



Department of Planning
1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000
Telephone (703) 777-0246 • Fax (703) 777-0441 • E-mail: dop@loudoun.gov.

LOUDOUN COUNTY PLANNING COMMISSION

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January 23, 2006

FORNEY, MERVIN R & PAMELA H T/C
41961 RASPBERRY DR
LEESBURG , VA 20176-6252

NOTICE OF PUBLIC HEARING
PROPOSED ZONING CHANGES AFFECTING YOUR PROPERTY
CPAM-2005-0005/ZMAP-2005-0042/ZOAM-2005-0002

Parcel (County Property Identification Number) : 184169020000

Proposed Zoning District Classification(s) :

ARI AGRICULTURAL RURAL - 1

Proposed Overlay District(s) :

NONE

Existing Comprehensive Plan Designation : **Rural Policy Area**
Proposed Comprehensive Plan Designation : **Rural Policy Area**

Dear Property Owner,

This is to give you notice of proposed amendments to the Loudoun County Zoning Ordinance and Zoning Map to change the zoning classification(s) of your property, along with text amendments to the regulations for your property's new zoning classification(s) that affect allowable uses and densities. Amendments to the Loudoun County Comprehensive Plan are also proposed to revise the policies for uses and densities in the *Rural Policy Area* of the county.

Property

According to the current real estate tax assessment records, you are shown as the property owner of the parcel or parcels listed above. The Property Identification Number, or PIN (listed as "parcel" above), is used by the County to identify parcels of land.

New Zoning District Classifications (Zoning Map Amendments)

The new zoning district classification(s) proposed for your property is listed above, including all applicable zoning overlay districts. The zoning district classification corresponds to regulations governing the use and development of the property, including density or lot yield. The Zoning Ordinance and Zoning Map include zoning overlay districts in addition to the zoning district classifications. Properties in overlay districts are subject to additional regulations related to the protection of certain environmental or historic resources. If any of your property is within an overlay district, it is noted above.

Zoning Ordinance Text Amendments

The district regulations for the AR-1 and AR-2 districts are proposed to be revised and readopted. If the new zoning classification for your property is identified above as AR-1, please see Attachment 1 for a summary of the district regulations with the proposed amendments, including uses and densities. If the new zoning classification for your property is identified above as AR-2, please see Attachment 2 for a summary of the district regulations with the proposed amendments, including uses and densities.

In addition, amendments are proposed to the performance standards in Section 5-600 of the Zoning Ordinance. The performance standards establish regulations related to particular uses, such as setbacks, lot coverage, and minimum acreage. If a use is allowed under the zoning district classification for your property, it must also comply with these specific performance standards in Section 5-600. See Attachment 3a for a list of the uses affected by amendments to the Additional Regulations for Specific Uses in Section 5-600 and Attachment 3b for amendments to Section 5-500 affecting Temporary Uses/Zoning Permits.

Comprehensive Plan Designation

The Comprehensive Plan is a general guide for land use in the County. The current Comprehensive Plan was adopted in 2001 and includes a map of planned land uses for the County. Your property is located in the *Rural Policy Area*. There is a companion amendment to the Comprehensive Plan to revise policies concerning the uses and densities in the *Rural Policy Area*, including guidance for rezoning options in the *Rural Policy Area*. For a description of the general uses and densities for that designation, under the current plan and the proposed amendments, please refer to Attachment 4.

Public Hearing

The Loudoun County Planning Commission will hold a public hearing on the proposed Zoning Ordinance and Zoning Map amendments, and the proposed Comprehensive Plan amendments, on:

Date :	Thursday, February 9, 2006	Saturday, February 11, 2006
Time :	6:00 P.M.	9:00 A.M.
Place :	Loudoun County High School Auditorium 415 Dry Mill Road, SW Leesburg, VA	Board of Supervisors Meeting Room Loudoun County Government Center One Harrison Street, S.E. First Floor Leesburg, VA

Any interested persons will be heard concerning the proposals.

Additional Information

Copies of the proposed zoning map and zoning ordinance revisions are available for review at:

Loudoun County Department of Building and Development
Loudoun County Government Center
One Harrison Street, S.E. 2nd Floor
Leesburg, VA

Normal business hours for the Department of Building and Development are weekdays, 9:00 a.m. to 4:30 p.m., except for holidays.

Additional sources of information are listed below:
Telephone: (703) 737-8915
Website: www.loudoun.gov/rural
Email: martman@loudoun.gov

Sincerely,

Chairman
Loudoun County Planning Commission

ATTACHMENT 1: SUMMARY OF AR-1 (Agricultural Rural 1) ZONING CLASSIFICATION

Uses: The district, as amended, will provide for uses in five classifications.

Agricultural uses (including particular uses in the following categories: agriculture, horticulture, animal husbandry, agricultural support services, animal services)

Residential uses (including single family dwelling, accessory dwelling, caretaker's residence, guest house, home occupation, tenant dwelling, co-housing, convent or monastery, seasonal labor dormitory, rooming house, portable dwelling/construction trailer)

Public and institutional uses (including particular uses in the following categories: aviation, day care facilities, cultural and government facilities, education, park and open space, public safety, religious assembly, utility uses)

Commercial uses (including particular uses in the following categories: conference and training centers, food and beverage, office, recreation & entertainment, retail sales and service uses, visitor accommodation)

Industrial uses (including particular uses in the following categories: telecommunication, waste-related uses)

Development Options: The district, as amended, will provide three development options.

Base Density Option. 20 acre minimum lot size; 175 foot minimum lot width; minimum yard of 25 feet to 100 feet depending on property line or type of road; 8% maximum lot coverage; 35 foot maximum building height, excluding agricultural structures; onsite water and sewage disposal.

Principal/Subordinate Subdivision Option. Under this option, the maximum lot yield is calculated based on the gross acreage of an originating tract. Each time a subordinate lot is created, it is subtracted from the lot yield to establish the number of lots that may be created on the remaining portion of the originating tract. Maximum lot yield of one lot per 10 acres based on the size of the original tract to be subdivided; minimum originating tract size of 20 acres for this subdivision option; 80,000 square foot minimum lot size; At least one lot 15 acres or greater in size; 175 foot minimum lot width; 3 to 1 maximum length/width ratio; minimum yard of 25 feet to 100 feet depending on property line or type of road; 15% maximum lot coverage; 35 foot maximum building height, excluding agricultural structures; onsite water and sewage disposal.

Cluster Subdivision Option. 5 to 25 clustered lots may be created along with common open space and at least one lot 15 acres or greater in size; minimum tract size of 20 acres for this subdivision option; maximum lot yield of one lot per 10 acres based on gross acreage of tract; 40,000 square foot minimum cluster lot size; 4 acre maximum cluster lot size; 175 foot minimum lot width; 3 to 1 maximum length/width ratio; 100 foot perimeter setback; minimum yard of 25 feet to 100 feet depending on property line or type of road; 15% maximum cluster lot coverage; 35 foot maximum building height, excluding agricultural structures; onsite or communal water and sewage disposal.

Please refer to the full text of the AR-1 regulations for more detail.

ATTACHMENT 2: SUMMARY OF AR-2 (Agricultural Rural 2) ZONING CLASSIFICATION

Uses: The district, as amended, will provide for uses in five classifications.

Agricultural uses (including particular uses in the following categories: agriculture, horticulture, animal husbandry, agricultural support services, animal services)

Residential uses (including single family dwelling, accessory dwelling, caretaker's residence, guest house, home occupation, tenant dwelling, co-housing, convent or monastery, seasonal labor dormitory, rooming house, portable dwelling/construction trailer)

Public and institutional uses (including particular uses in the following categories: aviation, day care facilities, cultural and government facilities, education, park and open space, public safety, religious assembly, utility uses)

Commercial uses (including particular uses in the following categories: conference and training centers, food and beverage, office, recreation & entertainment, retail sales and service uses, visitor accommodation)

Industrial uses (including particular uses in the following categories: telecommunication, waste-related uses).

Development Options: The district, as amended, will provide three development options.

Base Density Option. 40 acre minimum lot size; 175 foot minimum lot width; minimum yard of 25 feet to 100 feet depending on property line or type of road; 8% maximum lot coverage; 35 feet maximum building height, excluding agricultural structures; onsite water and sewage disposal.

Principal/Subordinate Subdivision Option. Under this option, the maximum lot yield is calculated based on the gross acreage of an originating tract. Each time a subordinate lot is created, it is subtracted from the lot yield to establish the number of lots that may be created on the remaining portion of the originating tract. Maximum lot yield of one lot per 20 acres based on the size of the original tract to be subdivided; minimum originating tract size of 40 acres for this subdivision option; 80,000 square foot minimum lot size; At least one lot 25 acres or greater in size; 175 foot minimum lot width; 3 to 1 maximum length/width ratio; minimum yard of 25 feet to 100 feet depending on property line or type of road; 15% maximum lot coverage; 35 foot maximum building height, excluding agricultural structures; onsite water and sewage disposal.

Cluster Subdivision Option. 5 to 25 clustered lots may be created along with common open space and at least one lot 25 acres or greater in size; minimum tract size of 40 acres for this subdivision option; maximum lot yield of one lot per 20 acres based on gross acreage of tract; 40,000 square foot minimum cluster lot size; 4 acre maximum cluster lot size; 175 foot minimum lot width; 3 to 1 maximum length/width ratio; 100 foot perimeter setback; minimum yard of 25 feet to 100 feet depending on property line or type of road; 15% maximum cluster lot coverage; 35 foot maximum building height, excluding agricultural structures; onsite or communal water and sewage disposal.

Please refer to the full text of the AR-2 Regulations for more detail.

**ATTACHMENT 3a: LIST OF USES AFFECTED BY PROPOSED CHANGES TO
ADDITIONAL REGULATIONS FOR SPECIFIC USES (SECTION 5-600)**

- 5-601 (A) BED AND BREAKFAST HOMESTAY
- (B) BED AND BREAKFAST INN
- (C) COUNTRY INN
- (D) RURAL RETREATS AND RESORTS
- 5-602 TENANT DWELLINGS
- 5-604 WAYSIDE STANDS
- 5-605 COMMERCIAL NURSERIES
- 5-607 RECYCLING DROP-OFF CENTERS AND MATERIAL RECOVERY FACILITIES.
- 5-608 FLEX-INDUSTRIAL USES
- 5-609 CHILD CARE FACILITIES
- 5-612 GUEST HOUSES
- 5-613 ACCESSORY APARTMENTS AND DWELLING UNITS
- 5-614 SMALL BUSINESSES
- 5-616 UTILITY SUBSTATIONS
- 5-618 TELECOMMUNICATIONS USE AND/OR STRUCTURES
- 5-619 RURAL AGRICULTURAL CORPORATE RETREAT
- 5-620 MANUFACTURED HOUSING
- 5-621 PUBLIC UTILITIES
- 5-625 WINERY, COMMERCIAL
- 5-626 AGRICULTURE, HORTICULTURE AND ANIMAL HUSBANDRY
- 5-631 ANIMAL HOSPITAL
- 5-634 AGRICULTURAL CULTURAL CENTER
- 5-635 FAIRGROUND
- 5-637 CEMETERY, MAUSOLEUM, CREMATORIUM
- 5-638 PUBLIC SAFETY USES (FIRE/RESCUE STATIONS, POLICE STATION/SUBSTATION)
- 5-639 RELIGIOUS ASSEMBLY USES (CHURCH, SYNAGOGUE, TEMPLE, MOSQUE)
- 5-640 CONFERENCE AND TRAINING CENTERS
- 5-642 BANQUET FACILITY
- 5-643 RESTAURANT
- 5-644 EDUCATIONAL OR RESEARCH FACILITIES USE RELATED TO THE AGRICULTURE,
HORTICULTURE AND ANIMAL HUSBANDRY USES IN THE DISTRICT
- 5-645 CAMP, DAY AND BOARDING
- 5-648 GOLF COURSE
- 5-650 ANTIQUE SHOP; ART GALLERY OR STUDIO; CRAFT SHOP
- 5-652 EXTERIOR LIGHTING AND NOISE STANDARDS FOR SPECIFIC USES
- 5-653 LANDSCAPING AND SCREENING STANDARDS FOR SPECIFIC USES
- 5-654 ROAD ACCESS STANDARDS FOR SPECIFIC USES
- 5-656 CONVENT OR MONASTERY
- 5-657 STOCKPILING OF DIRT
- 5-660 COUNTRY CLUB

**ATTACHMENT 3b: LIST OF USES AFFECTED BY PROPOSED CHANGES TO
TEMPORARY USES/ZONING PERMITS (SECTION 5-500)**

- 5-500 (A) CONSTRUCTION RELATED TEMPORARY USES
 - (1) CONSTRUCTION AND SALES TRAILERS
 - (2) TEMPORARY DWELLING UNIT IN CONJUNCTION WITH CONSTRUCTION OF A
DWELLING
 - (3) SALES AND LEASING
 - (4) MODEL HOMES
- (B) TEMPORARY SALES
- (C) TEMPORARY SPECIAL EVENTS

ATTACHMENT 4: SUMMARY OF COMPREHENSIVE PLAN PROVISIONS FOR THE RURAL POLICY AREA, INCLUDING PROPOSED AMENDMENTS

The Rural Policy Area is divided into two tiers, the northern tier and southern tier, with different base residential densities in response to the dominant rural land use and development patterns of these distinct geographic areas. The Rural Policy Area is planned for rural economy uses and limited residential development. Among residential uses, clustered developments are the preferred development pattern in the Rural Policy Area. Clustered developments allow landowners to group residential lots in a traditional community pattern so that a substantial amount of the remaining land is available for rural economy uses, traditional agriculture and/or open space.

Southern Tier of Rural Policy Area: The southern tier (defined generally as south of Goose Creek and North Fork of Goose Creek to the County border with Clarke, Fauquier and Prince William Counties, Virginia) is characterized by an existing large lot pattern and is the center of Loudoun's equine industry. The comprehensive plan (as it is proposed to be amended) calls for this area to develop at a base density of 40 acres per lot, with the development option to cluster residential lots at the equivalent of one dwelling unit per 20 acres.¹ In addition, the zoning for this area should provide a spin-off lot option at the same overall density as provided in the cluster option. (Spin-off lots may be created individually at minimum size of 80,000 square feet. Such lots may be clustered and are counted against density permitted by the originating tract.)

Northern Tier of Rural Policy Area: The northern tier (defined generally as north of Goose Creek and North Fork of Goose Creek to the County border with Montgomery, Frederick and Washington Counties, Maryland; Jefferson County, West Virginia; and Clarke County Virginia) is characterized by a mix of smaller lots interspersed with larger parcels still in agricultural use. The comprehensive plan (as it is proposed to be amended) calls for this area to develop at a base density of 20 acres per lot, with the development option to cluster residential lots at the equivalent of one dwelling unit per 10 acres.² In addition, the zoning for this area should provide a spin-off lot option at the same overall density as provided in the cluster option. (Spin-off lots may be created individually at minimum size of 80,000 square feet. Such lots may be clustered and are counted against density permitted by the originating tract.)

Rural residential rezonings to higher densities may be appropriate and allowed in the northern and southern tiers of the Rural Policy Area at densities compatible with the existing development pattern for that area. All Rural Residential rezonings are to be developed in a clustered pattern and meet established performance criteria, including traffic capacity limits and design standards. Rural Residential rezonings to higher densities will be contingent on the mitigation of capital facility and transportation impacts; protection of significant open space and opportunities for rural economic uses; compatibility with surrounding uses and the rural landscape; protection of significant site features and environmental resources; and other matters related to the health, safety and welfare of the community.

¹ The current plan for the Southern Tier recommends a base density of one lot per fifty acres, with a cluster option at one unit per 20 acres.

² The current plan for the Northern Tier recommends a base density of one lot per twenty acres, with a cluster option at one unit per 10 acres.