Exceptions and Commission Permits shall be required to submit, in addition to the material required under the provisions of Article 6 of this Ordinance for each respective application type, the following material:

- (1) Existing Conditions Map, prepared at a scale of 1 inch = 200 feet and including planimetric detail with, at a minimum, five foot contour intervals. This map shall include the location of existing wells, drainfields, fill sites, faults (as shown on United States Geologic Survey Maps), and Karst/Sensitive Environmental Features within 100 feet of the property boundary. For purposes of identifying fill sites on the Existing Conditions Map, the applicant shall include areas of fill identified on the County's G.I.S. database, identified in the Preliminary Soils Report and/or identified in a Geophysical or Geotechnical Study.
- (2) Concept Plan of proposed development including proposed roads, lot lines, buildings, wells, drainfield locations, Karst/Sensitive Environmental Features, Karst/Sensitive Environmental Feature Setbacks, and other areas of non-disturbance.
- (3) Preliminary Soils Review in accordance with Chapter 6 of the FSM.

4-1905

Establishment of Karst/Sensitive Environmental Features

(A) **Karst/Sensitive Environmental Features Associated with Limestone Bedrock.** For all land development applications and land disturbing activities, as specified in Section 4-1903(B), involving properties subject to LOD, as identified on the LOD Map, the applicant shall submit a Geophysical Study, pursuant to the requirements of Chapter 6 of the FSM. The Geophysical Study shall identify the following Karst/Sensitive Environmental Features associated with limestone bedrock:

- (1) Sinkholes, Swallets, or Closed depressions;

- (2) Rock Outcrops;
- (3) Underground Solution Channels within 45 feet of the surface;
- (4) Cave Openings;
- (5) Springs; and
- (6) Perennial Sinking Streams;

A Geotechnical Report shall also be required to verify any of the above conditions whenever recommended by the Geophysical Study.

(B) **Karst/Sensitive Environmental Feature Setback.** For each Karst/Sensitive Environmental Feature within the LOD including, without limitation, those identified in any required Geophysical Study, or any Preliminary Soils Review as required by the Facilities Standards Manual, a setback shall be established from the outermost edge of each such feature. All such features must be identified on the land development application and must have a minimum setback of fifty (50) feet, except for the following:

- (1) One hundred (100) feet minimum from the rim of any Sinkhole, Swallet or Closed Depression; and
- (2) One hundred (100) feet minimum from any Cave Opening.
- (3) Springs. Land disturbing activities, development, and impervious surface coverage are prohibited within 1) one hundred (100) feet from a spring, measured from the first emergence of the spring or 2) two hundred (200) feet when the first emergence of the spring is on a slope greater than 15% and is downslope from the land disturbing activities, development or impervious surface coverage.
- (4) Perennial Sinking Streams. One hundred (100) feet minimum setback from any perennial sinking stream, as measured along the slope of the ground from the channel scar.
- (5) The setback from rock outcrops for wells shall be ten (10) feet

The setback shall be reduced, by up to 50%, based on the conclusions of the Geophysical Study, if the Geophysical Study concludes that the risks of collapse and groundwater contamination are non-existent or insignificant for the proposed location and use. However, no such reduction shall be approved for any perennial sinking stream, nor for any spring, nor for any sinkhole, swallet, closed depression, or cave opening that receives either a perennial or intermittent sinking stream. In addition, no such reduction shall be allowed in the required setback from rock outcrops for wells.

(A) Uses and Activities within Karst/Sensitive Environmental Feature Setback.

- (1) Land disturbing activities, development, and impervious surface coverage are prohibited within Karst/Sensitive Environmental Feature Setbacks except for the following:
 - (a) Fences that do not obstruct surface water flow;
 - (b) Trails and other passive recreation facilities, excluding buildings, for pedestrian, bike or other non-motorized use, provided that such facility is designed with permeable materials and is located a minimum of 25 feet from the edge of each Karst/Sensitive Environmental Feature; and
 - (c) Restoration and vegetation.
- (2) Residential structures shall be located outside Karst/Sensitive Environmental Feature Setbacks (as set forth in Section 4-1905(B) or as may be reduced pursuant to the provisions of that section), except as follows:
 - (a) On any lot existing on February 17, 2010, where there is no feasible development site available outside of the Karst/Sensitive Environmental Feature Setback, a principal residential structure, and/or a drainfield for such principal residential structure, if otherwise permitted under this ordinance, may be permitted if, prior to the issuance of a zoning permit, the owner shall provide, or comply with, as applicable, the following:
 - (i) Provide a Geophysical Study for the proposed structure and/or drainfield, ;
 - (ii) Comply with any recommendations of the Geophysical Study; and
 - (iii) Such structure and/or drainfield, shall be sited on the lot so as to be located as far from the Karst/Sensitive Environmental Feature as is feasible.
 - (iv) Development on such lot shall not be allowed if the Geophysical Study shows subsidence poses a serious risk to public health or safety or to the safety of residents or users of the proposed development unless the design of the proposed development is certified, both structurally and geotechnically, by a professional engineer.

- (b) No structures for uses other than a principal residential structure permitted under subsection (a), above (i.e. no accessory structures) shall be permitted to locate within the Karst/Sensitive Environmental Feature Setback.
- (B) **Uses and Activities in the Limestone Overlay District, Outside Karst/Sensitive Environmental Feature Setback.** Except as provided in Section 4-1906(E) all uses and structures permitted by right in the underlying zoning district are permitted within the Limestone Overlay District outside of the Karst/Sensitive Environmental Feature Setback, subject to standards and mitigation measures required pursuant to this section of the Zoning Ordinance.
- (C) **Special Exception Uses.** Except as provided in Section 4-1906(E), all uses and structures permitted by special exception in the underlying zoning district may be permitted subject to the procedures and criteria stated in Section 6-1300, "Special Exception" of the Zoning Ordinance, Section 4-1904(B), above, and to conditions identified in such special exception and to any mitigation measures required according to Section 4-1908, below.
- (D) **Creation of New Lots.** Prior to approval of any building lot created after February 17, 2010 it shall be demonstrated that there is a sufficient area (to include sewage disposal and well sites, where applicable, unless an approved sewage disposal site exists which is subject to Section 1066.17 of the Loudoun County Codified Ordinances and/or an approved well site exists which is subject to Section 1040.19 of the Loudoun County Codified Ordinances) outside of the Karst/Sensitive Environmental Feature Setbacks, identified in Section 4-1905(B), for the intended use.
- (E) **Prohibition of Specific Pollution Sources.** The following uses shall be prohibited within the LOD:
 - (1) Facilities or uses that generate or manufacture hazardous substances;
 - (2) Storage of hazardous substances in an aggregate amount greater than 55 gallons (or the dry weight equivalent) on site at any one time, excluding heating oil or gasoline within above ground storage tanks;
 - (3) Automobile Service Stations;
 - (4) Gas Pumps accessory to Convenience Food Store;
 - (5) Motor Vehicle service and repair;
 - (6) Underground Storage Tanks, except for propane tanks and water cisterns shown on an approved Geophysical Study;
 - (7) Landfills and waste sites.

Development Standards for the LOD. Unless otherwise exempt by Section 4-1903(C) above, all uses permitted by right or special exception and all land disturbing activities in the LOD shall adhere to the following development standards:

- (A) **Structures in Potential Subsidence Areas.** No structure shall be built in an area where a Geophysical Study indicates that potential subsidence may occur that would cause property damage, physical injury or harm to the public or future residents unless there are no alternative locations within a given lot of record, and a subsequent Geotechnical Report indicates that such potential harm can be mitigated. In such cases the structures must be constructed in accord with the mitigation techniques recommended by the Geotechnical Report.
- (B) **Site Grading.** A grading permit is required for all land disturbing activities. Site grading, including any fill or berm placement, shall maintain natural drainage patterns. Berms and filling operations shall require a Geophysical Study.

If no other alternative exists than to impact natural drainage patterns, then drainage shall be designed to avoid damage to Karst/Sensitive Environmental Features as identified in the required Geophysical Study, and in any subsequently required Geotechnical Report, by mimicking pre-development volumes.

- (C) **Surface Water Run-Off.**
 - (1) Non-point source pollution load of surface runoff from land disturbing activity, that is naturally conveyed to a Sinkhole, Swallet, Closed Depression, or Cave Opening shall meet the stormwater quantity and quality standards specified in Chapter 5 of the Facilities Standards Manual. In addition, the runoff shall travel over vegetative filters or other filtration measures, as established in the Virginia Stormwater Management Handbook, prior to entering such features.
 - (2) Surface water runoff shall not be redirected or concentrated to enter a Sinkhole, Swallet, Closed Depression or Cave Opening.
 - (3) Post-development flow to a Sinkhole, Swallet, Closed Depression, or Cave Opening that receives a Sinking Stream shall be the same as pre-development flow.
- (D) **Limits of Disturbance and Revegetation.** Disturbed areas shall be limited to what is necessary to locate the use, and any disturbed areas that are not covered by paving, stone, or other solid materials shall be revegetated.
- (E) **Wells.** Wells shall be installed in accordance with the provisions of Chapter 1040 of the Loudoun County Codified Ordinance, the Virginia Department of Health Private Well Regulations and the Virginia

Department of Health Waterworks Regulations and Chapter 6 of the Facilities Standards Manual, relating to “Subdivisions with Communal Water Systems”. Communal Water Supply Systems shall be required for all subdivisions of fifteen (15) or more lots approved after [action date], except for subdivisions in which each lot of the subdivision contains ten (10) or more acres of land.

- (F) **On-Site Sewage Disposal Systems.** On-site sewage disposal systems, as defined in the Land Subdivision Development Ordinance, are allowed in the LOD for individual lots and subdivisions with fewer than fifteen (15) lots, and for subdivisions in which each lot of the subdivision contains ten (10) or more acres of land. Sewage disposal systems shall be subject to the review processes and requirements in the LSDO (Section 1245.10) and shall comply with requirements of the Virginia Department of Health – Division of Sewage and Water Services, and the Loudoun County Health Department.
- (G) **Communal Wastewater Systems.** Proposed subdivisions containing fifteen (15) or more lots shall be served by communal wastewater systems, unless the applicant demonstrates to the County that other types of systems are available that will achieve and maintain the same or superior treatment results. Additionally, subdivisions in which each lot of the subdivision contains ten (10) or more acres of land shall be exempt from this requirement. The County shall allow communal wastewater systems in the LOD subject to the following standards:
 - (1) Where sufficient area exists on the portion of the property outside of the Karst/Sensitive Environmental Feature Setback to accommodate a proposed communal wastewater disposal system, then such system shall be located outside of the Karst/Sensitive Environmental Feature Setback; or
 - (2) Where insufficient buildable land area exists outside of the Karst/Sensitive Environmental Feature Setback as much of the proposed communal wastewater disposal system shall be sited outside the Karst/Sensitive Environmental Feature Setback as possible and the applicant shall demonstrate through a Geophysical Report and Detailed Soils Site Investigation Report acceptable to the County that the communal wastewater disposal system will prevent a change in the levels of pre-development run-off within the Karst/Sensitive Environmental Setback area, enhance filtration, and will not have an adverse environmental impact on underlying aquifers and groundwater. In addition, the applicant shall provide a plan for regular operation and maintenance.
 - (3) All Communal Wastewater Systems shall be capable of producing secondary effluent, or better, as identified in the Sewage Handling and Disposal Regulations of Virginia.

- (H) **Golf Course Use.** Any golf course use within the LOD shall adhere to a Water Management Plan approved by the County Department of Building and Development and a nutrient management plan approved by the Loudoun County Soil and Water Conservation District and the County Department of Building and Development.
- (I) **Stormwater Management Facilities and Best Management Practice Facilities (BMPs).**
 - (1) Stormwater management ponds and BMP facilities shall not be located within Karst/Sensitive Environmental Feature Setbacks.
 - (2) Stormwater management ponds, and BMPs constructed within the LOD shall require a Geophysical Study, and all stormwater management ponds, sediment traps, and sediment basins shall be lined with impervious materials to prevent groundwater pollution, in accordance with Chapter 5 of the Facilities Standards Manual
- (J) **Irrigation Systems.** Irrigation systems shall be prohibited unless the water for such system is supplied from a source that is not dependent on groundwater, such as, but not limited to, cisterns and stormwater management ponds. Communal water systems that obtain water through communal wells are not an acceptable source for irrigation systems.
- (K) **Explosives and Blasting.** Blasting within LOD shall require conformance to Section 6.157 of the FSM
- (L) **Notice to Property Owners.** Notes containing the following or similar language shall be placed in all deeds of conveyance, and on all record subdivision plats and site plans for land in the LOD:
 - (1) “In addition to the requirements of the underlying zoning district this property is also subject to the restrictions, standards and criteria of the Limestone Overlay Zoning District. Please contact the County Zoning Office for more information.”
 - (2) “Maintenance of sewage disposal systems must be done in accordance with all State and County requirements in order to help prevent potential groundwater contamination.”

4-1908

Mitigation Measures for the LOD. In addition to compliance with the development standards in Section 4-1907, land disturbing activities shall employ measures necessary to mitigate any potential adverse impacts to the County’s subsurface water resources or Karst/Sensitive Environmental Features associated with limestone bedrock, as identified in the required Geophysical Study as set forth in Section 4-1905(A), and any subsequently required Geotechnical Report, or in any other study required by the Zoning Ordinance, Land Subdivision Development Ordinance or Facilities Standards Manual.

- (A) **General.** Mitigation measures shall be directly related to proposed land disturbing activities and its potential adverse impact on the County’s water

resources or Karst/Sensitive Environmental Features associated with limestone bedrock identified on the subject property

- (B) **Mitigation Measures.** If mitigation measures are recommended by a study required by the Zoning Ordinance, Land Subdivision and Development Ordinance or Facilities Standards Manual, in order to protect against ground surface collapse, surface or groundwater pollution, and/or spring contamination, the County shall require such measures to mitigate the identified adverse impacts. Such measures may include, but shall not be limited to, the following list. This provision shall not be construed to limit the County's ability to impose mitigating conditions in its review of special exception applications, nor its ability to accept mitigating proffers in its review of zoning map amendment applications:
- (1) **Ineligibility for Density Increases.** The applicant may not be eligible for density increases otherwise permitted under the clustering provisions of this Ordinance.
 - (2) **Use of a Cluster Subdivision.** Where not otherwise required by this Ordinance, the County may require cluster development.
 - (3) **Landscaping and Reductions in Impervious Surface Coverage.** The County may require:
 - (a) Reductions in the maximum impervious surface coverage allowed;
 - (b) Reductions in the area devoted to landscaped lawns, and;
 - (c) Use of xeriscape (i.e., use of native plant materials and landscape materials that have lower water and nutrient requirements).
 - (4) **Storage Tank Testing and Containment.** The County may require leak testing and secondary containment for above ground storage tanks other than propane or water tanks.
 - (5) **Conservation of Indigenous Vegetation.** The County may require retention of indigenous vegetation to the maximum extent feasible, and in accordance with Tree Conservation Standards in Chapter 7 of the Facilities Standards Manual.
 - (6) **Groundwater Protection.** The County may require the applicant to establish a regular system of groundwater monitoring by a qualified professional for the proposed development and such other measures as may be recommended by other County Ordinances.
 - (7) **Prohibition of Additional Specific Pollution Sources.** The County may prohibit specific pollution sources, as defined in Chapter 5 of the Facilities Standards Manual as "stormwater hotspots", and other uses and activities with high risk of releasing

pollutants, if the applicant does not propose effective mitigation measures acceptable to the County, provide evidence that pollution sources will be monitored, and that facility design standards will be followed.

Section 4-2100

Village Conservation Overlay District.

4-2101 Purpose. The overlay is established to recognize the development patterns existing in traditional villages, considered to be valuable heritage resources, and to encourage the retention and reinforcement of the pattern, character and visual identity of the individual village.

4-2102 District Boundaries. The Village Conservation Overlay District boundaries shall be as established on the adopted zoning map and affect the following villages set forth below.

(A) Traditional Villages.

- (1) Aldie
- (2) Aldie Mountain
- (3) Ashburn
- (4) Bluemont
- (5) Lincoln
- (6) Loudoun Heights
- (7) Lucketts
- (8) Neersville
- (9) Paeonian Springs
- (10) Philomont
- (11) St. Louis
- (12) Taylorstown
- (13) Waterford

(B) Expansion of Village Conservation Overlay District Boundaries. Expansion of the Village Conservation Overlay District shall only be permitted for those areas designated for traditional village on the adopted Comprehensive Plan.

4-2103 Overlay District Established. The Village Conservation Overlay District is hereby established as an overlay district, meaning that it is a district overlaid upon other districts. Land within the Village Conservation Overlay District may be used as permitted in the underlying district, subject to the additional neighborhood development standards of this district.

4-2104 Additional Neighborhood Development Standards. Where the following requirements conflict with other provisions of this Ordinance, then the following requirements of this Section shall apply:

(A) **Contextual Compatibility Development Standards.**

- (1) **Average Front Yard.** Adjacent buildings shall have front yard distances that maintain visual continuity of the streetscape. Buildings shall have front yards consistent with the front yard of principal buildings on the same side of the street within 150 feet of both sides of the parcel or parcels being developed.
- (2) **Building Height.** Proposed buildings shall have a building height no greater than 50% higher than the highest building on the same side of the street within 150 feet of both sides of the parcel or parcels being developed, not to exceed the maximum building height permitted in the underlying zoning district. Notwithstanding the foregoing, accessory buildings within 150 feet shall not be included when determining the highest building.

(B) **Other Standards.**

(1) **Street System / Connectivity.**

- (a) **Connections to Existing Streets.** Connections to the existing or planned street system shall be made to the maximum extent feasible. All development plans shall incorporate and continue all streets stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development.

(2) **Variation of Lot Building Sizes.**

- (a) In all new residential subdivisions containing six (6) or more lots, a mixture of lot sizes and dimensions shall be provided. For example, larger and wider lots are encouraged on corners. Smaller lots are encouraged adjacent to parks and open spaces. No more than 33 percent of all lots shall be similar in total lot area. For purposes of this subsection, "similar" lot areas shall be defined as within 500 square feet of each other.

(3) **Sidewalks.**

- (a) Sidewalks may be provided for the parcel or parcels being developed in accordance with the Facilities Standards Manual (FSM).

(4) **Street Trees.** In addition to tree planting and replacement requirements of Section 5-1300, street trees shall be provided along the frontage of each lot and shall be regularly spaced.

(5) **Garage locations.** Front-loaded garages shall be setback at least 20 feet behind the front line of all principal buildings, except when a lot within 150 feet of, and on the same side of the street as, the

subject lot has a garage setback less than 20 feet from the front lot line of all principal buildings on such lot, in which case the minimum garage setback shall be equal to the garage setback on such lot.

DIVISION D: ROUTE 28 CORRIDOR

Section 4-2200 Generally.

Executive Summary.

The Route 28 Corridor districts include three Optional Overlay (CO, CB and CI) and one Planned Development (PD-CM) district. The Optional Overlay districts include 2 types of development: Standard Method and Alternative Method.

Standard Method development includes basic use, building height, setback and floor area ratio (FAR) standards. This type of development is very similar to development in most of the County's underlying zoning district regulations, including the existing PD-OP, PD-IP, PD-RDP and PD-GI zoning district that comprise most of the land area within the overlay districts. The Standard Method offers higher development potential and contemporary development standards that are not possible under the existing zoning districts. **Alternative Method** development allows higher FAR and lot coverage, along with process streamlining and other regulatory incentives, along with design controls and amenities that do not apply to Standard Method development.

Because these are Optional Overlay districts, the existing zoning districts remain on the map when a property owner proceeds under these regulations.

This means that property owners are free to develop under their underlying district regulations without regard to the Optional -Overlay district regulations. This gives property owners in the CO, CB and CI Optional Overlay districts 3 options:

1. Develop under their **existing zoning district** regulations. In this case, the Optional Overlay district regulations do not apply.

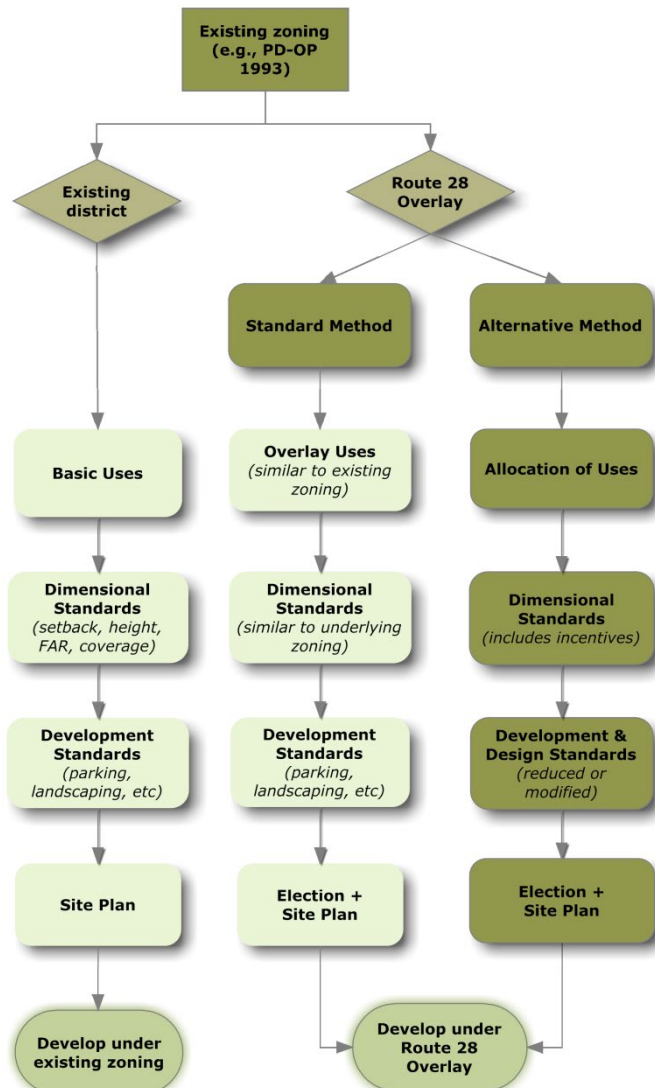


Figure 1 Zoning Options in Route 28 Corridor Overlay Districts

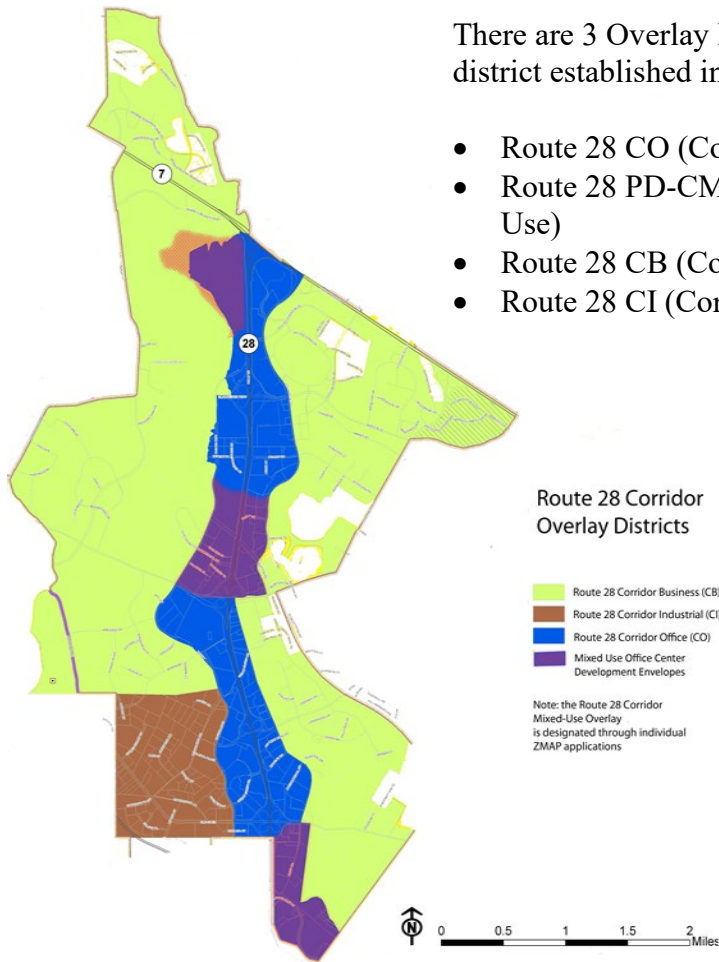
2. Develop under the **Optional Overlay** district regulations, using a **Standard Method** of development.
3. Develop under the **Optional Overlay** district regulations, using an **Alternative Method** of development.

The property owner's choices, and the implications of those choices, are illustrated in Figure 1. Property owners may proceed to site plan approval under their existing zoning, and subject to all of the use, dimensional and development standards of their existing districts. Or, property owners may elect to develop per the Optional Overlay regulations and file a site plan under the Optional Overlay district using the Standard Method, which triggers standards that are similar to the existing zoning regulations in the districts. Finally, property owners may elect to develop per the Optional Overlay regulations and proceed under the Optional Overlay district using the Alternative Method. This gives the property owner an initial FAR bonus, along with the ability to build significantly more floor area by undertaking incentive items listed in the district regulations.

Most of the property within the Route 28 Corridor Districts is subject to the Route 28 Transportation Improvement District legislation, which generally prohibits the County from eliminating, reducing, or restricting commercial or industrial classifications and related criteria on property for which a special tax is imposed, or making them less permissive. Before proceeding under this Division, the property owner shall file an election to waive the protections of the Route 28 Tax District legislation. Development then proceeds under the Revised 1993 Zoning Ordinance.

There are 3 Overlay Districts and 1 Planned Development district established in these regulations. These include:

- Route 28 CO (Corridor Office Overlay)
- Route 28 PD-CM (Planned Development-Corridor Mixed-Use)
- Route 28 CB (Corridor Business Overlay)
- Route 28 CI (Corridor Industrial Overlay)



The CO, CB and CI districts are mapped by the County. The PD-CM district (generally in areas currently mapped CO) requires a zoning map amendment.

A copy of the zoning map is shown here. Refer to Section 1-300 of this Ordinance for rules relating to the official Zoning Map.

Figure 2 Map of Zoning District Boundaries

4-2201 Districts & Standard / Alternative Methods Established.

(A) **Purpose.** This section establishes four (4) districts to implement the Route 28 Corridor Plan (March 15, 2011)(hereinafter the “Route 28 Plan”). These districts are intended to provide planned development and incentive zoning as tools to coordinate new development with the Route 28 Plan’s goals and objectives to:

- (1) Provide premier locations for regional, national, and international businesses with a high-quality image that offer employees vibrant centers of activity and highly-integrated pedestrian and transit-friendly employment developments, and
- (2) Provide development along corridors that are employment-based, with residential development that is subordinate to employment uses, and
- (3) Provide design standards that create a unified development pattern and distinct places or centers of activity, and
- (4) Take advantage of economic assets such as Washington Dulles International Airport, and
- (5) Promote multi-modal connectivity, and
- (6) Encourage sustainable development practices.

(B) **Districts Established.** The following Planned Development and Optional Overlay districts are hereby established for the Route 28 Corridor:

District	Subdistrict
Route 28 CO (Corridor Office) Optional Overlay	<ul style="list-style-type: none">• Subdistrict 1 (north of Sterling Boulevard)• Subdistrict 2 (South of Sterling Boulevard)
Route 28 PD-CM (Corridor Mixed-Use) Planned Development District	<ul style="list-style-type: none">• Subdistrict 1 (north and central development envelopes designated in the Route 28 Corridor Plan)• Subdistrict 2 (southern development envelope designated in the Route 28 Corridor Plan)
Route 28 CB (Corridor Business) Optional Overlay	
Route 28 CI (Corridor Industrial) Optional Overlay	

(C) **Optional Overlay Districts.** The CO, CB and CI districts in subsection (B) are established as Optional Overlay districts. This means that they are overlaid on other districts. Within these Optional Overlay districts, property owners have the option to use their property in any manner permitted in the underlying districts, unless property is subject to a site plan approved under Section 4-2900 pursuant to an Optional Overlay district. Therefore, the Optional Overlay districts do not apply unless the property owner elects to become subject to the Optional Overlay district standards and procedures. Accordingly, a property owner with a Route 28 Optional Overlay district has **3 options**:

- (1) Develop under the underlying, existing zoning regulations, or
 - (2) Develop under the Optional Overlay district, using a Standard Method of development (see section 4-2202(B)), or
 - (3) Develop under the Optional Overlay district, using an Alternative Method of development (see section 4-2202(C)).
- (D) As a Planned Development district, development in the PD-CM district requires legislative approval pursuant to Section 6-1200 of this zoning ordinance.
 - (E) This Division D of Article 4, including the zoning district standards and development standards, applies only to development that elects to proceed under a Route 28 Corridor Optional Overlay or Planned Development district. This Division D does not apply to property within a Route 28 Corridor Optional Overlay district that elects to proceed under an existing, underlying zoning district. *(See Section 4-2900 for election procedures.)*

4-2202 Standard and Alternative Methods of Development.

- (A) The Optional Overlay and Planned Development zoning districts in this Division include 2 types of development: Standard Method and Alternative Method. Each is subject to different zoning standards, depending on how the property owner elects to proceed.
- (B) **Standard Method** is subject to the base Optional Overlay and Planned Development zoning district standards, and is not subject to the design standards that apply to the Alternative Method. The Standard Method standards apply to all development that elects to proceed under a Route 28 District except for property that:
 - (1) Is subject to a zoning amendment approval that limits development to an Alternative Method (see Section 6-1200), or
 - (2) is subject to a valid, unexpired Site Plan or Special Exception that has been approved to develop pursuant to an Alternative Method.
- (C) An **Alternative Method** is a **style of development** that is tied to **incentives** in the Route 28 Corridor Optional Overlay and Planned Development districts. An Alternative Method development incorporates design standards (such as frontage types regulated in Sections 4-2300 to 4-2500) and amenities (such as parks and civic uses) as described in the district regulations. However, an Alternative Method provides the property owner incentives such as:
 - (1) Election to proceed under a Route 28 Corridor Optional Overlay without a zoning map amendment, and

- (2) Longer time periods to build out a project without a zoning approval (such as a zoning permit, site plan, or special exception) expiring (see Section 4-2905), and
 - (3) Flexibility, clarity, and predictability in the application of zoning standards such as setbacks, building height, and lot coverage, and
 - (4) Reductions in development standards requirements related to parking and buffering, elimination of the bulk plane standard, and an increase in floor area ratio and lot coverage.
- (D) This Division establishes six (6) Alternative Methods of development. The table below lists the Alternative Methods, and the Optional Overlay and Planned Development districts where they are permitted:

Alternative Method	CO	CB	CI	PD-CM
(1) Office Cluster Alternative Method	■			
(2) Office Center Alternative Method				■
(3) Business Campus Alternative Method	○	■		
(4) Custom Campus Alternative Method	■	■		
(5) Secure Office Campus Alternative Method	○	■		
(6) Flex			■	

■ = permitted with Site Plan approval | ○ = permitted with Special Exception approval
 The PD-CM district is designated through individual Zoning Map Amendment applications

- (E) With the exception of the Campus Alternative Method (see Section 4-2710), the standards that apply to each Alternative Method are established in the regulations for each Optional Overlay and Planned Development district, below.

Section 4-2300 Route 28 CO (Corridor Office).

4-2301 Purpose.

The Route 28 Corridor Office district provides for high intensity office and employment development along the Route 28 corridor. The CO district provides for two (2) predominant development types:

- medium to high intensity, pedestrian-oriented **office clusters** that include supportive retail and service uses, and
- custom office and research-and-development campuses that combine these uses with limited manufacturing.

The design standards in this district are designed to form a “wall” of mid- to high density, high quality office buildings along employment-based corridors.

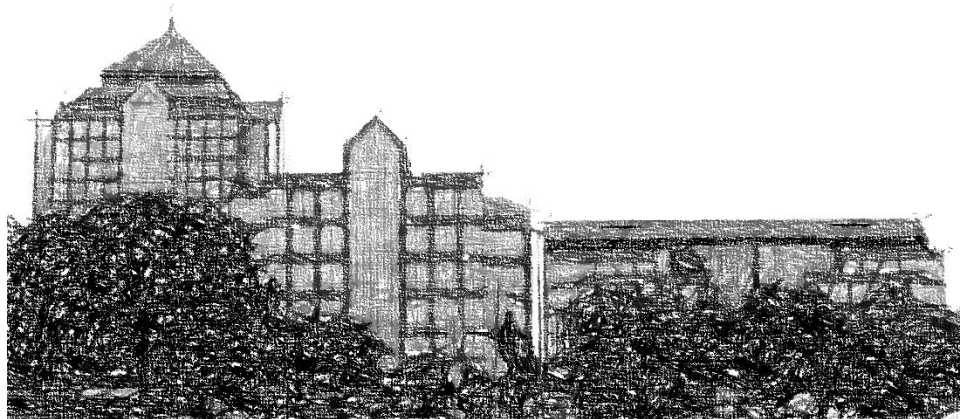


Figure 2 The CO district implements the Route 28 Corridor Plan’s vision of a “wall” of medium to high intensity Class A office development along this important economic development corridor.

4-2302 [RESERVED]

4-2303 Uses.

- (A) See Section 4-2800 (Use Table).
- (B) The following Alternative Methods of development are permitted in this District:
 - (1) Office Cluster pursuant to site plan approval (Section 4-2305).
 - (2) Custom Campus pursuant to site plan approval (Section 4-2710).
 - (3) Business Campus or Secure Office Campus pursuant to special exception approval (Section 4-2710).

(C) **Retail and service.**

- (1) **Retail and service** uses in the CO district shall be permitted only on the ground floor of buildings, except as provided in subsection (2) below.
- (2) Single-story or multi-story **retail** and service uses are permitted in the CO district if subsections (a) and (b) apply:
 - (a) The use shall be integrated within the development, as follows:
 - (i) The use is part of an Office Cluster or Campus Alternative Method and is either visually integrated (subsection (ii) below) or functionally integrated (subsection (iii) below) to the development.
 - (ii) The use is **visually integrated** if:
 1. It is located in a building that is attached as a wing wall, by a breezeway, or similar architectural feature, or is located on the same block or within 75 feet of a multistory building and connected to that building by a sidewalk or pedestrian path which may be integrated with landscaping, and
 2. The use includes building materials and architectural features that are similar to or compatible with adjacent multi-story buildings. At least two (2) of the following features must match those of adjacent multi-story buildings:
 - a. Frontage types (see Section 4-2704), or
 - b. Roofline features such as cornices and eaves, or
 - c. Window styles and proportions, or
 - d. Primary building materials (see Section 4-2705), or
 - e. Spacing of entryways, projections, and other vertical elements of the façade at the ground level.

3. The buildings that include the retail and service uses are not separated from other buildings by parking areas.

(iii) The use is **functionally integrated** if:

1. It is located within the Interior Zone of an Alternative Method development and occupies no more than 2% of the total development's floor area, or
2. It is located within the Street Zone on the same building line as adjacent buildings, and does not have a floor area exceeding 5,000 square feet.

- (b) The building shall provide pedestrian accessibility through sidewalks or pedestrian paths that connect public or private streets or adjacent buildings to the building's primary entrance.

(D) Hotels and Full-Service Hotels.

- (1) For any Alternative Method, Hotels are not required to be located within mixed-use buildings.
- (2) Hotels shall provide, at a minimum, restaurant, lounge facilities, meeting space, room service and bell service.
- (3) A Full-Service Hotel located in CO Subdistrict 2 (see Section 4-2201(B)) shall not exceed 40% of the overall square footage of an Alternative Method development.
- (4) The minimum floor area ratio for a Full-Service Hotel as part of an Alternative Method development in CO Subdistrict 2, shall be 0.2.

(E) Flex Uses

- (1) See section 4-2710 for the Flex land use allocation in the Campus Alternative Method.
- (2) At least 20% of the gross floor area of a Flex Building (except for a data center) in the CO District shall include offices.

4-2304 Dimensional Standards.

The dimensional standards below are divided into those that apply to Standard and Alternative Methods of development.

	Standard Method	Alternative Methods
Lot Requirements		
Size	One (1) acre minimum, excluding major floodplains.	No minimum
Yards		
Adjacent to Roads	<ul style="list-style-type: none"> • Buildings, Outdoor Storage, Refuse Collection, Loading area: 35 feet (<i>minimum</i>) • Parking: 25 feet (<i>minimum</i>) 	See sections 4-2305 and 4-2710
Adjacent to Agricultural & Residential⁽¹⁾	<ul style="list-style-type: none"> • Buildings, Outdoor Storage, Refuse Collection, Loading area: 50 feet (<i>minimum</i>) • Parking: 35 feet (<i>minimum</i>) 	See section 4-2305 and 4-2710
Adjacent to Other Non-Residential Districts	<ul style="list-style-type: none"> • Buildings, Parking, Outdoor Storage, Refuse Collection, Loading area: 15 feet (<i>minimum</i>) 	See sections 4-2305 and 4-2710
Between buildings	<ul style="list-style-type: none"> • On adjacent lots: 30 feet (<i>minimum</i>) • Interior to the lot: 25 feet (<i>minimum</i>) 	Not applicable

	Standard Method	Alternative Methods
Building Requirements		
Building Height	<ul style="list-style-type: none"> • 60 feet (maximum), or • 100 feet (maximum) if set back from streets or lot lines that do not constitute boundaries of districts with lower maximum height restrictions, a distance of at least 1 foot for each 1 foot of height that it exceeds the 60 foot limit. 	<p>Minimum Height – (see sections 4-2305 and 4-2710 for additional requirements)</p> <ul style="list-style-type: none"> • Corridor Zone: See Section 4-2305 • Street Zone: 2 stories (<i>note: additional height is required in portions of a Major Street Zone for the Campus Alternative Method– see Section 4-2710</i>) • Interior Zone: not applicable <p>Maximum Height is limited by the applicable FAR (see below)</p>
Floor Area Ratio	0.6 maximum	0.6 minimum to 0.8 maximum subject to Sections 4-2305 and 4-2710. Increases in FAR up to 1.0 are permitted by applying the Incentive Elements (see Section 4-2703).
Lot Coverage		
Lot Coverage (for the lot or development site)	0.6 maximum	<p>In the Street and Interior Zones: 0.8 maximum, up to 1.0 maximum by applying the Incentive Elements (see Section 4-2703). Lot coverage requirements do not apply to the Corridor Zone.</p> <p><i>If an Incentive Element is used, lot coverage shall be calculated by treating the entire development site as the “lot.”</i></p>

(1) Includes Agricultural and Residential Districts, and land bays allowing residential uses.

4-2305 Office Cluster Alternative Method.

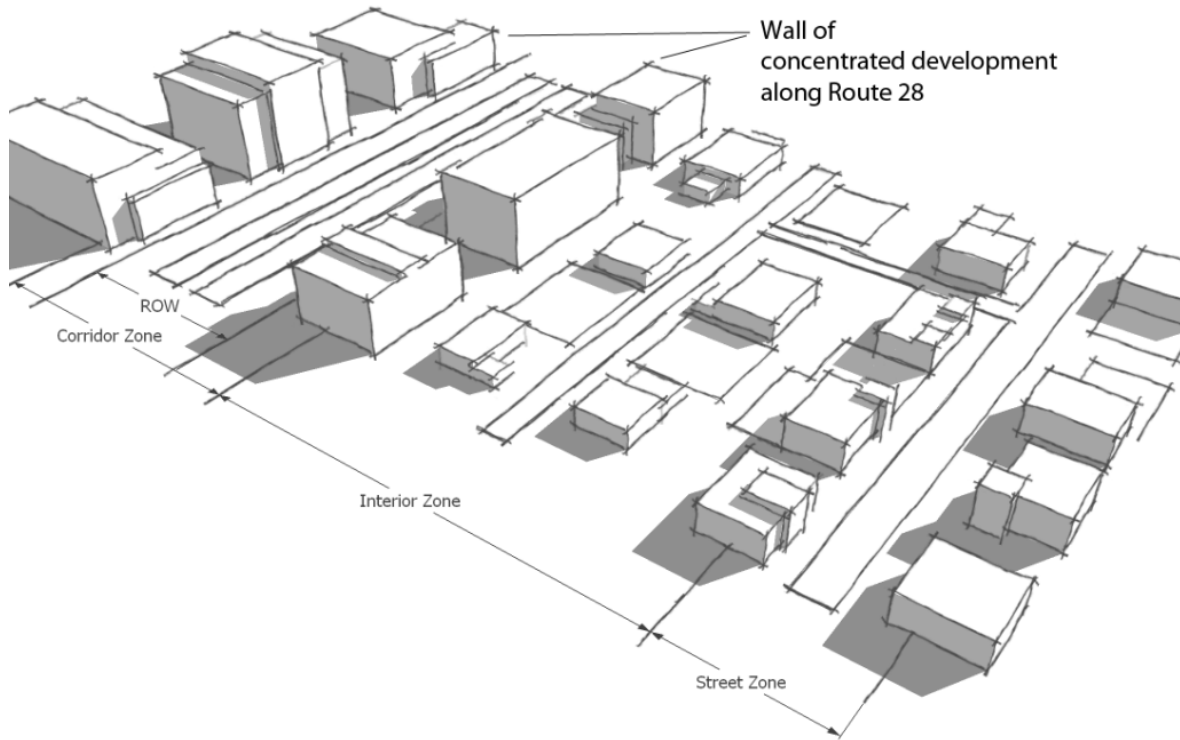


Figure 3 Office Cluster illustration

Description:

An office development that is configured around a street grid, with high quality office development concentrated along Route 28. An Office Cluster is divided into 3 subareas:

1. The **Corridor Zone**, located within 100 feet of the existing or planned right-of-way of Route 28.
2. The **Street Zone**, including all areas outside of the Corridor Zone located within 50 feet of any other public street other than Route 28.
3. The **Interior Zone**, including all areas outside of the Corridor Zone or Street Zone.

Mix of Uses:

The site plan shall designate uses that comply with the following land use mix ratios

	<i>Minimum Building Square Feet Required</i>	<i>Maximum Building Square Feet Permitted</i>
Office/Research & Development	60%	100%
Retail & Services*	0%	10%
Flex	0%	10%

* Retail and services do not include showrooms that are accessory to flex buildings and located entirely within the flex building.

Lot and Building Placement Standards: 1. Frontage Buildout (minimum).

Building walls shall occupy at least **60%** of the lot width at the maximum **Corridor** Setback lines. **Front** building walls shall occupy at least **50%** of the lot width at the maximum **Street** Setback lines.

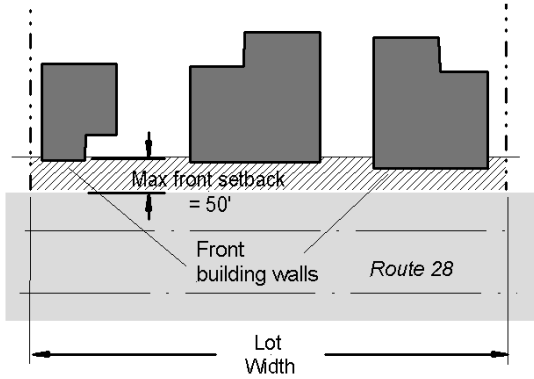


Figure 4 Corridor Setback

2. Corridor Setback.

50 feet (maximum) from the planned right-of-way. This setback shall supersede the building and parking setback requirements of Section 5-1403(B). Road corridor buffers in accordance with Section 5-1403(B) shall be required. No Pedestrian Through Zone or Planting/Furniture Zone is required.

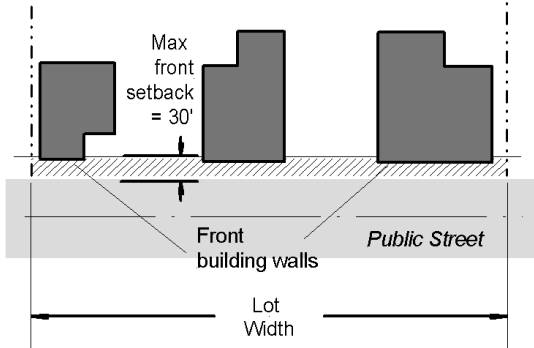
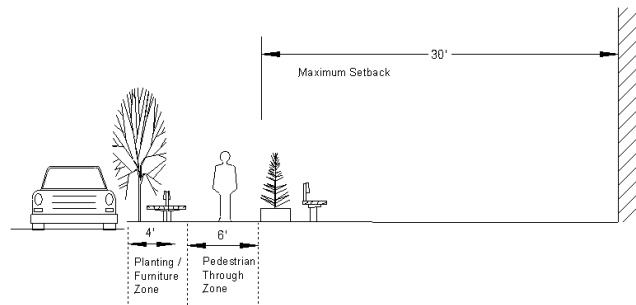


Figure 5 Street Setback

3. Street Setback.

- **Setback (*minimum*):** 0 feet
- **Setback (*maximum*):** 30 feet
- **Pedestrian Through Zone (*minimum*):** 6 feet
- **Planting/Furniture Zone (*minimum*):** 4 feet



Building Standards:

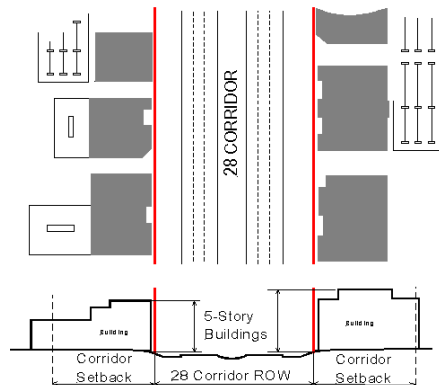


Figure 6 Height disposition

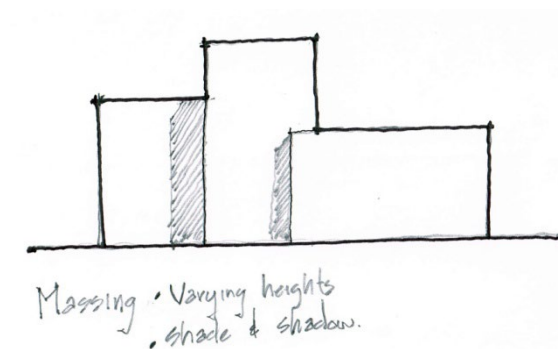


Figure 7 Massing schematic

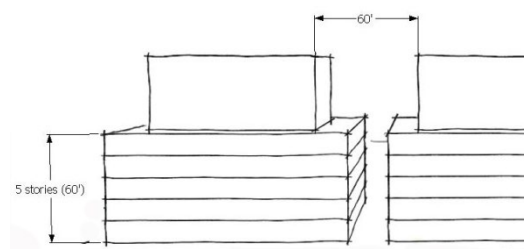


Figure 8 Step-back illustration

4. Height.

- Minimum and maximum height limits are established by Section 4-2304.
- At least 50% of the **Corridor Zone** setback shall be occupied by office buildings that are at least 5 stories or 60 feet in height.
- At least 50% of the **Street Zone** setback shall be occupied by buildings that are at least 4 stories or 48 feet in height.

5. Orientation.

- In the **Corridor Zone**, the front building wall may face in any direction unless the building also falls within the Street Zone. However, the building wall facing a corridor shall include the required materials.
- In the **Street Zone**, front building walls shall face streets or adjacent Plazas, Squares, or Greenways (see classification system in Section 4-2706).

6. **Frontage Types.** Buildings within the Frontage Buildout of the **Street Zone** shall use the Frontage Types listed in Section 4-2704. Frontage Types are not required in the **Corridor Zone**.

7. **Massing / Façade.** Buildings greater than 12 stories shall include façade articulation with design details and features such as building step-backs, to reduce visual massing and mitigate impacts to adjacent properties. In the **Street Zone**, building planes above the fifth story or 60 feet above average finished grade shall be separated by at least 60 feet.

8. **Materials.** Building walls on all sides shall comply with Section 4-2705.

4-2306 Campus Alternative Method.

See Section **4-2710**.

4-2307 [RESERVED]

4-2308 Public & Civic Uses / Parks & Open Spaces.

(A) Public and Civic Uses are not required. However, if Public and Civic Uses are provided, their percent **floor area** relative to the total development floor area shall be credited toward the percent required for Parks and Open Spaces in subsection (B), below.

⇒ See Section **4-2706** for a description of Public and Civic Uses.

(B) Parks and Open Spaces, in combination with Public and Civic Uses, shall occupy at least 15% of the **land area** of a development site.

(C) The Zoning Administrator may waive up to one-third of the required Parks and Open Spaces and Public and Civic Uses during the Site Plan review process, if contributions in the form of cash-in-lieu are provided toward those uses off-site and within the Route 28 Corridor. This subsection applies only if the County adopts a Public/Civic Facilities Plan that includes Parks and Open Spaces and Public and Civic Uses.

⇒ See Section **4-2706** for a description of Parks and Open Spaces.

Section 4-2400 Route 28 PD-CM (Planned Development - Corridor Mixed-Use).

4-2401 Purpose.

The Route 28 Planned Development - Corridor Mixed-Use Office district provides for live-work centers that include a variety of employment, shopping and residential uses arranged in an intense, compact development pattern. The PD-CM district is a Planned Development district.

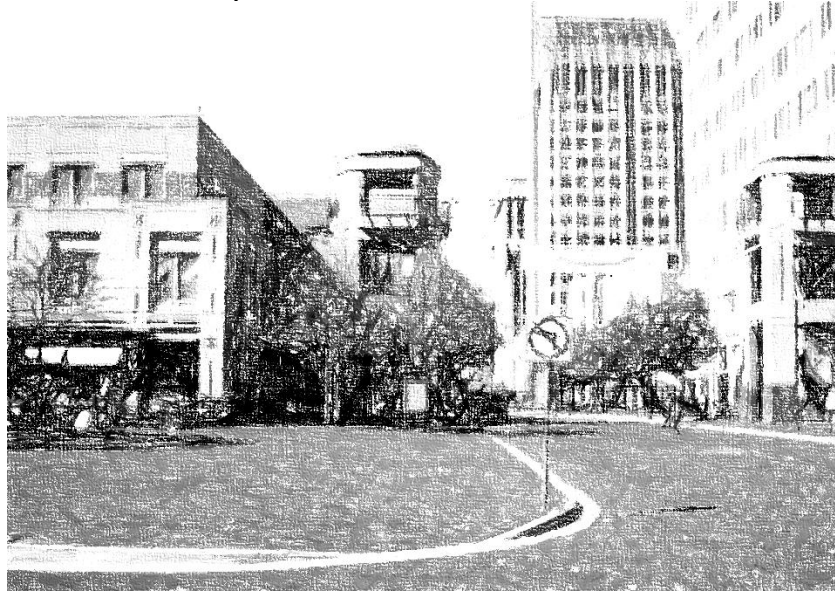


Figure 9 The PD-CM District implements the Route 28 Corridor Plan's vision of mixed-use, intense office centers along Route 28

4-2402 Size and Location.

- (A) **Size.** A PD-CM district shall include at least 50 acres but no more than 90 acres.
- (B) **Location.** The PD-CM district shall be located where consistent with the Revised General Plan.
- (C) **Additions.** A property owner may file a zoning map amendment to increase the size of an adjacent, existing PD-CM district. The Board of Supervisors may approve a zoning map amendment with incremental additions to increase the size of the district up to a maximum of 90 acres if it finds that they are:
 - (1) Contiguous to an existing PD-CM district, and
 - (2) Compatible with the existing PD-CM district, and
 - (3) Consistent with the Revised General Plan policies for the area, and

- (4) Integrated with the existing PD-CM district through roadway, pedestrian, and bicycle connections as well as a consistent streetscape.

4-2403 Rezoning and Development Process Requirements.

- (A) **CDP with Rezoning Applications.** Rezoning to and subsequent development under the PD-CM district is permitted only in accordance with a Concept Development Plan (CDP) processed as provided in Section 6-1200 of this Ordinance and in accordance with Section 4-2904.
- (B) **Site Plan.** After the CDP and zoning map amendment are approved, the property owner may submit a site plan for the entire development or each phase of development in accordance with Section 4-2903.

4-2404 Uses.

- (A) See Section 4-2800 (Use Table).
- (B) This district permits the Office Center Alternative Method (See Section 4-2406).
- (C) Residential uses are not permitted in the PD-CM district unless authorized by a Concept Development Plan approved under the Alternative Method of development set forth in Section 4-2406.
- (D) For the Standard Method of development, retail and service uses are permitted if they comply with Section 4-2303(C)(2)(functional and visual integration)..

4-2405 Dimensional Standards.

The dimensional standards below are divided into those that apply to Standard Method and those that apply to Alternative Methods.

	Standard Method	Alternative Method
Lot Requirements		
Size	One (1) acre minimum, excluding major floodplains.	No minimum
Yards		
Adjacent to Roads	<ul style="list-style-type: none"> Buildings, Outdoor Storage, Refuse Collection, Loading area: 35 feet (<i>minimum</i>) Parking: 25 feet (<i>minimum</i>) 	See section 4-2406

	Standard Method	Alternative Method
Adjacent to Agricultural & Residential⁽¹⁾	<ul style="list-style-type: none"> Buildings, Outdoor Storage, Refuse Collection, Loading area: 50 feet (<i>minimum</i>) Parking: 35 feet (<i>minimum</i>) 	See section 4-2406
Adjacent to Other Non-Residential Districts	<ul style="list-style-type: none"> Buildings, Parking, Outdoor Storage, Refuse Collection, Loading area: 15 feet (<i>minimum</i>) 	See section 4-2406
Between buildings	<ul style="list-style-type: none"> On adjacent lots: 30 feet (<i>minimum</i>) Interior to the lot: 25 feet (<i>minimum</i>) 	Not applicable

Building Requirements

Building Height	<ul style="list-style-type: none"> 60 feet (<i>maximum</i>), or 100 feet (<i>maximum</i>) if set back from streets or lot lines that do not constitute boundaries of districts with lower maximum height restrictions, a distance of at least 1 foot for each 2 feet of height that it exceeds the 60 foot limit. 	<p>Average Minimum Height. Buildings along “A” Streets shall have an average height of at least 7 stories (See Section 4-2406 for additional requirements).</p> <p>Maximum Height is limited by the applicable FAR (see below)</p>
Floor Area Ratio	0.6 maximum	<p>See Subsection 4-2201(B)</p> <ul style="list-style-type: none"> Subdistrict 1: Maximum 1.0 subject to Section 4-2406. Increases in FAR up to 1.5 are permitted by applying the Incentive Elements in Section 4-2703. An application that applies the Unmet Housing Needs incentive may exceed 1.5 FAR, for a maximum FAR of up to 1.7. Subdistrict 2: Maximum 1.5 subject to Section 4-2406.

	Standard Method	Alternative Method
		Increases in FAR up to 2.0 are permitted by applying the Incentive Elements in Section 4-2703 . An application that applies the Unmet Housing Needs incentive may exceed 2.0 FAR, for a maximum FAR of up to 2.2.
Lot Coverage		
Lot Coverage <i>(for the lot or development site)</i>	0.6 maximum	<ul style="list-style-type: none"> • “A” Streets: 0.8 maximum, up to 1.0 maximum by applying the Incentive Elements (see Section <u>4-2703</u>). • “B” Streets: 0.4 minimum. <i>If an Incentive Element is used, lot coverage is calculated by treating all lots or development sites abutting “A” and “B” streets as an individual lot “lot,” as designated on the Concept Development Plan.</i>

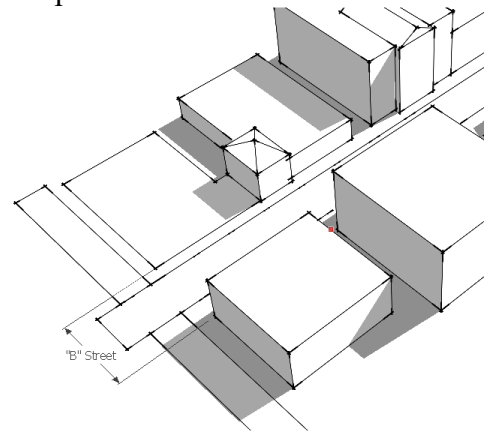
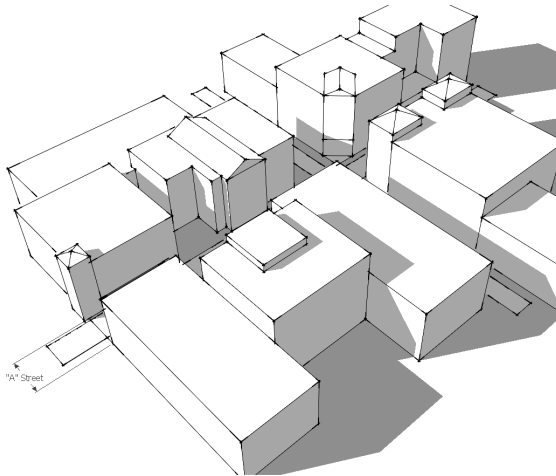
(1) Includes Agricultural and Residential Districts, and land bays allowing residential uses.

4-2406 Office Center Alternative Method.

Description:

A mixed-use, primarily office or employment-based development, that is configured around a street grid. This type of development has a mix of non-residential and residential uses. The Center's design is urban and pedestrian-oriented. An Office Center shall include at least 50 and no more than 90 Buildable Acres. To implement the County's design objectives while providing market flexibility, a CDP for an Office Center shall designate "A" Streets and "B" Streets, as follows:

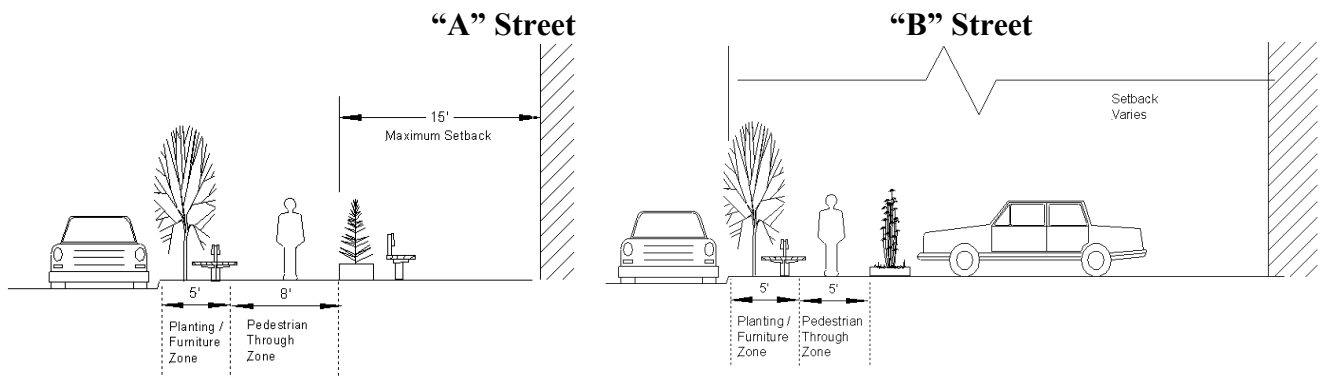
1. An "A" Street is a street with frontage that is restricted to building types and uses that promote pedestrian activity, and which benefit from pedestrian and/or transit access. A street shall be deemed to be classified an "A" Street unless otherwise designated on the CDP.
2. A "B" Street is a street that permits front-loaded surface parking, retail and service uses, and single-story buildings. A "B" designation may be considered an interim designation as part of a phased development plan. The aggregate length of the "B" Streets on an application shall not exceed 50 linear feet per Buildable Acre subject to the application, and shall not exceed thirty-five percent (35%) of the total length of all streets within the proposed development.



Mix of Uses: <i>The concept development plan shall designate uses that comply with the following land use mix ratios -</i>	Minimum Square Feet Required	Maximum Square Feet Permitted
Office/Research & Development	55%	70%
Retail & Services	10%	20% <small>Full-Service Hotels are not counted toward this limit</small>
High Density Residential <i>(this requirement is exempt from Section 1-207)</i>	15%	25%
Public and Civic <i>(see Sections 4-2407 and 4-2706 for public and civic space standards)</i>	5%	No maximum

Building Standards:

1. **Orientation.** Buildings and their principal entrances shall face streets or adjacent Plazas, Squares, or Greenways (see classification system in Section 4-2706).
2. **Street Setback / Streetside Standards.**
 - a. Minimum and maximum setbacks for “A” and “B” Streets are as set out in the table below.
 - b. Within a Corridor Zone, the maximum setback is 50 feet from the existing or planned right-of-way. This setback shall supersede the building and parking setback requirements of Section 5-1403(B). Road corridor buffers in accordance with Section 5-1403(B) shall be required. No Pedestrian Through Zone or Planting/Furniture Zone is required.



Setback:		
Minimum (feet)	0 feet	0 feet
Maximum (feet)	15 feet	Not applicable
Streetside:		
Pedestrian Through Zone (minimum-feet)	8 feet	5 feet
Planting/Furniture Zone (minimum-feet)	5 feet	5 feet

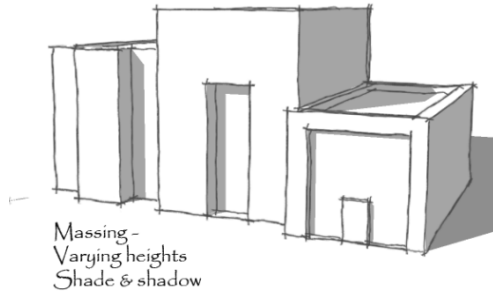
3. **Frontage Buildout (minimum).** Along “A” Streets, building walls shall occupy at least 75% of the lot width at the maximum Street Setback lines. This standard does not apply to “B” Streets.
4. **Height.** Single-story retail or service buildings conflict with the

permitted only on “B” Streets, and shall not exceed 3,000 square feet in gross floor area. No more than two single-story retail or service buildings shall be located on any single block.

compact, pedestrian-oriented nature of an Office Center. They are

5. Frontage Types.

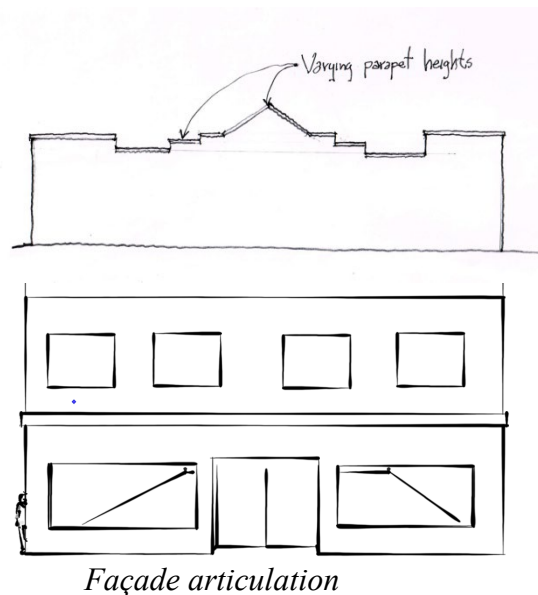
- **Office/Research & Development Buildings** may use any of the Frontage Types listed in Section 4-2704.
- **Retail and Service** uses may use the Shopfront, Arcade, or Courtyard frontage types.
- Frontage Types are not required for **Residential, Civic or Public** uses.



6. Massing / Façade. For Retail and Service Uses or mixed-use buildings:

- Buildings greater than 12 stories shall be designed to include upper story façade articulation with design details and features such as building step-backs and varying parapet heights, to reduce visual massing and mitigate impacts to adjacent properties.
- Building facades facing a street that are longer than fifty feet (50') shall change visibly in height, wall plane projection or setback (minimum of 12 inch setback), materials, or color a maximum of every forty feet (40') along the axis facing the street.
- At least one ground level entryway is required along every 80 feet of building frontage along an "A" Street.
- The ground floor shall include between 65 to 90% glazing and entryways.
- A ground floor story shall include a minimum 12 foot clear

Massing of tall buildings



residential and office/research and development uses. In order to ensure that a useable amount of floor area is included under the clear height, this height shall be maintained for minimum depth of 20 feet from the front facade.

7. Materials. Building walls on all sides shall comply with Section 4-2705.

height for retail and service uses
and 10 foot clear height for

8. Uses Internal to Buildings.

- Retail and service uses are permitted on the ground floor of multiple story buildings. Residential and office/research and development uses are permitted on the upper floors. Retail and service uses are permitted on upper floors for up to 15% of the total retail and service space designated on the site plan.
- Office/research and development uses are permitted as stand-alone buildings or on the first floor or upper floors of vertical mixed-use buildings.
- Residential uses – see paragraph 9, below.

9. Residential Uses

- Residential dwelling units in an Office Center shall be Attached Multi-Family Dwellings.
- Dwelling units are permitted on the upper floors of Vertical Mixed-Use Buildings, or on the ground floor of Horizontal Mixed-Use Buildings where non-residential uses occupy at least 50% of the floor space.
- Stand-alone residential buildings are permitted if they are located within 80 feet of a non-residential building, and are connected by a continuous system of sidewalks or pedestrian walkways to, a building occupied with 100% non-residential uses.

10. Drive-Through. Drive-through uses are permitted if they are incorporated in a Mixed-Use Building. Drive-through access shall be located only on a designated “B” Street, or in a mid-block location on an “A” Street.

11. Phasing. An application for a zoning map amendment shall include a phasing plan in accordance with the requirements below or alternative phasing provisions to be approved by the Board of Supervisors:

- No more than 40,000 square feet of residential use, or 40 units, whichever provides the greater number of units, may be issued occupancy permits in the initial phases until occupancy permits have been issued for at least 120,000 square feet or 12% of the total proposed (whichever is greater) of total office/research and development space and at least 30,000 square feet or 12% of the total proposed (whichever is less) of retail and service space.
- Each subsequent phase shall include at least 4,500 square feet of office/research and development space and at least 1,125 square feet of retail and service space, until the office/research and development and retail and service components are built out.
- In each phase, at least 50% of floor area in the entire development shall be in office/research and development use.

4-2407 Public & Civic Uses.

- (A) At least 5% of a proposed development's **square footage** shall be developed as Public and Civic uses.
 - (B) At least 2% of the required amount of Public and Civic floor area shall be provided on-site.
 - (C) The Zoning Administrator may waive up to **60%** of the required Public and Civic Uses if contributions in the form of cash-in-lieu are provided toward those uses off-site and within the Route 28 Corridor. This subsection applies only if the County adopts a Public/Civic Facilities Plan that includes Public and Civic Uses. These contributions –
 - (1) Are subject to any adopted Public/Civic Facilities Plan, and
 - (2) Are in addition to the anticipated Capital Facilities contributions associated with the Mixed-Use Office Center.
- ⇒ See Section 4-2706 for a description of Public and Civic Uses.

4-2408 Parks & Open Spaces.

- (A) Parks and Open Spaces shall occupy at least 10% of the land area of a **development site**.
 - (B) At least 50% of the Parks and Open Spaces shall be provided on-site.
 - (C) Up to **50%** of required Parks and Open Spaces are waived if contributions in the form of cash-in-lieu are provided toward those uses off-site and within the Route 28 Corridor. This subsection applies only if the County adopts a Public/Civic Facilities Plan that includes Parks and Open Spaces. These contributions –
 - (1) Are subject to any adopted Public/Civic Facilities Plan, and
 - (2) Are in addition to the anticipated Capital Facilities contributions associated with the Mixed-Use Office Center.
- ⇒ See Section 4-2706 for a description of Parks and Open Spaces.

4-2409 Roadway Standards.

- (A) **Purpose.** This subsection establishes trip generation estimates for traffic impact analyses for PD-CM developments in order to –
 - (1) Reflect trip reductions that result from mixed uses and access to alternative travel modes, and

- (2) Offset the additional development costs that result from implementing the high quality design standards required for Alternative Methods in the PD-CM zoning district.
- (B) **Applicability.** This section applies to any Alternative Method located within a PD-CM zoning district. It does not apply to any development other than an Alternative Method, or an Alternative Method established without rezoning to the PD-CM district.
- (C) **Trip Generation.** Applicants may reduce trip generation by the following factors:

	Factor	Description	% Trips Reduced
1	Land Use Mix	15-19% Residential (based on square footage)	5%
2		20-25% Residential (based on square footage)	7.5%
3	Unmet Housing Needs Dwelling Units	For projects subject to Row 2 above, at least 12% of all dwelling units address unmet housing needs	15%
4	Transit Access	At least 25% of the development includes Office or Residential uses ¼ mile of existing or planned transit (bus stops or rail stations).	25%
5	Combination of Transit & Housing	Rows 3 and 4 apply	35%

4-2410 Unmet Housing Needs.

- (A) **Purpose.** This section implements the Housing policies of the Route 28 Corridor Plan.
- (B) **Applicability.** This section applies only to the Alternative Method of development.
- (C) **Definitions.** The following definitions apply to this section:
- (1) **Unmet Housing Needs Unit.** A dwelling unit that is affordable for purchase or rent at one of the Unmet Housing Needs categories listed below, based on the area median income for the Washington Primary Metropolitan Statistical Area (PMSA).
- (2) **Income Tiers.** The income category of Unmet Housing Needs Units, as set out below:

Income Tier	% of Total Units	% of Total Units (Rental Only Projects)
0 up to 30%	2	2
Above 30% up to 60%	5	10
Above 60 up to 80%	3 (For Sale Only)	-
Above 80 -100%	2 (For Sale Only)	-

(D) Required Unmet Housing Needs Units.

- (1)** All proposals for an Office Center Alternative Method shall provide at least 12% of the proposal's total dwelling units on-site to address unmet housing needs. If the percentage calculation results in a fraction, the figure shall be rounded up to the next whole number. The income categories shall be distributed in accordance with the definition of Income Tiers, above.
- (2)** The Board of Supervisors may adjust the percentages within the income categories at the time of rezoning when a higher proportion of units in the lowest income tier and/or a higher portion of accessible units are provided. A covenant securing affordability, in accordance with County housing policies shall be attached to each unit that addresses unmet housing needs.

Section 4-2500 Route 28 CB (Corridor Business).

4-2501 Purpose.

The Route 28 Corridor Business district provides for low to mid-density Office and Flex Uses, with limited retail or service uses that support the office and flex uses.

4-2502 [RESERVED]

4-2503 Uses.

- (A) See Section 4-2800 (Use Table).
- (B) This section permits the Campus Alternative Method of development (See Section 4-2710).
- (C) Flex and Data Center Uses
 - (1) In a Campus Alternative Method, up to 100% of the Office/Research and Development allocation may be devoted to flex and data center uses.
 - (2) At least 20% of the gross floor area of a Flex Building (except for a data center) in the CB District shall include office/research and development.

4-2504 Dimensional Standards.

- (A) The dimensional standards below are divided into those that apply to Standard Method and those that apply to Alternative Methods.

	Standard Method	Alternative Method
Lot Requirements		
Size	One (1) acre minimum, excluding major floodplains.	No minimum
Yards		
Adjacent to Roads	<ul style="list-style-type: none"> Buildings, Outdoor Storage, Refuse Collection, Loading area: 35 feet (<i>minimum</i>) Parking: 25 feet (<i>minimum</i>) 	See section 4-2710
Adjacent to Agricultural & Residential⁽¹⁾	<ul style="list-style-type: none"> Buildings, Outdoor Storage, Refuse Collection, Loading area: 50 feet (<i>minimum</i>) Parking: 35 feet (<i>minimum</i>) 	See section 4-2710
Adjacent to Non-Other Residential Districts	<ul style="list-style-type: none"> Buildings, Parking, Outdoor Storage, Refuse Collection, Loading area: 15 feet (<i>minimum</i>) 	See section 4-2710
Between buildings	<ul style="list-style-type: none"> On adjacent lots: 30 feet (<i>minimum</i>) Interior to the lot: 25 feet (<i>minimum</i>) 	Not applicable
Building Requirements		
Building Height	<ul style="list-style-type: none"> 60 feet (<i>maximum</i>), or 100 feet (<i>maximum</i>) if set back from streets or lot lines that do not constitute boundaries of districts with lower maximum height restrictions, a distance of at least 1 foot for each 1 foot of height that it exceeds the 60 foot limit. 	<p>Average Minimum Height – All buildings within the proposed development shall have an average height of at least 2 stories. Buildings that are adjacent to a Major Street Zone shall have an average height of at least 4 stories (<i>see section 4-2710</i>). ⁽²⁾</p> <p>Maximum Height is limited by the applicable FAR (<i>see below</i>)</p>
Floor Area Ratio	0.6 maximum	Minimum 0.4 to maximum 0.6 subject to Section 4-2505. The minimum FAR does not apply to Flex Development. Increases in FAR up to 1.0 are permitted by applying the Incentive Elements in Section 4-2703.

	Standard Method	Alternative Method
Lot Coverage		
Lot Coverage <i>(for the lot or development site)</i>	0.6 maximum	In the Street and Interior Zones (see Section 4-2710): Maximum 0.8, up to 1.0 by applying the Incentive Elements (see Section 4-2703). Lot coverage requirements do not apply to the Corridor Zone. <i>If an Incentive Element is used, lot coverage is calculated by treating the entire development site as the “lot.”</i>

- (1) Includes Agricultural and Residential Districts, and land bays allowing residential uses.
- (2) “Major Roadways” include George Washington Boulevard, Russell Branch Parkway, Waxpool/Church Road (Route 625), Loudoun County Parkway, Moran Road, Sterling Boulevard, Route 7, and Route 606 east of Route 28. For purposes of this subsection, “adjacent” means abutting or within 75 feet of the street right-of-way.

4-2505 Site Standards.

- (A) The outdoor storage of materials and equipment is prohibited in the CB district.

4-2506 Public & Civic Uses / Parks & Open Spaces.

- (A) Public and Civic Uses are not required. However, if Public and Civic Uses are provided, their percent floor area relative to the total development floor area shall be credited toward the percent required for Parks and Open Spaces in subsection (B), below.
- ☐ See Section 4-2706 for a description of Public and Civic Uses.
- (B) Parks and Open Spaces, in combination with Public and Civic Uses, shall occupy at least 15% of the **land area** of a development site.
- (C) The Zoning Administrator may waive up to one-third of the required Parks and Open Spaces and Public and Civic Uses during the site plan review process, if contributions in the form of cash-in-lieu are provided toward those uses off-site and within the Route 28 Corridor. This subsection applies only if the County adopts a Public/Civic Facilities Plan that includes Public and Civic Uses and Parks and Open Spaces. This subsection applies only if the County adopts a Public/Civic Facilities Plan that includes Parks and Open Spaces and Public and Civic Uses.
- ⇒ *See Section 4-2706 for a description of Public & Civic Uses / Parks & Open Spaces.*

Section 4-2600 Route 28 CI (Corridor Industrial).

4-2601 Purpose.

The Route 28 Corridor Industrial district provides for industrial, warehousing, distribution, and manufacturing activities that take advantage of access to Washington Dulles International Airport.

4-2602 [RESERVED]

4-2603 Uses.

- (A) See Section 4-2800 (Use Table).
- (B) A Flex use is considered an Alternative Method of development in the CI district if it conforms to the requirements for a Campus (see Section 4-2710), except as follows:
 - (1) The entire development may consist of Industrial, Manufacturing and Flex uses. Up to 10% of floor area may consist of supportive Retail and Service Uses.
 - (2) The building orientation, minimum setback, massing/façade, and open space network standards apply. The minimum height, maximum street setback, minimum frontage buildout, frontage type and building materials standards do not apply (see Section 4-2710).

4-2604 Dimensional Standards.

The dimensional standards below are divided into those that apply to the Standard Method and those that apply to the Alternative Method.

	Standard Method	Alternative Method
Lot Requirements		
Size	One (1) acre minimum, excluding major floodplains.	No minimum
Yards		
Adjacent to Roads	<ul style="list-style-type: none"> Buildings, Outdoor Storage, Refuse Collection, Loading area: 35 feet (<i>minimum</i>) Parking: 25 feet (<i>minimum</i>) 	See section 4-2603
Adjacent to Agricultural & Residential⁽¹⁾	<ul style="list-style-type: none"> Buildings, Outdoor Storage, Refuse Collection, Loading area: 75 feet (<i>minimum</i>) Parking: 35 feet (<i>minimum</i>) 	See section 4-2603
Adjacent to Other Non-Residential Districts	<ul style="list-style-type: none"> Buildings, Parking, Outdoor Storage, Refuse Collection, Loading area: 15 feet (<i>minimum</i>) 	See section 4-2603
Between buildings	<ul style="list-style-type: none"> On adjacent lots: 30 feet (<i>minimum</i>) Interior to the lot: 25 feet (<i>minimum</i>) 	Not applicable
Building Requirements		
Building Height (subject to FAA standards)	<ul style="list-style-type: none"> 60 (<i>maximum</i>) feet, or 100 feet (<i>maximum</i>) if set back from streets or lot lines that do not constitute boundaries of districts with lower maximum height restrictions, a distance of at least 1 foot for each 1 foot of height that it exceeds the 45 foot limit. 	<p>Maximum Height is limited by the applicable FAR (see below), and may be subject to FAR standards.</p> <p>Minimum height standards do not apply.</p>
Floor Area Ratio	0.4 maximum	0.6 maximum
Lot Coverage		

	Standard Method	Alternative Method
Lot Coverage <i>(for the lot or development site)</i>	0.6 maximum	In the Street and Interior Zones (see Section 4-2710): Maximum 0.8, up to 1.0 by applying the Incentive Elements (see Section <u>4-2703</u>). Lot coverage requirements do not apply to the Corridor Zone. <i>If an Incentive Element is used, lot coverage is calculated by treating the entire development site as the "lot."</i>

- (1) Includes Agricultural and Residential Districts, and land bays allowing residential uses.

4-2605 Open Space.

- (A) Open Spaces shall occupy at least **10%** of a proposed development's land area.
 - (B) Up to 50% of required Open Space is waived if contributions in the form of cash-in-lieu are provided toward those uses off-site and within the Route 28 Corridor. This subsection applies only if the County adopts a Public/Civic Facilities Plan that includes Open Spaces.
- ⇒ See Section 4-2706 for a description of Open Spaces.

Section 4-2700 Development Standards for Route 28 Corridor Districts.

4-2701 Applicability.

- (A) These development standards apply to any property that elects to proceed under a Route 28 Corridor Planned Development or Optional Overlay district. *(See Sections 4-2201(D) and 4-2201(E) for applicability and Section 4-2900 for “election to waive” procedures.)*
- (B) If an application is filed under this Division D: Route 28 Corridor:
 - (1) Unless otherwise provided in this Division D, the use, building setback, height, parking, landscaping, and other standards of this Ordinance apply to any Standard or Alternative Method of development (including, without limitation, Section 5-1403(B)), and
 - (2) After an election is filed (see Section 4-2902), the property owner is subject to all requirements of the Revised 1993 Zoning Ordinance that are not otherwise regulated by this Division D.
- (C) An applicant may pursue a modification(s) for a CO, CB, CI, or PD-CM district, other than the required mix of uses, in accordance with Section 6-1217(A) of the zoning ordinance. In addition to the criteria for a modification established in Section 6-1217(A), these additional criteria shall apply:
 - (1) The parcel is too small to completely implement the standard, and
 - (2) The property owner provides an alternative standard that, to the extent possible, meets the intent of the design standards, and
 - (3) The property owner demonstrates that the project as modified is compatible and integrated with adjacent developments.

4-2702 General Standards.

- (A) **Applicability.** This sub-section applies to:
 - (1) Any rezoning to a PD-CM District, and
 - (2) Any Standard or Alternative Method of development.
 - (3) Any other development within a Route 28 Corridor district that requires subdivision plat, site plan, or special exception approval.
- (B) **Outdoor Storage / Refuse Collection / Loading Area.**
 - (1) Areas used for outdoor storage, refuse collection, and loading area shall be:

(a) Screened by a building wall, or

(b) Screened by a wall consisting of brick, masonry, or primary materials that are compatible with those used by the principal buildings on the site.

(C) Transportation and Pedestrian Amenities

(1) All development proposals shall conform to a generally rectilinear grid system of streets.

(2) Development proposals shall include access points to the adjacent properties that allow for a continuation of the existing street network.

(D) Utility Lines. All new utility distribution lines shall be placed underground.

(E) Landscaping (Alternative Method Only).

Under any Alternative Method of development, for individual lots that are developed in accordance with a Site Plan or Concept Development Plan the buffer yard requirements of Section 5-1404 and the parking area landscaping and screening requirements of Section 5-1407 shall not apply between non-residential uses located within the Route 28 Corridor Plan area. Only the road corridor buffer requirements of Section 5-1403 for specifically listed roads, other arterial roads, and other major collector roads shall apply.

4-2703 Incentive Elements.

(A) Generally. The Alternative Method of development for each Planned Development and Optional Overlay zoning district in this Division allows an increase in FAR, lot coverage, and other elements by applying Incentive Elements. This section establishes a schedule of Incentive Elements that describes the incentive conditions and the FAR, lot coverage and bonuses associated with each element.

(B) Incentive Elements. An application for zoning amendment, site plan or special exception approval is eligible for increased FAR or other incentives by applying the following Incentive Elements. For each Incentive Element, a property owner may select only one incentive from Columns 2 and 3.

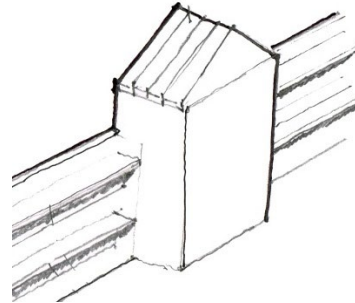
1 Incentive	2 FAR Bonus	3 Lot Covera ge Bonus	4 Other Incentive
Filing an election to waive the existing 1972, 1993 or Revised 1993 Zoning Ordinance (see Section 4-2902):			
From an existing 1972, 1993 or Revised 1993 PD-OP, PD-IP, PD-RDP zoning district.	0.15	0.1	
From any other existing 1972, 1993, or Revised 1993 zoning district except PD-TC or PD-MUB.	0.1	0.1	
Transfer of Existing Industrial Property			
Terminating an existing industrial use in a CO, PD-CM, or CB district. “Terminating” means approving a discretionary approval or site plan for an Alternative Method development demonstrating demolition or redevelopment of the existing industrial use with the uses permitted in the Alternative Method Development.	0.2	0.15	
Lot Assembly (requires a minimum of 5 acres)			
Properties that combine their applications as a single plan	0.1	0.05	An additional incentive equal to 25% of the initial coverage and 50% of the initial FAR bonus applies to each additional 5 acres combined into a single plan or ownership.
Properties are combined into a single ownership for purpose of development or subdivision.	0.5	0.1	
Sustainability (see Section 4-2709)			
Percent of treated runoff captured as described in Section 4-2709(C):			
35% runoff retained onsite	0.2	0.12	
28% runoff retained onsite	0.15	0.1	
20% runoff retained onsite	0.1	0.08	
Structured Parking			
For every 100 spaces placed in structured above-grade parking.	0.1	0.05	5% reduction in required parking spaces in addition to any reduction in Section 4-2707(A).
For every 100 spaces placed in below-grade parking.	0.2	0.1	10% reduction in required parking spaces in addition to any reduction in Section 4-2707(A).
Unmet Housing Needs (Office Center Alternative Method only, see Section 4-2410)			
At least 15% of the application’s total residential units address unmet housing needs	0.1	--	--
The application provides more very-low income housing units (0 up to 30% of PMSA) than are otherwise required by Section 4-2410	0.1	--	--

4-2704 Frontage Types.

The following frontage types apply to the Alternative Methods described in Sections 4-2300, 4-2400, 4-2500, and 4-2710. In order to count as a required frontage, the frontage shall include a principal public access entry for the building.

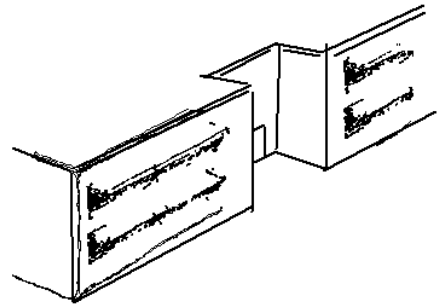
Projected Entry: An entry that:

- extends exterior from the front wall plane,
- has a width that is evident as a building entrance.



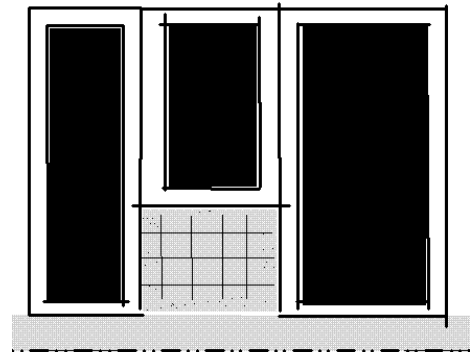
Recessed Entry: An entry that:

- Recesses into the front of the building plane, and
- extends vertically at least 15 feet or to the top of the front elevation, and
- has a continuous width of at least 12 feet at all points along the required vertical dimension.



A Recessed Entry shall be integrated with the building's roof plane.

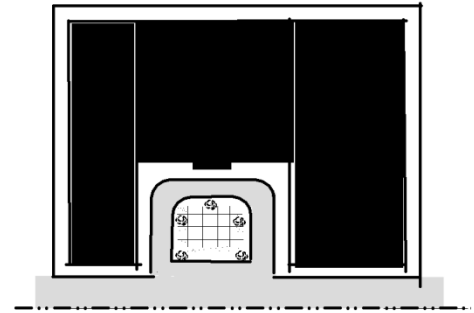
Courtyard: A pedestrian promenade, whether covered by a roof or not, within or between any structure or buildings upon which the Principal Entry is located. A "Courtyard" does not include a parking area. The Principal Entry of the buildings that surround the courtyard shall open directly on the courtyard space or a sidewalk or pedestrian pathway that directly abuts the courtyard space. The courtyard may be located at, above or below grade level. However, an above or below grade courtyard shall be accessible by steps and/or sloped surfaces or ramps, and not require vertical lifts to meet accessibility needs. The access points shall lead directly to building entrances. The courtyard shall be bounded on at least three sides by the walls of a building, and may not be completely enclosed by building walls.



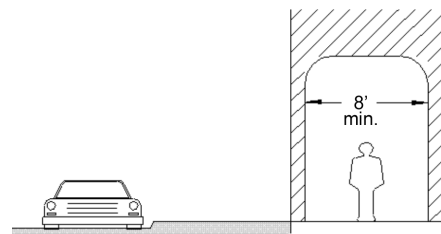
Plan view

A courtyard located on the corner of two streets or internal drives will have two (2) sides.

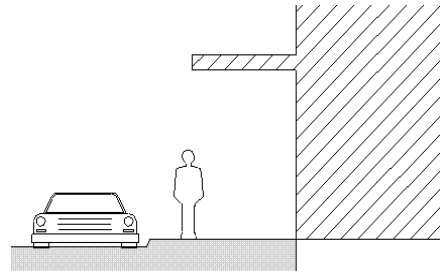
Forecourt: the facade is aligned close to the frontage line, with a central portion set back. Landscaped courts and driveways are permitted within the setback. A fence or wall at the property line may be used to define the private space of the court. The court may also be raised from the sidewalk, creating a small retaining wall at the property line with entry steps and/or sloped surfaces or ramps, and not require vertical lifts to meet accessibility needs..



Arcade. An arcade is a covered porch supported by evenly spaced columns or similar vertical elements, and that is attached to the front building façade. The upper portion of the Arcade may include either the floor of an upper floor that projects from the façade, or a colonnade that supports a roof. Arcades shall align with the grade of the adjoining public sidewalk and may encroach on the sidewalk space. Arcades may include a balcony that overlaps the sidewalk. Arcades shall have at least eight feet clearance in all directions.

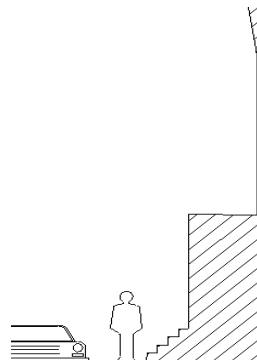


Shop front: the front facade has an entrance at sidewalk grade next to windows that allow pedestrians to view the interior space. A cantilevered awning or shed roof may cover the shopfront over the sidewalk.



Stoop: the facade is placed close to the frontage line with the ground story elevated at least 18 inches from the sidewalk. A porch may cover the stoop.

This type is suitable for ground floor residential uses at short setbacks by creating privacy for the windows.

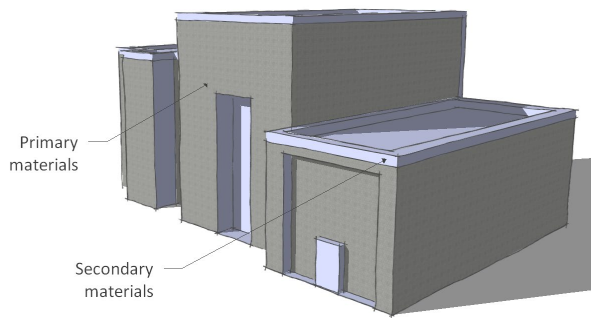


4-2705 Building Materials.

(A) **Purpose and Intent.** This ensures that building exteriors for Alternative Methods are durable and compatible with the character of development along the corridor. These standards are designed to promote these objectives in a reasonable and flexible way that avoids unreasonable cost burdens and unnecessary regulatory detail.

(B) **Applicability.** This section applies to any development that incorporates an Alternative Method described in Sections 4-2300, 4-2400, and 4-2500.

(C) **Permitted Building Materials and Configurations.** Building materials are divided into **Primary** and **Secondary** materials. Building exteriors



facing and visible from Route 28 or a street shall be composed predominantly of primary materials, with any secondary materials limited to accents or subordinate elements of the façade. Additional materials not listed below are permitted if the Zoning Administrator determines that they are similar in appearance and quality to the listed materials.

(1) Permitted primary and secondary materials are as follows:

Primary Materials

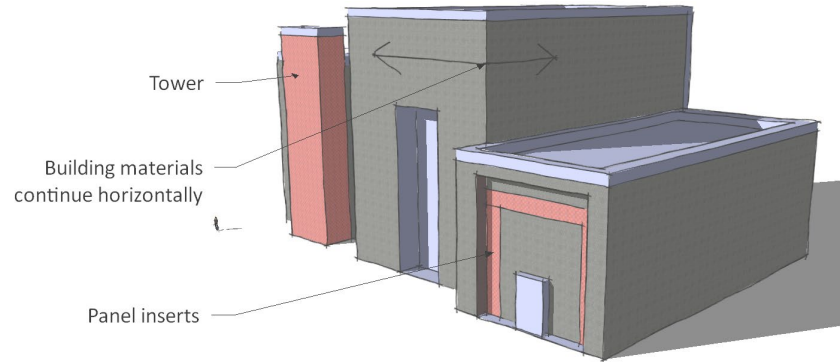
- Brick – solid or modular
- Concrete masonry units – split faced, or burnished
- Precast concrete¹
- Concrete tilt-wall¹
- Glass – clear
- Glass – architectural panels
- Metal panels
- Native stone (or synthetic equivalent)
- Tile masonry / terra cotta
- Stucco / EIFS (reinforced)

Secondary Materials

- Brick - panel/veneer, imprint or overlay systems
- Cement fiber board / cementitious siding
- Concrete masonry units (flush/plain, split faced or burnished)
- Gypsum Reinforced Fiber Concrete
- Metal panels
- Pre-cast concrete (for trim and cornice elements only)
- Cast stone
- Wood or cementitious siding
- Composite Wood Trim
- Fiber reinforced plastic

¹ Permitted only on walls that meet the articulation standards of the applicable Alternative Method development.



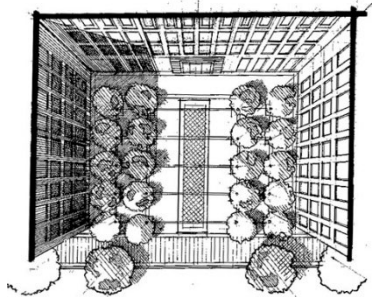
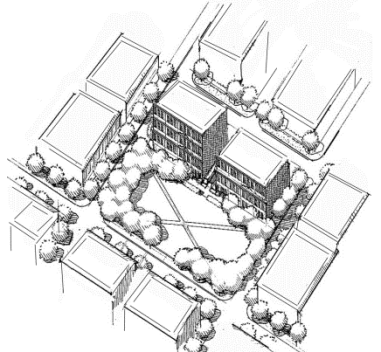
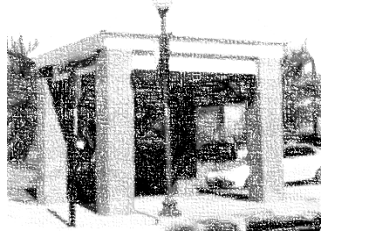
- (2) Wall materials shall be consistent horizontally (i.e. joints between different materials shall be horizontal and continue around corners) except for panel inserts (up to 15% of facade) and/or towers, chimneys and piers.

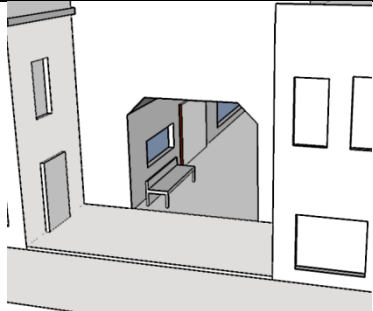

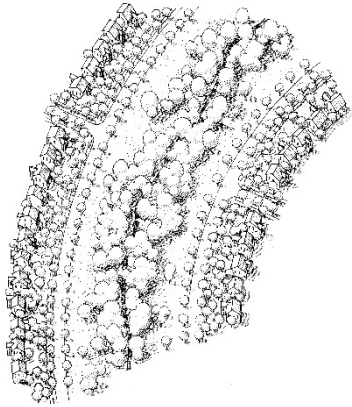
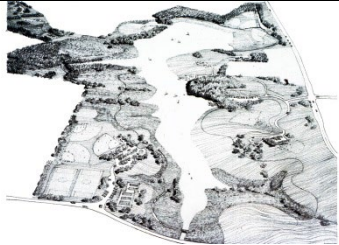
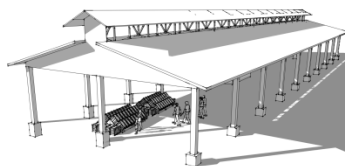


- (D) A building material not listed above is permitted if it is similar to the other materials in the same category with regard to:
- (1) Durability and quality, and
 - (2) Appearance, and
 - (3) Compatibility with the architectural style of neighboring buildings.

4-2706 Public & Civic Uses / Parks & Open Spaces.

- (A) **Typologies.** The following types of Public and Civic Uses / Parks and Open Spaces apply to the Standard and Alternative Methods in the CO, PD-CM, CI and CB districts. The table indicates the ratio at which these spaces are counted for compliance with the requirements for the minimum area or ratio of Public and Civic Uses / Parks and Open Spaces that shall be provided.

Type	Ratio	Category	Description	
Civic	1.0	Civic	A single-use or shared building operated by a nonprofit group or organization that is dedicated to social, recreational, religious, educational, or charitable services. A single-use building or shared building operated for-profit for public assembly may be considered a civic use if the Zoning Administrator determines that the use is compatible with the purpose of the zoning district.	
Public	1.0	Public	Any building or structure, accessible to the general public, and held, used or controlled exclusively for public purposes by any department or branch of the federal, state, or Loudoun County government, such as post offices, motor vehicle departments, general government support offices, libraries, community centers, recreation centers, sheriff substations, fire and rescue stations, or similar facilities.	
Plaza	1.0	Parks	An open area with seating that is adjacent to, or part of, a building. A Plaza may be combined with the Courtyard frontage type. Plazas function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands. A plaza requires a minimum depth and width of 10 feet and a minimum total area of 300 square feet.	
Square	1.0	Parks	<p>Areas that are improved with a combination of lawn, landscaping and seating areas, and that are accessible to the public or the project's tenants or customers. A Square shall be:</p> <ul style="list-style-type: none"> • bounded by streets on at least one side and pedestrian walkways on at least 2 sides, or • not bounded by streets, but accessible to the public, or • located on a rooftop. <p>A Square requires a minimum depth and width of 30 feet and a minimum total area of 1,000 square feet.</p>	
Transport	1.0 or 1.2 for PD-CM	Public	On-site transportation amenities, including bus or shuttle stops and customer pick-up/drop-off stations.	

Type	Ratio	Category	Description	
Pathways	1.0	Parks	Protected customer walkways or easily identifiable building pass-throughs that contain window displays and are intended for general public access. A Pathway shall have a minimum vertical clearance of 9 feet and horizontal clearance of 12 feet for pedestrian access. A pathway is not to be construed as a sidewalk that is parallel to an abutting street.	
Water feature	0.7	Open Space	A lake, pond, or fountain that is easily accessed by pedestrians and includes or integrates seating areas for pedestrians. A stormwater management facility may count as a water feature if it meets these standards, and is designed with a permanent pool.	
Greenways	1.0	Open Space	Natural areas (including areas protected by state or federal law) such as woodlands, floodplains, or protected tree canopy that connect buildings or gathering spaces with trail systems, or that buffer the site from streets or neighboring areas. A Greenway shall have a minimum average width of 30 feet and length of 100 feet.	
Natural Areas	0.5 for required, 1.0 for bonus	Open Space	<p>Areas established for the protection of natural attributes of local, regional, and statewide significance, which may be used in a sustainable manner for scientific research, education, aesthetic enjoyment, and appropriate use not detrimental to the primary purpose. These areas are resource rather than user-based, but may provide some passive recreational activities such as hiking, nature study, and picnicking. Natural Areas may include the Floodplain Overlay District, Scenic Creek Valley Buffer, and Steep Slope Standards.</p> <p>In order to receive a credit, the application shall divide the area into Required and Bonus space. Required space includes areas that are protected by County, state or federal law, such as floodplains. Other Natural Areas such as jurisdictional waters and wetlands and riparian buffers are considered bonus space.</p>	
Heritage Resource Spaces	1.0	Civic	Areas that are established and actively managed in a way that reflects the County's culture and heritage. These include areas that are preserved and managed as Farm Markets, Commercial Wineries, Farm Based Tourism, or Agricultural Cultural Centers in compliance with the standards established for those uses in Article 5. This type is allowed only in CO, PD-CM and CB Districts.	

(B) Cash in Lieu of Parks & Open Spaces / Public & Civic Uses.

- (1)** Where this Division allows the property owner to contribute cash in lieu of providing Parks and Open Spaces / Public and Civic Uses and the property owner elects this option, the value of the contribution shall equal:

 - (a)** the fair market value of the land subject to the contribution; and
 - (b)** the proportionate cost of improvements, construction or equipment subject to the contribution.
- (2)** The land and construction or equipment costs waived pursuant to subsection (B)(1) above shall be determined as provided in subsections (3) through (4), below.
- (3)** Fair Market Value of Land.

 - (a)** The cash-in-lieu shall be based on the fair market value of the property as a whole, proportionate to the amount of the contribution, as determined by a certified property appraiser hired and paid for by the property owner.
 - (b)** If the County rejects the property owner's appraisal, the County may hire and pay for a second appraiser to appraise the property.
 - (c)** If either party rejects the second appraisal, a third appraisal may be performed by an appraiser chosen by the first and second appraisers, the costs of which are to be shared equally by the County and the property owner. The third appraisal is binding on both parties.
 - (d)** All appraisals shall be consistent with generally-accepted appraisal techniques, reflect the value of comparable properties within the Route 28 corridor, and be based on the value of the property as of the date of the application review.
- (4)** Improvements, Construction, and Equipment.

 - (a)** The cash-in-lieu contribution for improvements, construction, and equipment, other than land, shall reflect the proportionate costs incurred by the property owner to provide the remaining on-site required Parks and Open Spaces / Public and Civic Uses improvements.
 - (b)** The contribution amount shall be verified through receipts, bids, and other evidence of actual costs incurred or to be incurred by the property owner to meet the remaining

requirements for providing Parks and Open Spaces / Public and Civic Uses.

4-2707 Parking Requirements.

- (A) For an Alternative Method of development, the number of parking spaces required by Section 5-1102 is reduced by the following percentage:

Alternative Method	Parking Reduction
Office Cluster	25%
Office Center	35%
Campus	10%

- (B) The parking reductions provided above are in addition to any reductions provided by Section 5-1102(F) or Section 4-2703.
- (C) A parking space located on a street may be included in the calculation of parking requirements if it is adjacent to the building site where the use is located.

4-2708 Site Standards.

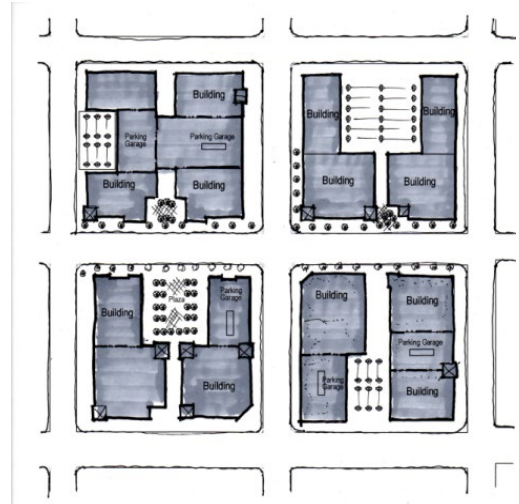
- (A) **Applicability.** This section applies to the Alternative Method of development in the CO, PD-CM and CB districts.

(B) **Blocks.**

- (1) This subsection (B) applies to:
- (a) Business Campus and Custom Campus Alternative Method development sites that are larger than 30 acres. This subsection does not apply to a Secure Office Campus.
 - (b) Office Cluster and Office Center development sites.
- (2) The development site shall be divided into blocks.
- (3) Block length within the development area shall not exceed –
- (a) 600 feet for an Office Cluster,
 - (b) 800 feet for a Business or Custom Campus, and
 - (c) 400 feet for an Office Center.

(C) **Streets.**

- (1) Streets interior to an Alternative Method development may be public or private, consistent with the Facilities Standards Manual.
- (2) Streets shall be arranged in a generally rectilinear grid.
- (3) Streets shall align with existing or planned streets on adjacent sites.



Grid Street Pattern

- (D) **Parking Arrangement.** Parking spaces and parking structures shall be located internal to a block, or in the areas outside of the Frontage Buildout and separated from a road by landscaping and screening as provided in Section 5-1407.

(E) **Street Trees.**

- (1) Canopy trees shall be planted at the following density along all areas dedicated for use for vehicular access in the Office Center, Office Cluster, Business or Custom Campus at a rate of one tree per 30 linear feet.
- (2) Canopy trees shall have a minimum caliper of 2 (two) inch and a height at maturity of 15 (fifteen) feet or more. As part of a site plan approval, the Zoning Administrator (on the advice of the County Urban Forester/Arborist) may approve substitute plantings or substitute locations if street trees will not survive in a given location.

4-2709 Sustainability Incentives.

- (A) **Applicability.** Property owners applying for the Alternative Method of Development may qualify for the sustainability incentive using the method below.
- (B) **Stormwater management.** A property owner may achieve an intensity bonus for stormwater management treatment that captures and retains on-site, through infiltration, re-use, and/or other best management practices, at least 20% of site runoff volume, based on the first inch of runoff (see Section 4-2703). The property owner shall provide plans, with supporting

documentation as necessary, that demonstrate how the performance targets established are met with the site plan or concept development plan approval. The plans should identify practices to be employed, such as permeable pavements, stormwater harvesting for non-potable uses, and green roofs, and be otherwise consistent with low-impact development practices consistent with Chapter 5 of the Facilities Standards Manual.

4-2710 Campus Alternative Method.

Description:

A Campus is an office-oriented development that includes a mix of uses in a park-like setting. This section establishes three types of Alternative Method Campus Developments: **Business Campus**, **Custom Campus**, and **Secure Office Campus**.

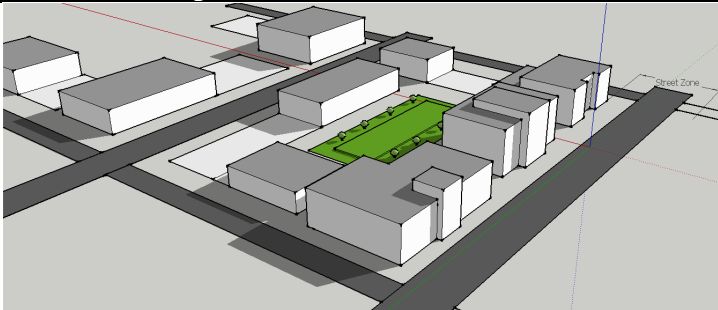
Campus type –

(the predominant use in each campus type is office and/or research-and-development)

Mix of Uses:

<i>Minimum Square Feet Required</i>	<i>Maximum Square Feet Permitted</i>
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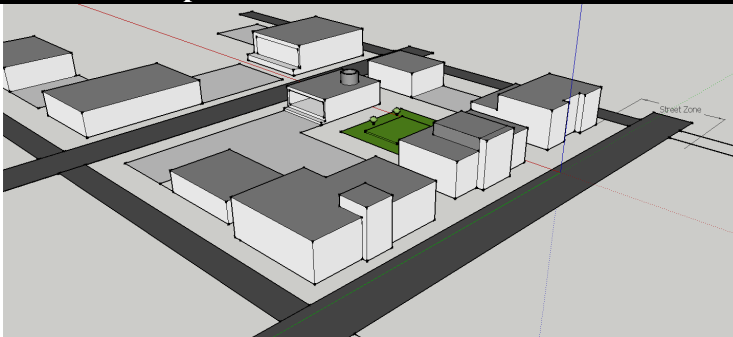
Business Campus -



An office-oriented planned development that combines office / research-and-development / flex buildings and supportive retail and service uses. This campus type does **not include manufacturing and production** uses.

Office / Research & Development	75%	100%
Flex / Data Centers	0%	10%
Retail & Services*	0%	10%

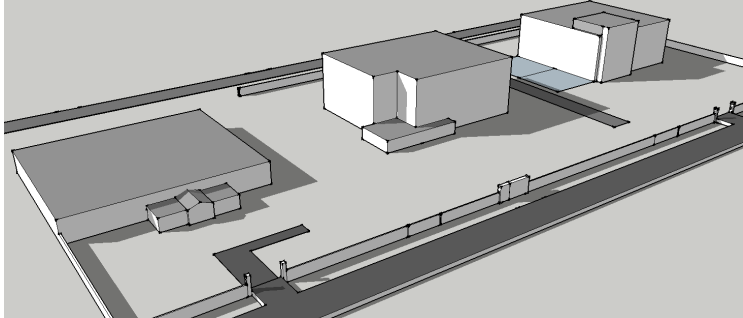
Custom Campus -



An office-oriented planned development -that combines office, research-and-development, and **manufacturing and production** uses.

Office / Research & Development	60%	100%
Manufacturing and Production	0%	10%
Retail & Services*	0%	10%

Definition and Mix of Uses:

	<i>Minimum Square Feet Required</i>	<i>Maximum Square Feet Permitted</i>
Secure Office Campus -		
	An office-oriented planned development that includes design standards that accommodate security elements, such as greater building setbacks, secured perimeters, and controlled site access. To use this option, the applicant must demonstrate that a secured perimeter and standoff distances are required for the applicant's prospective tenants by state or federal law or regulations.	
Office / Research & Development	60%	100%
Retail & Services*	0%	10%
Generally (applicable to all campus types)		
Flex / Data Centers	<ul style="list-style-type: none"> Up to 10% of all floor area in CO Up to 100% of the Office/Research & Development allocation in CB Flex uses are not permitted within a Major Street Zone. This restriction does not apply to Data Centers. 	
Public & Civic Uses / Parks & Open Spaces	<ul style="list-style-type: none"> Refer to the applicable Optional Overlay district standards (Sections 4-2308 or 4-2506) 	

* Retail and services do not include showrooms that are accessory to flex buildings and located entirely within the flex building.

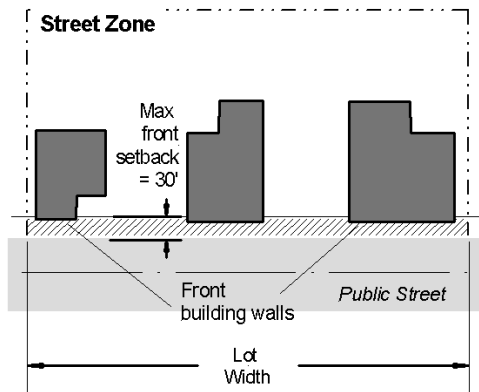
A Campus is divided into 2 or 3 subareas:

1. The **Street Zone** includes all areas located within 50 feet of the right-of-way of a public street other than Route 28. A Street Zone adjacent to the following roadways is considered a "**Major Street Zone**": George Washington Boulevard, Russell Branch Parkway, Waxpool/Church Road (Route 625), Loudoun County Parkway, Moran Road, Sterling Boulevard, Route 7, and Route 606 east of Route 28. The Street Zone does **not apply to a Secure Office Campus**.
2. The **Interior Zone**, includes all areas outside of the Street Zone other than the Corridor Zone, if applicable.
3. If the Campus is adjacent to the Route 28 right of way, a **Corridor Zone** applies, and is located within 100 feet of the planned right-of-way of Route 28.

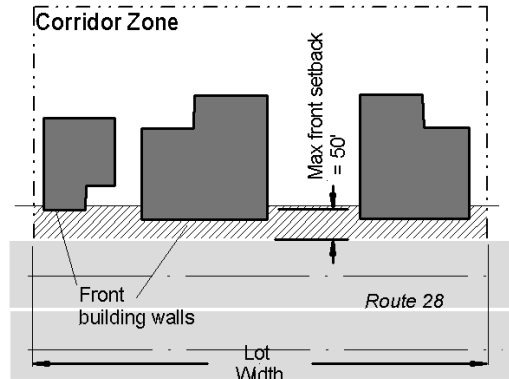
[Lot & Building Placement Standards begin on next page]

Lot and Building Placement Standards:

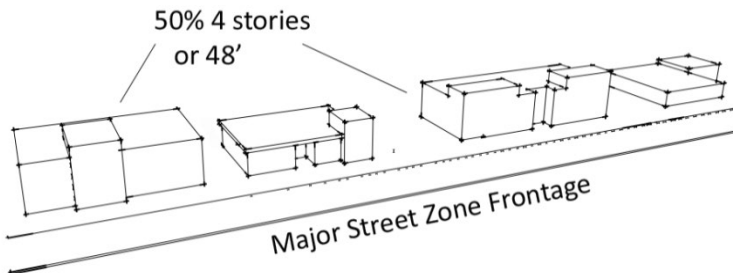
Street Setback. In the **Street Zone** - 0 feet (minimum) and 30 feet (maximum). No front setback applies to the **Interior Zone**. In the **Corridor Zone**, the setback is 50 feet (maximum) from the planned right-of-way of Route 28. This setback shall supersede the building and parking setback requirements of Section 5-1403(B). Road corridor buffers in accordance with Section 5-1403(B) shall be required.



1. **Frontage Buildout (minimum).** In the **Street Zone**, **Front** building walls shall occupy at least **50%** of the lot width at the maximum **Street Setback** lines. In the **Corridor Zone**, building walls shall occupy at least **60%** of the lot width at the maximum Corridor Setback lines.
2. **Rear and Side Setbacks** are not required.



Building Standards:



1. **Height.** At least 50% of a **Major Street Zone** frontage setback shall be occupied by buildings that are at least 4 stories or 48 feet in height. If a Corridor Zone is present, the frontage buildout, corridor setback and height standards for the Corridor Zone in Section 4-2305 apply.
2. **Orientation.** In the **Street Zone**, front building walls shall face streets or adjacent Civic Uses (see classification system in Section 4-2706).
3. **Frontage Types.** Buildings within the Frontage Buildout of the **Street Zone** shall use the Frontage Types listed in Section 4-2704.
4. **Massing / Façade.** In the **Street Zone**, building planes above the fifth story or 60 feet above average finished grade shall be separated by at least 60 feet.
5. **Open Space Network.** Buildings, parking areas and exterior spaces shall be connected by a continuous open space network. The open space network shall include interior paths that link buildings with pedestrian walkways, bikeways, plazas, and trails. The open space network is counted toward the required parks and open space area (section 4-2308(B)).
6. **Materials.** Building walls that face a Road or Street shall comply with Section 4-2705.

Frontage Types are not required in the
Corridor Zone.

Section 4-2800 Use Table and Supplemental Regulations.

4-2801 Use Table.

The Use Table for the Route 28 Corridor Districts establishes the following categories of uses:

Notation	Category	Description
P	By right	Permitted if they meet the standards established in the zoning district.
S	Special Exception	Requires special exception approval by the Board of Supervisors (refer to Section 6-1300).
A	Alternative Development	Uses that are permitted only as part of an Alternative Development.
B	“B” Streets	Uses that are permitted only on “B” streets as designated in a concept development plan for a PD-CM rezoning.

4-2802 Land Use Allocations.

- (A) The categories in the Use Table (Section 4-2801) are used to compute land use allocations.
- (B) For purposes of computing land use allocations for an Alternative Method, any building square footage associated with a use listed under the Parks and Open Spaces or Utilities and Transportation is excluded.
- (C) If a use is not defined in this Division or in Article 8, the Zoning Administrator shall refer to the most recent edition of Webster’s Unabridged Dictionary. If a use is not defined in Webster’s Unabridged Dictionary, the Zoning Administrator shall refer to the *North American Industry Classification Manual* (Executive Office of the President, Office of Management and Budget, 2012)(“NAICS”). If the use is not defined in the NAICS, the Zoning Administrator shall refer to the American Planning Association, *Land-Based Classification Standards LBCS Tables* (April 1, 2001).

Table 1 Use Table

Uses	RT 28 CO	RT 28 PD-CM	RT 28 CB	RT 28 CI
Office				
Office, administrative, business, professional	P	P	P	S
Conference and training center	P	P	P	S
Medical care facility, outpatient only	P	P	P	
Office (medical, dental, and optical)	P	P	P	
Training Facility	P	P	P	P
Research & Development				
Research, experimental testing, or development activities	P	P	P	P
Medical laboratories	P	P	P	P
Flex & Data Centers				
Data centers	S		P	P
Flex building that includes manufacturing & production or industrial uses				A
Flex building as part of a Custom Campus	A		A	
Flex building	A		A	A
Retail & Services				
Adult day care center	P	P	P	P
Animal hospital / Veterinary service				S
Art gallery	P	P		
Auction house	P	S	P	P
Automobile service station	S	S/B	S	S
Bank or financial institution (5-659)	P	P	P	S
Business service establishment (5-661)	P	P	P	P
Car wash (stand-alone)	S	S/B	S	S
Child care center (5-609(B))	P	P	S	S
Convenience food store	P	P	S	S
Courier and express delivery	P	P	P	
Craft Beverage Manufacturing (5-668)	P	P	M	M
Facility for lessons in dance, gymnastics, judo and sports training	S	S	S	
Farm based tourism	A	A	A	
Farm market (off-site production)	A	A	A	
Firearm range, archery range, indoor			S	S
Health and fitness center	P	P	P	S
Heavy equipment, machinery, and specialty vehicle sales, rental, repair and accessory service				P
Kennel				S
Livestock or farm product auction or wholesale facility				S
Lodging: Hotel/Motel (5-611)	P	S	P	
Lodging: Full Service Hotel	P	P	P	
Motor vehicle rental, with outdoor vehicle storage only				S
Motor vehicle service and repair, light				P
Motor vehicle service and repair, heavy, with accessory motor vehicle sales				P
Motorcycle or ATV sales, rental, repair and associated service				P
Outdoor sales area, accessory				S
Parking lot/valet service, long-term				S
Personal service establishment	P	P	S	S
Pharmacies (Section 5-659)	P	P	P	
Pharmacies or production, fitting or selling optical or prosthetic appliances in medical office or clinic	P	P	P	S
Radio, motion picture, music and television recording studio, video production and distribution, and postproduction services	A	A	A	P
Recreation establishment, indoor	P	P	P	
Restaurant, carry-out only	P	P	S	S
Restaurant, dinner theatre	P	P	P	
Restaurant, excluding drive-through facilities	P	P	S	S
Restaurants including carry-out, with drive-through facilities	S	P/B	S	S
Retail or wholesale sales in showroom of flex use	See "Flex" category			
Retail sales establishment (not listed elsewhere)	S	S	S	

Table 1 Use Table

Uses	RT 28 CO	RT 28 PD-CM	RT 28 CB	RT 28 CI
Retail sales establishment, restaurant or personal service use on ground floor of vertical mixed-use building	P	P	P	
Restaurant, stand-alone building	S	P/B	S	
Theater, indoor		P		
Winery, commercial	A	A	A	
Manufacturing & Production				
Bakery, commercial				P
Light manufacturing incidental to research and development activities which serve as an ancillary and interrelated component of the development	A	A	A	P
Machinery manufacturing, machine shops				P
Manufacture of concrete block, cinderblock, or brick				P
Manufacture of pre-form concrete products				P
Manufacture, processing, fabrication and/or assembly of products (not otherwise listed)	A		A	P
Printing, paper products and printing materials manufacturing (manufacture, processing, fabrication and/or assembly)				P
Publishers, including books, newspapers, and software	A	A	A	P
Sawmill, wood processing facility, stump processing plant				S
Industrial				
Contractor service establishment (5-662)				P
Distribution facility				P
Dry cleaning plant				S
Fruit processing, storage				P
Outdoor storage, accessory up to 10% of lot area of principal use				P
Warehousing				P
Wholesale trade establishment (5-663)				P
Residential				
Dwelling, accessory to a permitted or special exception use (example: resident manager, caretaker)		A		
Dwelling, Attached Multi-Family		A		
Public & Civic				
Agricultural cultural centers	A	A	A	
Amphitheater, outdoor	S	S	S	
Church, synagogue and temple	P	P	P	S
Civic, social, fraternal association meeting place	A	A	A	S
Community Center	A	A	A	S
Commuter parking lot	P	P	P	P
Educational institution	P	P	P	
Fire and/or rescue station, emergency response	S	S	S	S
Hospital (5-610)	S	S	S	
Library	P	P	P	
Museum, cultural center, interactive science, arboretum, zoo, botanical garden, planetarium, aquarium, or technology center	P	P	P	P
Performance arts center	P	P	P	
Police station	S	S	S	S
Postal services	P	P	P	P
Recycling drop off collection center, small (5-607)	P	P	P	P
Recycling drop-off collection center, large (5-607)				S
School, private	S	S	S	S
School, elementary, middle and high	S	S	S	S
School, vocational	S	S	S	S
Winery, commercial	A	A	A	
Parks and Open Spaces				
Agriculture, horticulture, forestry, and fishery (including Virginia farm winery)	P	P	P	P
Park	P	P	P	P
Golf course	S	S	S	S
Golf driving range	S	S	S	S
Utilities & Transportation				
Airport, private or commercial, including support activities such as freight and cargo handling				S
Bus stop	P	P	P	P

Table 1 Use Table

Uses	Rt 28 CO	Rt 28 PD-CM	Rt 28 CB	Rt 28 CI
Bus or truck maintenance or storage facility				S
Freight trucking, general and specialized				S
Heliport, helistop	S	S	S	S
Mass transit facilities and stations	P	P	P	P
Public utility service center				S
Radio, radar and/or television tower	S	S	S	S
Sewage treatment plant				S
Sewer pumping station	P		P	P
Scenic and sightseeing Transportation	A	A	A	P
Telecommunications antenna (5-618(A))	P	P	P	P
Telecommunications monopole (5-618(B)(1))	P	P	P	P
Telecommunications monopole (5-618(B)(2))	S	S	S	S
Telecommunications tower (5-618(C)(2))	S	S	S	S
Telecommunications tower (5-618(C)(1))				P
Ground passenger transportation (including taxi or limousine service, employee transportation, and special needs transportation services)				S
Utility substation, dedicated	P	P	P	P
Utility substation, distribution (5-616)	P	P	P	P
Utility substation, transmission (5-616)	S	S	S	S
Water pumping station	P	P	P	P
Water storage tank	S	S	S	S
Water treatment plant	S	S	S	S

Section 4-2900 Procedures.

4-2901 Generally.

Except as provided below, all development subject to this Division D: Route 28 Corridor shall be processed as provided in Article 6.

4-2902 Election to Waive Route 28 Tax District Law.

- (A) Applicants who wish to file a site plan under the Route 28 Corridor Optional Overlay regulations for property located in a commercial or industrial zoning district shall file an election as provided below.
- (B) The owner(s) of any commercially or industrially zoned property with an Optional Overlay district within the Route 28 Tax District may elect to waive the protection of the state legislation establishing the Route 28 Transportation Improvement District and Section 1-103(N) of this Ordinance by filing a written notice of such election accompanied by an affidavit in recordable form indicating that all owners (i) have signed the notice of election (ii) are electing to waive the protection of the state legislation establishing the Route 28 Transportation Improvement District and Section 1-103(N) of this Ordinance; and (iii) shall request that any land use approvals for the subject property shall be reviewed and developed pursuant to the Division D Route 28 Corridor Zoning Regulations of the Revised 1993 Zoning Ordinance. The election shall not relieve the owner(s) of any obligations under previously accepted proffers.
- (C) Property that is presently subject to the 1972, 1993 and Revised 1993 zoning ordinances that file an election are subject to this Division as indicated below:

Route 28 Corridor Plan Category	Optional Overlay
Core-Office Cluster <i>(north of Sterling Avenue)</i>	CO, Subdistrict 1
Core-Office Cluster <i>(south of Sterling Avenue)</i>	CO, Subdistrict 2
Business	CB
Industrial	CI

- (D) After an election is filed, all land use and land development approvals sought for the subject property shall be reviewed and developed pursuant to the Division D Route 28 Corridor Zoning Regulations of the Revised 1993 Zoning Ordinance, and the property owner may file a Site Plan pursuant to such regulations.

4-2903 Site Plans.

In addition to the requirements established in the Facilities Standards Manual and Section 6-700 for a site plan, a site plan filed under the Route 28 Corridor regulations shall include the following:

- (A) Names and route numbers of boundary streets and widths of existing right(s)-of-way. Delineation of existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of pavement and to the edge of the right-of-way.
- (B) The location and arrangement of all proposed uses.
- (C) The height, in feet, of all buildings and the number of floors both above and below or partially below finished grade
- (D) Proposed building footprints and massing details.
- (E) The traffic circulation system and the pedestrian and bicycle circulation system, including the location and width of all streets, driveways, entrances to parking areas and parking structures, pedestrian walkways and bicycle paths. This shall include an automobile turning analysis that demonstrates adequacy of access.
- (F) Location of bus and rail stops.
- (G) Landscaping plan indicating the location and type of all plantings, in accordance with the requirements of the Facilities Standards Manual, and any trees to be conserved.
- (H) Location and size of parks, civic, and open space areas, specifying the proposed treatment or improvement of all such areas.
- (I) Location and quantity of required number of offstreet parking and loading area provided.
- (J) Architectural sketches of typical proposed structures, including lighting fixtures. The sketches shall include sufficient detail to show how buildings shall comply with building entryway, fenestration, modulation, and building material requirements of any Alternative Method.
- (K) Total floor area and floor area for each use type and total floor area ratio in each subarea and land bay.

4-2904 Concept Development Plans.

- (A) **Applicability.** An application to rezone to a PD-CM Planned Development District shall submit a Concept Development Plan with the application for rezoning.

(B) **Preparation of CDP.** All Concept Development Plans required by this section shall be prepared according to Section 6-1200 of this Ordinance, and in addition shall include and graphically show the following items:

- (1) The type and scale of proposed uses;
- (2) The proposed minimum and maximum intensity of development (i.e., proposed floor area square footage) by land use category;
- (3) Site and building designs to include the integration of the built and open space environment, pedestrian streetscape design, pedestrian, bicycle and motor vehicle connections between the uses;
- (4) The physical and functional integration of the proposed mix of land uses, including but not limited to pedestrian, bicycle and vehicle connections between the uses and planned or existing transit stops and transit parking.
- (5) The designation of Streets as “A” Streets and “B” Streets.

4-2905 Duration of Permits.

- (A) The duration of a permit or approval for an Alternative Method of development under this Division is:
- (1) **Site Plan:** ten (10) years.
 - (2) **Special Exception:** ten (10) years.
 - (3) **Zoning Permit:** three (3) years.
- (B) This section supersedes any provisions to the contrary in this Ordinance, including Sections 6-1003, 6-1313 of this Ordinance and 1244.02 of the Land Subdivision and Development Ordinance, but is otherwise subject to the procedures set out in those sections.

Section 4-3000 Definitions for Route 28 Corridor Regulations.

The words, terms and phrases used in this Division have the meanings assigned in Article 8 of this Ordinance and this Section. If a definition in this section conflicts with a definition in Article 8, this section controls.

Average Finished Grade: A reference plane representing the average of finished ground level adjoining the building at its exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane is established by the lowest points within the area between the building and the lot line, or where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

Average Height. The average height is computed as the weighted average of building height based on building frontage, as follows:

$$H = (\sum S \times W) / \sum W$$

Where:

H = average building height

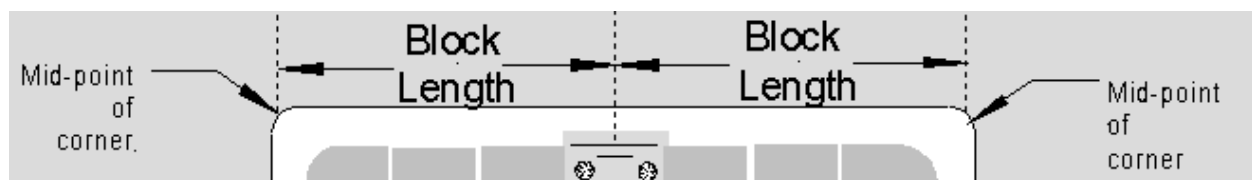
S = stories of each building at the front building line

W = width of each building at the front building line

Block Length. The length of a block face lying between 2 intersection streets, or between an intersection street and a pedestrian feature. Block length is measured from the mid-point of the corner along each opposite intersection if there is no pedestrian feature. If there is a pedestrian feature between the intersection streets, block length is measured from the mid-point of the intersection street corner to the mid-point of the pedestrian feature. For purposes of this definition, a “pedestrian feature” is a mid-block through alley with pedestrian access (which may permit secondary vehicle access to land uses on the block), a pedestrian way that connects land uses on both sides of the block, or another significant pedestrian gathering place such as a plaza, park, or promenade.



Option 1: Block face formed by 2 intersections.



Option 2: Block face formed by intersection and pedestrian feature.

Building Frontage. The side, or façade, of a building closest to and most nearly parallel to an abutting street.

Building Wall: A vertical element that is used to enclose space that is intended for human occupancy.

Building Wall, Front: The building wall that includes the principal entrance to a building.

Corridor Zone: the area within 100 feet of the existing or planned right-of-way of Route 28.

Discretionary Approval. For purposes of the Route 28 Corridor regulations, zoning amendment or Concept Development Plan.

Entryway. A door or similar building entry that allows entry by the general public, customers, residents, or employees. An entryway may be secured or unsecured.

Exterior Wall: A wall, bearing or nonbearing, that is used as an enclosing wall for a building, other than a fire wall, and that has a slope of 60 degrees or greater with the horizontal plane.

Flex or Flex Building. A building designed to accommodate a combination of uses, the exact proportions of each use being subject to user needs over time and the applicable district and/or Alternative Method regulations. A multiple use flex building includes office or research and development, and any of the following uses:

- Wholesale trade establishment, or
- warehousing, or
- laboratories, or
- data centers, or
- training facilities that relate to the office or research and development uses, or
- retail or commercial uses that support the uses listed above, up to 10% of the gross floor area of the building, or
- showrooms, consisting of retail or service uses but may exceed the 10% threshold listed above, or
- where allowed in the Use Table (Section 4-2801), manufacturing and production or industrial uses.

Front Building Line: the point at which a building façade is closest to the front property line.

Frontage, Development: either –

- The frontage of an individual lot that is not subject to an application that includes multiple lots as described below, or
- For a development, the combined lot frontage all of lots within an area covered by an application that includes more than one lot. An “application” includes any application for Zoning Map Amendment, Zoning Modification, Final Site Plan, or Special Exception.

Frontage Buildout: The linear percentage a line parallel to the Development Frontage that is occupied by buildings that face a road. The required percentage and the location of the parallel line is designated by regulations that apply to Alternative Methods (as designated in Sections 4-2300, 4-2400, and 4-2500) and, if applicable, the zoning district regulations.

Glazing. Placed in transparent glass. "Transparent" means capable of transmitting light in a manner that permits a person standing outside of a building to view shapes, tones, and objects inside a building. A tinted window is considered transparent if it meets the requirements of this paragraph.

Gypsum or Glass Reinforced Fiber Concrete (or “GRFC”). A cementitious matrix composed of cement, sand, water, and admixtures, in which short length glass fibers are dispersed. GRFC is concrete that uses glass fibers for reinforcement instead of steel. It is typically used for nonstructural façade panels.

Horizontal Mixed-Use Building: includes –

1. a building in which a compatible mixture of different use categories (such as commercial, cultural, institutional, governmental, recreational, and/or high density residential uses) are located side by side and separated by party walls, or
2. two or more buildings that have adjoining walls, and that are occupied by such different use categories.

Hotel, Full-Service. Multi-story, hotels with a minimum of 200 rooms that are targeted to business and/or leisure travelers and include large meeting facilities of 10,000 square feet or greater or are combined with a convention center, and contain amenities, including one or more restaurants, bell and valet service, room service, concierge service, 24-hour front-desk service, business services, spa service, fitness center and recreational/entertainment facilities.

Land Use Allocation. The minimum and maximum mix of uses prescribed for an Alternative Method development.

LEED. The Leadership in Energy and Environmental Design (LEED) certification program administered by the United States Green Building Council. The LEED rating is determined in accordance with the U.S. Green Building Council, LEED 2009 for New Construction and Major Renovations Rating Systems, Version 3.0 (November 2008), or the most current version of that document.

Manufacture, processing, fabrication and/or assembly. Manufacture, processing, fabrication and/or assembly of products such as, but not limited to: scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceutical, household appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass products made of purchases glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery.

Maximum Setback. See Setback, Maximum.

Mixed-Use Building. A horizontal mixed-use building or vertical mixed-use building.

Planting/Furniture Zone. An area within a sidewalk that provides space for landscaping, street furniture, and pedestrian amenities.

Pedestrian Through Zone. An area within a sidewalk that provides space for pedestrian through traffic, and that is located between the building front and a Planting/Furniture Zone.

Proposed Development. Any use, construction activity, and related activity proposed by an application for Zoning Map Amendment, Zoning Modification, Concept Development Plan, Final Site Plan, or Special Exception.

Route 28 Corridor Regulations. Article 4, Division D of the Loudoun County Zoning Ordinance.

Setback, Corridor. A setback measured from the planned right-of-way of Route 28.

Setback, Maximum. The distance of an imaginary line measured from the following reference points and extending along a Development Frontage, and that is used to measure the Frontage Buildout:

- If sidewalks exist or are planned at the time an application is filed, from the outer edge of the sidewalk, or
- If sidewalks do not exist and are not subject to current construction plans that designate their location, from the edge of the public right of way or, if applicable, a public access easement.

Setback, Street. A setback measured from the outer edge of any Road (other than Route 28 or Route 7). For a public Road, the setback is measured from the reference points described in “Setback, Maximum” above. For a private road or driveway, the setback is measured from the outer edge of the sidewalk or, if sidewalks do not exist, the edge of the road’s curb or pavement.

Street, Interior. Any street that is located interior to the boundaries of a proposed development.

Story Above Grade Plane: Any story that has its finished floor surface above the finished grade, or in which the finished surface of the floor next above is:

1. More than 6 feet above grade plane, or
2. More than 12 feet above the finished ground level at any point.

Vertical Mixed-Use Building: A building that has a compatible mixture of different use categories (such as commercial, cultural, institutional, governmental, recreational, and/or high density residential uses) occupying different floors.