

## ARTICLE 8 - DEFINITIONS

Words and terms set forth below shall have the meanings ascribed to them. Any word, term, or phrase used in this Ordinance not defined below shall have the meaning ascribed to such word, term or phrase in the most recent edition of Webster's Unabridged Dictionary, unless in the opinion of the Zoning Administrator, established customs or practices in Loudoun County, Virginia justify a different or additional meaning. For the purpose of this Ordinance, certain words and terms are herein defined as follows:

A

**Abattoir:** A commercial slaughterhouse.

**Access:** A means of approach or admission.

**Accessory Building:** A non-habitable building located on a lot, the use of which is associated with the principal building and which is located upon the same lot as the principal building. The maximum size of an accessory building is based on the size of the lot on which it is located as follows: up to 5 acres: 2,500 sq. ft., more than 5 acres up to 10 acres: 5,000 sq. ft., more than 10 acres up to 20 acres: 7,500 sq. ft., more than 20 acres: 10,000 sq. ft.

**Active channel:** The area of the stream channel that is subject to frequent flows (approximately once per one and one-half years), and that includes the portion of the channel below where the floodplain flattens.

**Active recreational uses:** Recreational uses requiring constructed facilities for organized activities, such as playing fields, ball courts, and playgrounds.

**Adult Day Care Center:** A licensed facility for four or more aged, infirmed, or disabled adults which is operated during a part of the day only, which provides supplementary care and protection of individuals who reside elsewhere, except a facility or portion of a facility licensed by the State Board of Health or the Department of Mental Health, Mental Retardation and Substance Abuse Service, and the home or residence of an individual who cares for only persons related to him by blood or marriage.

**Adult Entertainment:** Adult entertainment is any medium used for presenting material or performances distinguished or characterized by an emphasis on matter depicting, describing, or relating to 'Specified Sexual Activities' or 'Specified Anatomical Areas' for observation by patrons therein; or limits the presentation of such materials to persons over 18 years of age. This definition shall not apply to a legitimate theatrical performance where nudity is only incidental to the primary purpose of the performance. For the purposes of this definition, "Specified Sexual Activities" is defined as:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

And, 'Specified Anatomical Areas' is defined as:

1. Less than completely and opaquely covered: (a) human genitals, pubic region, (b) buttock, and (c) female breast below a point immediately above the top of the areola; and

2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**Adverse Impact:** An impact that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, unhealthy conditions on a site or degrades or damages environmental or cultural resources on a site proposed for development or on off-site property or facilities.

**Affordable Dwelling Unit** – A dwelling unit for rent or for sale regulated pursuant to the provisions contained in Article 7, as adopted by the Board of Supervisors.

**Affordable Housing Unit** – A dwelling unit for rent or for sale developed pursuant to a Virginia Housing Development Authority (VHDA) Low Income Housing Tax Credit (LIHTC) program or a U.S. Department of Housing and Urban Development (HUD) 221(d)(4) program that meets the Definition of Affordable Housing included in the HUD Multifamily Accelerated Processing (MAP) Guide, Revised January 29, 2016, as amended, from the Office of the Assistant Secretary for Housing – FHA Commissioner (“HUD 221(d)(4) Affordable”).

**Agricultural cultural center:** A facility established for the purpose of educating the public about agricultural activities, and/or the heritage and culture of agricultural activities.

**Agricultural Processing:** The processing, preparation, and/or manufacturing of agricultural products, including but not limited to changes to the physical state or form of the agricultural product, as an accessory use to an agricultural use. A minimum of 51% of the agricultural products used for the processing, preparation, and/or manufacturing shall be derived from the agricultural use.

**Agricultural research facility:** A facility for the investigation, testing, and demonstration of agricultural products and processes, including biotechnical agriculture, veterinary, soil, plant and animal sciences.

**Agriculture:** Uses characterized by general active and on-going agricultural activities, including agronomy, aquaculture, biotechnical agriculture (including education parks for biotechnical agriculture or a demonstration farm), forestry, fisheries, honey production, silviculture (including the harvesting of timber), and similar uses. Agriculture does not include a grocery store or the retail or wholesale sale of products remotely related to the production of agricultural products. Agriculture does not include preparatory functions such as grading or creation of planting beds through stockpiling of dirt or other means when such preparations do not result in an active and on-going agricultural activity within 30 days. Accessory uses may include offices, storage areas and repair facilities related to agriculture uses.

**Agriculture Support and Services Directly Associated with On-going Agricultural Activity, On-Site:** A Use Category that includes uses that provide support and services to agricultural, horticultural and animal husbandry activities, which are limited to and that operate in conjunction with and on the site of on-going agricultural, horticultural or animal husbandry uses. These uses include: agricultural processing; agri-education; animal care businesses; commercial wineries; custom operators (haymaking, brush hogging, crop storage, hauling, fencing, barn construction); direct market businesses for the sale of products produced on-site, including but not limited to PYO (pick-your-own); equestrian event facilities; horse trails or networks; farm co-ops; farm based tourism events; farm markets; farm machinery repair; feedlot (for on-going, on-site, animal husbandry activities); nurseries, commercial; pet farms; products combining recreation with consumption of agricultural products; portable sawmills;

small business uses; stables; stables, private; wayside stands; wetlands mitigation banks; and similar uses.

**Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity:** A Use Category that includes uses and activities that provide support and services to agricultural, horticultural and animal husbandry activities, either on the site of the agricultural, horticultural or animal husbandry activity, or off-site. These uses include: agricultural research facility; animal care businesses; central farm distribution hub for agricultural products; equestrian event facilities; horse trails or networks; farm machinery repair; farm machinery sales, rental and service; feed and farm supply centers; nurseries, commercial; stables, livery; stable, private; and similar uses.

**Agritainment:** Events and activities such as corn mazes, hay rides and petting zoos, that allow for recreation, entertainment and tourism in conjunction with agriculture support and services directly associated with on-going agricultural activity on-site.

**Air conditioner condenser:** An outdoor appliance or device, including the outdoor component of a heat pump system, that is designed to increase or decrease the thermal temperature of air for building spaces, typically to improve thermal comfort. An air conditioner condenser generally comprises a compressor, cooling fins and tubes, coolant tubes, and a fan, and its performance is dependent on air-flow. The appliance may or may not be a component of a heat pump system.

**Airport/landing strip:** Any area designed and used for the takeoff and landing of small private aircraft, having no more than one air strip.

**Airport:** (Including Air Park, Flight Strip, Airfield and Heliport): A place where aircraft may take off or land, discharge or receive cargoes and/or passengers, be repaired, take on fuel, and be stored.

**Alley:** A right-of-way which provides secondary and/or service access for vehicles to the side or rear of abutting properties whose principal frontage is on another street.

**All-terrain vehicle (ATV):** A small motor vehicle with three or four wheels designed for recreational use on various types of terrain.

**Amend or Amendment:** Any repeal, modification, or addition to a regulation; any new regulation; any change in the number, shape, boundary, or area of a district; or any repeal or abolition of any map, part thereof, or addition thereto.

**Amusement or Theme Park:** A facility, indoor or outdoor, designed for entertainment purposes which may include structures or buildings, motorized or non-motorized rides, games, booths for the conduct of sporting events or games, and constructed land features such as lakes, hills, or trails. Office, retail and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances.

**Animal care business:** An enterprise that provides care and services for livestock or other farm animals, such as, but not limited to, animal grooming, dental, blacksmithing, and massage, but which is not a kennel or an animal hospital.

**Animal Hospital:** A place for the medical care of animals. The boarding of animals at an animal hospital is limited to that incidental to the hospital use.

**Animal Husbandry:** Uses characterized by the active and on-going propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals, including the raising and production of bison, cattle (beef and dairy), pigs, mules, ducks, emus, horses and very small equine, goats, llama, alpaca, poultry, pigeons, sheep, and similar animal husbandry uses. The conduct of the foregoing activities with respect to animals meeting the definition of “Pet” or non-domesticated (wild) animals shall not be considered Animal husbandry.

**Animal Services:** A Use Category that includes uses related to the provision of services and treatment to animals, including veterinary services, animal hospitals, kennels, and the boarding of animals related to the provision of these services.

**Antique shop:** An establishment that sells items such as furniture, household wares and decorations, and related articles, which have value and significance because of factors such as age, rarity, historical significance, design, and sentiment.

**Application, Active:** Any Zoning Map Amendment application, Zoning Modification application, Concept Plan Amendment application, Special Exception application, Preliminary or Record Subdivision application, or Site Plan application, which has been officially accepted by the County and which is not an inactive application or has not been withdrawn or has not received a final decision.

**Application, Inactive:** Any Zoning Map Amendment application, Zoning Modification application, Concept Plan Amendment application, Special Exception or Minor Special Exception application, Site Plan application, or Preliminary or Record Subdivision application officially accepted by the County for processing but which has had processing suspended either by request of the applicant or by having no contact or activity occur in regard to the application by the applicant and has been placed on inactive status pursuant to Section 6-405 of this Ordinance or deemed inactive pursuant to the Land Subdivision and Development Ordinance.

**Application, Reactivated:** Any Zoning Map Amendment application, Zoning Modification application, Concept Plan Amendment application, Special Exception application, Minor Special Exception, Preliminary or Record Subdivision application, or Site Plan application which was classified as inactive and which the applicant subsequently notifies the County in writing of their desire to have the application brought to final decision.

**Arboretum:** A place where trees, shrubs, or other woody plants are grown, exhibited or labeled for scientific, educational, or passive recreational purposes, not including the harvest of plants or their produce.

**Arborist or Urban Forester:** A person trained in arboriculture, forestry, landscape architecture, horticulture, or related fields and experienced in the conservation and preservation of native and ornamental trees.

**Art gallery:** A room or series of rooms where works of art are exhibited for display or sale.

**Art studio:** The workshop of an artist, writer, craftsperson, or photographer, but not a place where members of the public come to receive instruction on a more than incidental basis or to sit for photographic portraits.

**Auction house:** A place where the property of others, such as objects of art, furniture, and other goods (except livestock), are offered by a broker or auctioneer for sale to persons who bid on the items in competition with each other at scheduled sales periods or events.

**Automobile Car Sharing Agency:** A motor vehicle sales and accessory service lot use that provides vehicles shared by its members as a means to supplement mass transit facilities.

**Automobile Service Station/Automotive Service Station:** Buildings and premises where gasoline and/or oil, grease, batteries, tires and automobile accessories are dispensed at retail as a principal use and where, in addition, the following services may be rendered and sales made, and no other.

- a. Sale and servicing of spark plugs, batteries, and distributor parts.
- b. Tire sales, servicing and repair, but not recapping or regrooving.
- c. Replacement or adjustment of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like.
- d. Radiator cleaning and flushing, provision of water, anti-freeze and the like.
- e. Washing and polishing, and sale of automotive washing and polishing materials.
- f. Greasing and lubrication.
- g. Providing and repairing fuel pumps, oil pumps and lines.
- h. Servicing and repair of carburetors.
- i. Emergency wiring repairs.
- j. Adjusting and repairing brakes.
- k. Minor motor adjustments not involving removal of the head or crankcase or racing the motor.
- l. Provision of convenience goods for gasoline supply station customers.
- m. Provision of road maps and other information material to customers; provision of restroom facilities.
- n. Performing State vehicle inspections.
- o. Car wash.

Uses permissible at an automobile service station do not include major mechanical and body work, straightening of frames of body parts, steam cleaning, painting, welding, storage of automobiles not in operating condition, or any activity involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in automobile service stations.

**Automobile Sales Lots:** A lot arranged, designed, or used for the storage and display for sale and/or lease of any motor vehicle or any type of trailer, provided the trailer is unoccupied, and where no repair work is done except minor and incidental repair of automobiles or trailers displayed and sold on the premises.

**Aviary:** A place used for keeping birds for the purposes of commercial breeding or propagation or for display to the public, but not including facilities within and incidental to the operation of a retail pet store.

**Aviation:** Uses characterized by facilities for the operation and maintenance of aircraft, including airports, hangars, runways and landing strips, flight schools, and fueling facilities.

B

**Banquet/Event Facility:** A use in which the principal function is hosting private parties at which food and beverages are served to groups of people, and which has facilities for the refrigeration and preparation of food, or which provides facilities for food through a caterer. Banquet/Event facilities, held indoors or outdoors, may also be an ancillary component of other uses such as, but not limited to: Restaurants, Hotels, Rural Resorts, Conference Centers, and similar uses. Adult entertainment shall not be permitted at a Banquet/Event Facility.

**Base Flood:** The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

**Basement:** That portion of a building below the first floor joists, at least half of whose clear ceiling height is above the mean level of the adjacent ground.

**Bed and Breakfast Homestay:** A private, owner-occupied dwelling in which overnight accommodations are provided to the public and which may include a room for meetings and private parties as an accessory use. The frequency and volume of paying guests is intended to be incidental to the primary use of the property as a private residence. Accessory structures may be used for guest lodging.

**Bed and Breakfast Inn:** A business operated in one or more structures which are used for providing overnight accommodations to the public and which may include rooms for meetings and private parties as an accessory use.

**Bedrock:** Rock formation that underlies a surface covering such as soil or extends through the soil as a rock outcrop.

**Berm:** A landscaped earthen mound intended to screen, buffer, mitigate noise, and generally enhance views of parking areas, storage areas or required yards particularly from public streets or adjacent land uses.

**Best Management Practices:** Methods and practices that are the most effective and practical means of preventing or reducing the amount of pollution generated by non-point sources (NPS) to a level compatible with established water quality goals. Best management practices may be applied in no-build buffers to protect streams and to control the design and operation of stormwater management facilities, lakes and ponds, silviculture, farming, restoration efforts, and development in and around stream corridors and water supply sources as further defined in the Facilities Standards Manual (FSM).

**Biotechnical agriculture:** Agriculture that uses biotechnical methods to modify living cells or organisms to produce substances or perform processes.

**Block:** That property abutting one side of a street and lying between the two nearest intersecting streets or the nearest intersecting or intercepting street and railroad right-of-way, unsubdivided acreage, river or live stream between any of the foregoing and any other barrier to the continuity of development. A block may contain an alley.

**Board of Supervisors or Board:** The Board of Supervisors of Loudoun County, Virginia.

**Botanical garden:** A garden having documented collections of living plants for the purposes of scientific research, conservation, display or education.

**Brewery, Limited:** A brewery licensed as a Limited Brewery in accordance with Section 4.1-208 of the Code of Virginia, as amended, and located on a farm in the Commonwealth on land zoned agricultural. For the purposes of this definition, “farm” shall be defined as one or more contiguous parcels of land, totaling a minimum of 10 acres in size, owned or leased by such licensed limited brewery.

**Buffering or Screening:** Any device or natural growth, or a combination thereof, which shall serve as a barrier to vision, light, or noise between adjoining properties, wherever required by this ordinance and further defined herein and the Facilities Standards Manual (FSM). Whenever used for screening or buffering purposes, "natural growth" shall be taken to mean coniferous or deciduous trees, bushes and shrubbery.

**Buildable Area:** The area of the lot remaining after required yards have been provided.

**Building:** A structure having one or more stories and roof, designed primarily for the shelter, support or closure of persons, animals or property of any kind.

**Building, Civic:** A structure used for community purposes, such as churches, community/recreation centers, service organizations and libraries, located on a civic-use lot.

**Building Coverage:** All areas under roof or projections from buildings on a lot.

**Building Footprint:** The area on the ground surface covered by the building.

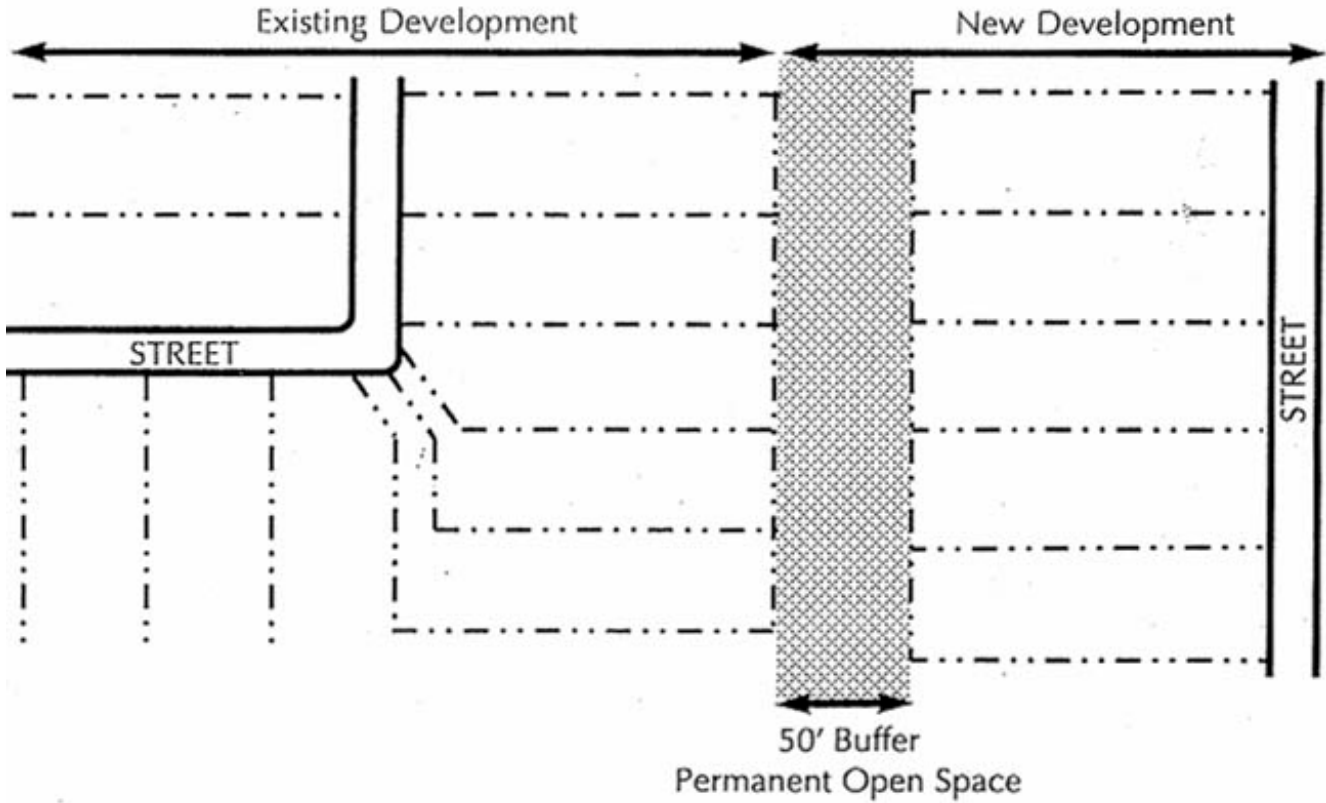
**Building Height:** The vertical distance to the highest point of the roof for flat roofs; and to the average height between eaves and the highest point of the roof in the case of pitched roofs, measured from the curb level, if the building is not more than ten (10) feet distant from the front lot line, or from the average finished grade at the front of the building in all other cases.

**Building Inspector:** An appointed official of Loudoun County who is responsible for certifying building inspections.

**Building, Principal:** A building in which is conducted the principal use of the lot on which it is situated. In any residential zone, any dwelling shall be deemed to be a main building on the lot on which the same is located if the lot is used primarily for residential purposes.

**Bus or Bus services:** As used within the context of the PD-TRC zoning district, “bus” or “bus services” shall mean Bus Rapid Transit or an express bus serving the Dulles Greenway/Toll Road corridor and shall not mean a local bus service. As used within the context of the PD-MUB zoning district, “bus” or “bus services” shall mean Bus Rapid Transit, express bus, circulator bus, commuter bus, feeder bus, or shuttle.

**Business Service Establishment:** Establishments primarily engaged in rendering services on a fee or contract basis to the business, commercial, industrial, or institutional community, such as advertising and mailing; business maintenance; employment service; management and consulting services; travel agent; protective services; equipment rental and leasing; commercial research; development and testing; photo finishing; quick print shop; and personal supply services.



Minimum buffers per			3-105(F)	3-106(F)	3-205(G)
3-206(F)	3-207(F)	3-305(G)	3-306(F)	3-307(F)	3-405(G)
3-406(F)	3-407(F)	3-507(G)	3-509(C)	3-608(C)	3-708(C)



**Business Vehicle:** A vehicle associated with a business. Business vehicles shall not exceed a rated capacity of one and one half (1.5) tons, and shall not have more than two axles.

C

**Camp, Boarding:** As for Camp, Day, except that uses and structures for the lodging of guests shall be permitted in locations appropriate for extensive outdoor recreation.

**Camp, Day:** A lot, tract or parcel of land operated as either a commercial or non-commercial enterprise in which seasonal facilities are provided for all or any of the following: camping, picnicking, boating, fishing, swimming, outdoor games and sports, and activities incidental and relating to the foregoing, but not including miniature golf grounds, golf driving ranges, mechanical amusement device, or permanent structures for housing guests.

**Campground:** An outdoor facility designed for overnight accommodation of human beings in tents, rustic cabins and shelters for recreation, education, naturalist, or vacation purposes. Office, retail, and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances.

**Capital Improvements Program (CIP):** The Loudoun County plan for expenditures for physical facilities of government, such as costs for acquisition of land or interests in land; construction of buildings or other structures, including additions or major alterations; construction of highways or utility lines; fixed equipment; landscaping; and similar expenditures.

**Caretaker's residence:** A residential structure on a site intended for use as a dwelling for a caretaker in connection with the particular purpose of the principal use on the same site. The caretaker's residence shall be accessory to the principal residential structure.

**Carport:** Any space outside a building and contiguous thereto, wholly or partly covered by a roof, and used for the shelter of motor vehicles. A carport may have a side enclosure that is more than eighteen inches in height, exclusive of required supports and the side of the building to which the carport is contiguous.

**Car Wash:** A structure, or portion thereof, containing facilities for the commercial washing of motor vehicles by hand or by using production-line, automated or semi-automated methods for washing, whether or not employing a chain conveyor, blower, steam-cleaning or similar mechanical devices.

**Cellar:** That portion of a building below the first floor joists, at least half of whose clear ceiling height is below the mean level of the adjacent ground. Such a portion of a building shall not be used for habitation.

**Cemetery:** A place used or intended to be used for the interment of human remains or pet animal remains and dedicated or designated for that purpose, including columbariums, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

**Central farm distribution hub for agricultural products:** A place where farmers can deliver agricultural products for pick-up by consumers or wholesalers, but not including a central place operated by a farm co-op where farmers can deliver products for pick-up by consumers (see "Farm Co-op").

Central farm product distribution hub does not include such uses as trucking operation, stockyard, auction house, slaughterhouse, or cannery or other processing facility.

**Channel Scarline:** The sloping margin of, or the ground bordering, a stream and serving to confine the water to the natural channel during the normal course of flow. It is best marked where a distinct channel has been eroded to the valley floor or where there is a cessation of land vegetation.

**Child Care Center:** A licensed establishment other than a child care home, which offers care, protection and supervision of children for compensation during any twenty-four (24) hour period, and then only for part of any twenty-four (24) hour day. A child care center may include nursery schools, kindergartens or other facilities for which the purpose is primarily educational, recreational, or medical treatments.

**Child Care Home:** A licensed establishment located in a single-family detached, duplex or townhouse dwelling which offers care, protection and supervision for compensation to more than four (4) non-resident children at a time during any twenty-four (24) hour period, and then only for part of any twenty-four (24) hour day. For the purpose of this definition, “non-resident children” means children that are not the child care providers’ own children and children not residing in the home. Pursuant to the Code of Virginia, an establishment that offers care, protection and supervision for compensation to four (4) or less non-resident children is regulated the same as a dwelling unit.

**Church, synagogue, temple or mosque:** A structure or group of structures that is intended for regular gatherings of people to attend, participate in, or conduct religious services and other related activities and associated accessory uses. Associated accessory uses may include religious instruction classrooms, church offices, counseling programs, private school, youth programs, parking, child and adult day care facilities, summer camps, recreational facilities, caretaker’s quarters, food bank, thrift shop, sale of religious items, and cemeteries.

**Civic, Social, or Fraternal Association Meeting Place:** An establishment of a private non-profit organization, including fraternal organizations, which provide social, physical, recreational, educational, agricultural or benevolent services. Such establishment shall not be operated for the purpose of carrying on a trade or business, and no part of the net earnings shall inure to the benefit of any members of such organization or any other individuals; provided, however, that regular employees may be paid reasonable compensation for services rendered.

**Civic Uses:** Such as government offices, public meeting halls, libraries, art galleries or museums, post office, and churches, and like uses which generate pedestrian activity and act as visual focal points.

**Closed Depression:** In a limestone area, a distinctive bowl-shaped depression of varied sizes in the land surface. It is characterized by internal drainage, and an unbroken ground surface.

**Cluster Development (AR Districts Only):** A type of development design that allows for the subdivision of a tract of land with a more compact residential design plus one or more large lots suitable for rural economy uses or common open space. Land not included within lots or required for public or private streets shall be maintained as common open space. Communal water and/or sewer systems are permitted under this development type within the common open space.

**Cluster Development (CR and Suburban Zoning Districts Only):** An arrangement of structures on adjoining lots in groupings allowing closer spacing than would be generally permitted under ordinance

requirements, where at least 20% of the lots have less than the required minimum lot area which is compensated by maintenance of equivalent open space, either elsewhere on the lot or in the form of common open space. All land not included within lots or required for public or private streets shall be maintained as common open space. Common open space shall be designed to constitute a continuous and cohesive unit of land which may be used for active or passive recreation by residents and shall be reasonably accessible to all permitted uses and all residential units within the development.

**Code:** The Code of Loudoun County, Virginia.

**Coffeehouse or teahouse:** An establishment that primarily prepares, sells and serves coffee, tea and other beverages, and which may sell baked goods and light meals such as soups and sandwiches, but does not serve full meals, and which has a seating area which serves as an informal conversation or lounging place.

**Co-housing:** A residential arrangement on the site of an active agricultural, horticultural or animal husbandry operation consisting of more than one individually owned dwelling unit and extensive common facilities, such as a large dining room, kitchen, lounges, meeting rooms, recreation areas, library, workshops, childcare, laundry, greenhouse, or other facilities for use by the organized group of residents living in the co-housing who participate in the planning, design, ongoing management and maintenance of the residential arrangement and in the routine activities of household living.

**College, University:** An institute of higher education authorized by the State to award baccalaureate or higher degrees, which may include on-site student, faculty, and/or employee housing facilities. For junior college or other educational institutions refer to definition of "Educational Institution".

**Commercial Repair Garage:** Any building, premises and land in which, or upon which, a business, service or industry involving the maintenance, servicing, repair or painting of vehicles is conducted or rendered.

**Commonly Owned Open Space:** Open space that is owned and managed by a condominium or homeowner association restricted for the use and enjoyment of association members.

**Community center:** A place, structure, area, or other facility used for and providing fraternal, cultural, social, educational or recreational programs or activities, or swimming pools, tennis courts and similar facilities of a homeowners association, open to the public or a designated part of the public, and which may be publicly or privately owned.

**Commuter Parking Lot:** An off-street, ground level area, usually surfaced and improved, for the parking, on a daily basis, of commuter vehicles. Often established in conjunction with mass transit arrangements and car-pooling programs.

**Composting:** The manipulation of the natural aerobic process of decomposition of organic materials to increase the rate of decomposition, which produces compost.

**Comprehensive Plan:** The official document, commonly referred to as the General Plan, or elements thereof, adopted by the Board of Supervisors, intended to guide the physical development of the County or a portion thereof. Such plan, including maps, plats, charts, policy statements and/or descriptive material, shall be that adopted in accordance with Section 15.2-2226 of the Code of Virginia.

**Concept Development Plan (CDP):** Part of a rezoning application (ZMAP) or of a zoning concept plan amendment application (ZCPA). The concept development plan may consist of both a visual and a written representation depicting the layout and/or design of the development, and all associated proffers. When the concept development plan is approved through the legislative process, the plan then becomes binding on the developer and his successors in interests.

**Conference and Training Centers:** Facilities used for business or professional conferences, seminars, and training programs, which may include accommodations for sleeping, eating and recreation.

**Congregate Housing Facility:** A structure other than a single-family dwelling where more than four (4) unrelated persons reside under supervision for special care, treatment, training or similar purposes, on a temporary or permanent basis.

**Conservancy Lot:** A lot, excluding the hamlet/cluster lots, open space and/or hamlet green/square, which will remain as large parcel(s), the bulk of which is in permanent open space easement and a portion of which may be designated a building area.

**Contiguous:** Touching, abutting, or adjoining at the border or immediately across the street.

**Continuing Care Facility:** This type of facility may consist of three (3) types of care, or any one or two types:

- a. Congregate Living Facility: a facility which provides independent living which may be affiliated with, or located near health care facilities.
- b. Adult Assisted Living: a facility for people who cannot live independently and who need assistance with daily chores and housekeeping.
- c. Nursing Home: a facility for individuals who require specialized nursing care on a regular basis but who do not need to be hospitalized.

**Contractor Service Establishment:** Establishment for the installation and servicing of such items as air conditioners, electrical equipment, flooring, heating, painting, plumbing, roofing, tiling, ventilation, establishment for the planting and maintenance of gardens, grounds and yards, such as landscape contractors and lawn maintenance services, and construction and demolition services. Retail sales to the general public are not permitted except as an accessory use.

**Convenience Food Store:** A commercial establishment designed and intended to serve daily or frequent trade needs of the surrounding population, characterized by the retail sale of food and other household products, the rapid turnover of customers and a high traffic/trip generation.

**Convent:** A structure used for the purpose of housing persons on a permanent basis who are not members of a family as defined in this Ordinance and who constitute a religious community typically consisting of nuns, priests, monks, or other similar religious personnel. For the purpose of this definition the terms convent and monastery are interchangeable and shall have the same meaning. Assembly for worship services may be conducted in conjunction with the convent use but only for the residents of the

convent. A convent is a permitted accessory use where incidental to a religious assembly use (church, synagogue, temple, mosque).

**Convention or exhibition facility:** An enclosed or semi-enclosed building, tent, or structure designed to accommodate large gatherings of human beings, either with or without display collections of animals, machines, or objects. Office, retail, and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances.

**Corporate training center:** A facility used for business or professional conferences, seminars, and training programs, primarily by incorporated organizations, which may include accommodations for sleeping, eating and recreation by participants.

**Country Club:** A land area and structures containing a club house, dining and/or banquet facilities, conference rooms, spa, fitness facilities, or recreational facilities, available to members and their guests for a membership fee. A Country Club shall include an equestrian facility and/or a golf course and may include swimming pools, tennis courts, squash courts, stables and riding facilities.

**Country Inn:** A business operated in one or more structures which offers overnight accommodations and may include rooms for meetings and private parties in a predominately rural area. A Country Inn may include a full-service restaurant for overnight guests, the general public, meetings, and private parties.

**Countryside Village Core:** A compact, pedestrian-scaled area of predominantly non-residential uses which provides the main organizing feature of the Planned Development-Countryside Village (PD-CV) district. It consists primarily of civic and institutional uses, and may include commercial office, retail, service, as well as some above-street level residential uses. It is generally surrounded by the Countryside Village Neighborhood.

**Countryside Village Neighborhood:** Land within the Planned Development-Countryside Village (PDCV) district designated primarily for residential uses consisting of a mix of single-family detached, single-family attached and multi-family units. It generally surrounds the Countryside Village Core and is generally surrounded by the Countryside Village Conservancy.

**Countryside Village Conservancy Area:** Land within the Planned Development-Countryside Village (PDCV) district designated primarily as open land which provides a visual and physical distinction between the development and surrounding countryside, and significant buffering of neighboring properties while allowing for limited residential use. It generally surrounds the Countryside Village Neighborhood.

**Countryside Village Satellite Conservancy Area:** Land within the Planned Development-Countryside Village (PDCV) district which does not adjoin other portions of the district and which is placed in an open space easement. It's area shall be included in calculating the total development potential of the proposed Countryside Village.

**Countryside Village greens, parks and squares:** Public open spaces at least 10,000 square feet in size, located within the Countryside Village which primarily contain well defined, generally permeable green space with landscaped areas, pedestrian ways and passive recreational areas or any combination thereof.

**Countryside Village Plaza:** An open, generally impervious, public space at least 3,000 square feet in size, which may contain landscaped areas and street furniture.

**County:** Loudoun County, Virginia.

**Court:** An open, unoccupied space, other than a yard with a building or group of buildings, which is bounded on two or more sides by such building or buildings, and every part of which is clear and unobstructed from its lowest point to the sky, except for landscaping, if any.

**Craft Beverage Manufacturing:** A small-scale brewery manufacturing no more than 15,000 barrels of beer per calendar year licensed in accordance with Section 4.1-208 of the Code of Virginia, as amended, or a small-scale distillery manufacturing no more than 36,000 gallons of distilled spirits, licensed in accordance with Section 4.1-206 of the Code of Virginia, as amended. Accessory uses shall include tasting rooms at which the consumption of beer or distilled spirits manufactured on-site occurs, accessory food sales occur, and beer and/or distilled spirits manufactured on-site are sold.

**Craft shop:** A retail store which displays and offers for sale handcrafted items by local artisans.

**Crematorium:** A building with a furnace for cremating dead bodies, either animal or human.

**Cross-country ski business:** A facility which offers to members of the public cross-country ski recreation opportunities, including the rental of non-motorized ski equipment, changing facilities, and access to maintained trails or trail shelters.

**Cross Section:** Shape and dimensions of a channel and valley of the floodplain perpendicular to the line of flow.

**Cultural and Government Facilities:** Public or nonprofit facilities displaying or preserving objects of interest or providing facilities for one or more of the arts or sciences or provision of government services. Accessory uses may include parking and storage areas.

**Cultural Center:** Establishments such as museums, art galleries, botanical and zoological gardens of an historic, educational or cultural interest which are not operated commercially.

**Custom Operator:** An enterprise in which a contractor or other operator agrees to perform all or some machine operations, providing equipment and labor, for production and related activities on agricultural sites in exchange for a payment or a payment along with a percentage of profits. Field operations performed by a custom operator may include field preparation, planting, cultivating, harvesting, tilling, haymaking, bush hogging, crop storage, hauling, fencing, and barn construction.

## D

**Data center:** A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.

**Day Care Facilities:** Facilities for the care, protection, and supervision of children or adults on a regular basis away from their primary residence for less than 24 hours a day. Accessory uses may include offices, recreation areas, and parking.

**Decibel:** A unit for measuring the volume of sound using the A-weighting network on a sound level meter. Decibel may be expressed as dB, dB(A), dBA, dba, or db(A).

**Density:** For purposes of this Ordinance, the amount of development allowed on a lot or parcel, expressed in residential districts as the number of dwelling units per acre and in commercial districts as the gross floor area of buildings per acre.

**Density, Gross Residential:** The number of units divided by the total area of the tract.

**Density, Net Residential:** The total number of residential units in a PD-H zoning district divided by the net land area of land devoted to uses other than commercial and employment uses in such district.

**Density, Net Residential Parcel:** The maximum number of residential dwelling units per acre allowed on any lot, parcel, or tract of land in a PD-H zoning district.

**Developable land:** Any vacant land areas capable of being developed with buildings and infrastructure.

**Development Permit:** Written approval issued by an authorized official, empowering the holder thereof to do some act not forbidden by law, but not allowed without such authorization. Examples include, but are not limited to, building, zoning, occupancy and grading permits.

**Diabase Rock:** A fine-to medium-grained dark-colored igneous rock that is a good source for crushed stone for road and building construction.

**Direct Market Business:** A commercial enterprise in which agricultural products produced on a site are marketed and sold directly to consumers without an intermediate wholesaler or distributor, other than a farm co-op organization. Direct market business may include enterprises such as PYO (pick-your-own) operations, and operations in which delivery of products is made directly to consumers, such as "farm share" arrangements under which periodic delivery of farm products is made for a subscription fee.

**Director of Planning:** An appointed County official who serves as the Director of Planning for Loudoun County, Virginia, or his or her designee.

**Distribution Facility:** The intake of goods and merchandise, individually or in bulk, the short-term holding or storage of such goods or merchandise, and/or the breaking up into lots or parcels and subsequent shipment off-site of such goods and merchandise. Distribution may be provided to an entity with an identity of interest with the distribution facility or to businesses and individuals unrelated to the distributor. The term "Distribution Facility" shall also include a transshipment facility for the temporary holding, storage and shipment of goods or vehicles.

**Dog Park:** A park that provides a variety of recreational amenities for dogs and persons that may include benches, parking, restrooms, and water fountains. If dogs are to be unleashed, the area must be fenced.

**Dormitory, seasonal labor:** A structure located on the same property as an active agricultural, horticultural or animal husbandry operation, used for the purpose of housing persons on a seasonal basis who are not members of a family as defined in this Ordinance and who derive all or part of their income during their occupancy from labor performed on the active agricultural, horticultural or animal husbandry operation.

**Downstream Bedload Movement:** Downstream movement of silt, sand, coarse-grained gravels and cobbles in a river or stream.

**Driveway:** A space or area specifically designated and reserved on a lot for the movement of vehicles within a lot or from a lot to a street.

**Dustless Surface:** A surface with a minimum of either two applications of bituminous surface treatment, concrete, bituminous concrete, or equivalent paving material approved by the County and to be maintained in good condition at all times.

**Dwelling, Accessory:** A dwelling or apartment within or detached from the principal dwelling of not more than the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 2,500 square feet of gross floor area, the use of which is associated with and subordinate to the principal dwelling and which is located upon the same lot as the principal dwelling.

**Dwelling, Ancillary:** A dwelling, the use of which is associated with and subordinate to the principal dwelling and which is located on the same lot as the principal dwelling.

**Dwelling, Duplex:** One of two buildings, arranged or designed as dwellings, located on abutting walls without openings and with each building having a separate lot with minimum dimensions required by district regulations.

**Dwelling, Multi-Family:** One of a group of dwelling units in an attached multi-family or stacked multi-family residential structure. For purposes of this ordinance, multi-family dwelling includes any unit that does not meet the definition of single-family attached or single-family detached.

**Dwelling, Attached Multi-Family:** One of a group of dwelling units contained within a building, where each dwelling unit in the building is separated from other dwelling units within the building by a vertical wall and a ceiling/floor, with each dwelling unit generally consisting of a single floor or level, and each such unit being accessed by one or more common entrances leading directly from the outdoors at ground level, except that a ground floor dwelling unit may have its own ground floor external entrance. The dwelling unit may be separately transferable and capable of being individually owned, such as a condominium, or offered for rent. Each such dwelling unit within the multi-family building may be referred to as a “Multi-family dwelling unit” or “attached multi-family dwelling unit”, and such dwelling units may include various floor plans, such as studio/efficiency units, and floor plans with one or more bedrooms. Attached Multi-family dwelling units are commonly referred to as garden style, mid-rise, and high-rise condominiums/apartments.

**Dwelling, Stacked Multi-Family:** A vertical and horizontal grouping of dwelling units, where at least one dwelling unit within the grouping contains 2 or more stories and is situated over or under



another dwelling unit. Each unit has its own ground floor external entrance or shares its entrance with only an adjacent unit. Stacked Multi-family dwelling units are commonly referred to as stacked townhomes, one over twos, and two over twos.

**Dwelling, Portable:** A modular unit built on a chassis, having wheels or designed to be transported on wheels, with body width exceeding eight (8) feet or body length exceeding 32 feet and designed to be used as a dwelling when attached to a permanent foundation and when connected to the required utilities.

**Dwelling, Quadruplex:** One of four (4) buildings, arranged or designed as dwellings, located on abutting walls without openings and with each building having a separate lot, with minimum dimensions required by district regulations.

**Dwelling, Single-Family Attached:** A duplex, triplex, quadruplex, or townhouse dwelling unit.

**Dwelling, Single Family Detached:** A residential dwelling unit, other than a portable dwelling, designed for and occupied by one family only and not structurally connected or attached to any other dwelling.

**Dwelling, Temporary:** A portable dwelling, but not necessarily attached to a permanent foundation.

**Dwelling, Townhouse:** One of a group of three or more attached single-family dwelling units, each of which may be located on a single, undivided lot or all of which may be located on the same lot. Each townhouse dwelling unit is attached to at least one other townhouse dwelling unit by a wall that serves as a generally vertical boundary for both units, with each such unit extending from ground to roof, with no dwelling unit directly above another dwelling unit. Each townhouse dwelling unit consists of multiple floors or levels, with each unit having its own ground floor external entrance or sharing its entrance with only an adjacent unit.

**Dwelling, Triplex:** One of three (3) buildings, arranged or designed as dwellings, located on abutting walls without openings and with each building having a separate lot, with minimum dimensions required by district regulations.

**Dwelling Unit:** One room, or rooms connected together, constituting a separate unit for a single-family owner occupancy or rental or lease, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

E

**Easement:** A grant of interest in real property by the owner to, or for the use by, an abutting landowner, the public, or another person or entity, including both easements appurtenant and easements in gross.

**Ecological Integrity:** Maintenance of the structure and functional attributes characteristic of a particular locale, or ecosystem, including normal variability.

**Ecosystem:** A complex network of organic communities and their interaction with their environment.

**Eco-tourism:** Tourism activities and facilities which focus on visitation and observation of or education about natural history, indigenous ecosystems, native plant or animal species, natural scenery, or other

features of the natural environment. Eco-tourism may include cultural activities related to such activities or work projects that tend to conserve or safeguard the integrity of a natural feature, habitat or ecosystem. Facilities for eco-tourism may include recreational outfitters. Eco-tourism tends to result in a minimal or positive impact on the features observed or visited or tends to produce economic benefits from conservation.

**Education:** Facilities for the education of students, including public and private schools at the primary, elementary, middle, or high school level, vocational and technical schools. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care.

**Educational Institution:** Any college, university, secondary or higher educational facility beyond high school without an on-campus housing facility which meets applicable State requirements to award degrees and primarily teaches usable skills that prepare students for employment in a profession or trade.

**Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district:** A facility for the investigation, testing, or demonstration of, or for training or educating persons in, products and processes related to agriculture, horticulture, or animal husbandry, including biotechnical agriculture, veterinary, soil, plant and animal sciences.

**Electric Generating Plant and Transmission Facility:** A plant for the production of electricity, including appurtenant yards, equipment and facilities for the storage of fuels, water, transmission lines, exhaust stacks, and/or utility substation.

**Enfront:** To face or to be opposite across a street.

**Equestrian Event Facility:** A commercial facility for equine activities and events including teaching equestrian skills, participating in equestrian competitions, exhibitions, or other displays of equestrian skill. Accessory uses may include offices, storage areas, caretaker's quarters, and caring for, breeding, boarding, riding, or training horses associated with the Equestrian Event Facility use.

**Erected:** Shall be taken to mean constructed, reconstructed, moved or structurally altered.

E

**Facilities Standards Manual (FSM):** The Facilities Standards Manual of Loudoun County.

**Facility for lessons in dance, gymnastics, judo and sports training:** A school primarily devoted to giving instructions in, musical, dramatic, artistic, terpsichorean, martial arts or similar sports or other special subjects, but not including (a) a child care center or family day care home; or (b) a riding school, however designated.

**Fairground:** A parcel or tract of land used as the site of any fair, exposition or public display.

**Family:** A group of people living together consisting of:

- a. One or more persons related by blood or marriage together with any number of natural, foster, step or adopted children, domestic servants, nurses and therapists and no more than two roomers or boarders; or
- b. No more than 4 unrelated persons;

- c. Any group identified in Section 15.2-2291 of the Code of Virginia.

**Farm based tourism:** Tourism events which focus on visitation of farms, including organized farm tours and participatory farm vacations.

**Farm co-op:** A facility used by an organization of farm producers for co-operative technical and marketing assistance, which may include a central market place where farmers can deliver products for pick-up by consumers but not a wholesale distribution center.

**Farm machinery repair:** A commercial enterprise for the repair of equipment normally or routinely used on farms and gardens, and related parts, tools and accessories, but not of non-farm equipment or materials.

**Farm machinery sales, rental and service:** An establishment for the sale, rental, and/or service of equipment normally or routinely used on farms and gardens, and related parts, tools and accessories, but not of non-farm equipment or materials.

**Farm Market:** A principal use which includes the sale of aquacultural, horticultural or agricultural products, including nursery stock, perennial, annuals, bulbs, mulch, compost, dried flowers, Christmas trees and greens, fresh produce, honey, cider, and similar agricultural products.

**Farm Market (off-site production):** A principal use which includes the retail sale of aquacultural, horticultural or agricultural products, including nursery stock, perennial, annuals, bulbs, mulch, compost, dried flowers, Christmas trees and greens, fresh produce, honey, cider, and similar agricultural products. A Farm Market (off-site production) may or may not be located on the site of ongoing agricultural, horticultural or aquacultural activity. This use may include the sale of products from one or more vendors.

**Fee Simple Ownership:** The complete ownership interest in real property; the ownership of the entire “bundle” of rights attached to real property.

**Feed and Farm Supply Center:** A commercial enterprise engaged in the provision of animal feed, bedding and accessories, and farm and garden supplies (such as seed, fencing, hardware, pesticides, and fertilizer) to agricultural, horticultural, and/or animal husbandry operations, but not an enterprise where more than 10% of the floor area or display or storage area utilized for the enterprise is devoted to heavy equipment and machinery; a “feed-and-seed” store

**Feedlot:** An enclosure (including a lot, yard, building, or corral) in which animals fed for slaughter are confined, that is used for more than 30 days in one-year period, with or without an area for the raising of crops, forage or other vegetation and upon which animals fed for slaughter are allowed to graze or feed. A "feedlot" does not include any area where animals are held for slaughter by a processor for a period of 30 days or less.

**Final Development Plan:** A required submission following the approval of a Concept Development Plan and rezoning application for a PD-CV district, and for a PD-TRC district prepared and approved in accordance with the provisions of Section 4-1103 (C), which further details the planned development of the subject lot(s). This Plan may be approved by the Planning Commission simultaneously with its review of the Concept Development Plan but must be approved prior to the approval of a site plan.

**Fire and/or rescue station:** Facilities for the provision of local rapid response emergency services such as firefighting and mobile medical emergency services, including areas for the storage and maintenance of emergency vehicles and equipment and housing and feeding of emergency personnel.

**Fiscal:** Of or relating to public revenues, public expenditures and public debt; public financial matters.

**Flood Insurance Rate Map (FIRM):** An official map of a community 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.

**Flood Insurance Study:** The official report provided by the Federal Emergency Management Agency (FEMA) that includes flood profiles and the water surface elevation of the base flood.

**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 floodplains in watersheds of greater than 640 acres (Major Floodplain, corresponds to Zones AE and A as shown on the FIRM, as may be subsequently revised or amended by FEMA, considered to be the Special Flood Hazard Area by FEMA) and those in watersheds of 640 acres or less (Minor Floodplain).

**Floodplain, 100-year:** Any land area susceptible to being inundated by water from the base flood and having a drainage area greater than one hundred (100) acres.

**Floodplain Alteration:** A development action which will change the cross section of the floodplain and will increase either: 1) the erosive velocity or 2) the height of floodwaters either on-site or off-site. Alterations include, but are not limited to, land disturbing activities such as clearing, grading, excavating, transportation, and filling of land.

**Floodplain, Major:** The floodplain created by flooding from a stream that drains greater than 640 acres.

**Floodplain, Minor:** The floodplain created by flooding from a stream that drains less than 640 acres but greater than 100 acres.

**Floor Area, Gross:** The sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls. The term "floor area" shall include basements; elevator shafts and stairwells at each story; floor space used for mechanical equipment with structural headroom of six (6) feet, six (6) inches or more; penthouses; attic space, whether or not a floor has actually been laid, providing structural headroom of six (6) feet, six (6) inches or more; interior balconies and mezzanines. The term gross floor area shall not include cellars or outside balconies which do not exceed a projection of six (6) feet beyond the exterior walls of the building. Parking structures below or above grade and rooftop mechanical structures are excluded from gross floor area.

**Floor Area, Net:** The sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls and from the centerline of walls separating two (2) or more buildings. The term "net floor area" shall include outdoor display areas for sale, rental and display of recreational vehicles, boats and boating equipment, trailers, horticultural items, farm or garden equipment and other similar products, but shall exclude areas designed for permanent uses such as toilets, utility closets,

malls (enclosed or not), truck tunnels, enclosed parking areas, meters, rooftop mechanical structures, mechanical and equipment rooms, public and fire corridors, stairwells, elevators, escalators, and areas under a sloping ceiling where the headroom in fifty percent (50%) of such area is less than six (6) feet, six (6) inches.

**Floor Area Ratio (FAR):** A number or percentage, derived by dividing the gross floor area of the buildings on any lot by the lot area. The floor area ratio multiplied by the lot area produces the maximum amount of floor area that may be constructed on such lot.

**Food and Beverage:** Facilities for serving prepared food or beverages for consumption on the premises, other than in a private residence or as an accessory to a principal use.

**Food Store:** A retail establishment primarily selling food, as well as other convenience and household goods.

**Foot Candles:** A unit of illumination; technically, the illumination at all points one (1) foot distant from a uniform point source of one (1) candle power.

**Forestry:** The planting, growing and harvesting of trees, but not including sawmilling or other processing of trees or parts thereof.

**Frontage:** Lot width, as measured at the front property line. (See Article I for calculations of lot width.)

**Funeral Home:** An establishment used primarily for human funeral services, which may or may not include facilities on the premises for embalming, performance of autopsies or other surgical procedures.

## G

**Garden:** A plot of cultivated ground adjacent to a dwelling, devoted in whole or in part to the growing of herbs, fruits, flowers or vegetables for consumption by the household residing in the dwelling.

**General Business Service:** See Business Service establishment.

**Geotechnical Report:** A study of bedrock and soils used to help determine potential safe development that is prepared according to standards in the Facilities Standards Manual (FSM).

**Golf Course:** A tract of land laid out with at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards and that may include a clubhouse and shelter.

**Golf Driving Ranges:** A limited area on which golf players do not walk, but onto which they drive golf balls from central driving tees. A golf driving range may contain outdoor lighting. A golf driving range may have, as an accessory use, a putting or chipping green, miniature golf course, baseball batting cages, a refreshment stand, and/or equipment rental of items pertaining to golf and baseball.

**Greenway:** A network of natural corridors that connect areas of open space. It follows natural land or water features, like ridges or rivers, canals, or human landscape features like abandoned railroad, historic sites etc.

**Groundwater:** Any water, except capillary moisture, beneath the land surface in the zone of saturation or beneath the bed of any stream, lake, reservoir or other body of surface water, whatever may be the subsurface geologic structure in which such water stands, flows, percolates or otherwise occurs.

**Group Living:** Uses characterized by the residential occupancy of a structure by a group of persons that does not meet the definition of Household Living. Tenancy is arranged on a weekly or longer basis, and the size of the group may be larger than a single family. Generally, Group Living structures have a common eating area for residents. The residents may receive care, training, or treatment at the place of residence, and caregivers may or may not also reside at the site. Accessory uses commonly associated with Group Living are recreational facilities and vehicle parking for occupants and staff.

**Guest Farm or Ranch:** A farm which offers transient accommodations associated with an active agricultural use to paying guests along with meals and participatory recreational and/or work experience working on the farm.

**Guest House:** Dwelling or lodging units for temporary non-paying guests in an accessory building of not more than the lesser of (i) 70% of the gross floor area of the principal structure and a footprint not more than 70% of the principal structure or (ii) 2,500 square feet of gross floor area.

## H

**Habitat:** The place or environment where animals or plants naturally or normally live and grow.

**Headwaters:** The source of a stream or river.

**Hazardous Substance:** Any material that poses a threat to human health and/or the environment. Typical hazardous substances are toxic, corrosive, ignitable, explosive, or chemically reactive. Such substances shall include any substance designated by the United States Environmental Protection Agency to be reported if a designated quantity of the substance is spilled in the waters of the United States or is otherwise released into the environment.

**Health and Fitness Center:** An establishment, including saunas and steam baths, offering or providing facilities for, and instruction in, general health, physical fitness and controlled exercises such as, but not limited to, weight lifting, calisthenics and aerobic/slimnastic dancing. Such use may provide massages, provided the health club occupies an area greater than 5,000 square feet and not more than five percent (5%) of the gross floor area is used for massages.

**Health Care:** Facilities principally engaged in providing services for health maintenance and treatment of mental or physical conditions. Accessory uses may include offices, meeting areas, on-site eating facilities for employees, laboratories, parking, and maintenance facilities.

**Health Official:** The Director of the Loudoun County Department of Health, or his designated deputy; Health Officer.

**Heavy Equipment:** Bulldozers, dump trucks and similar pieces of large equipment and their accessories. The term includes any vehicle associated with a business not included in the definition of business vehicle. A trailer used for transporting heavy equipment is considered accessory to the equipment.

**Heavy Equipment and Specialty Vehicle Sales and Accessory Service:** Buildings and premises for the sale, rental and servicing of trucks, buses, boats, recreational vehicles, taxicabs, ambulances, mobile homes, trailers, and farm and construction machinery or equipment. This category shall not be deemed to include automobile sales and accessory service establishment.

**Heliport:** An area, either at ground level or elevated on a structure, licensed or approved for the landing and takeoff of helicopters and which may include auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

**Helistop:** An area designed to accommodate touch-down and lift-off of helicopters for the purpose of picking up and discharging passengers or cargo. Such an area shall contain no operation facilities other than one (1) tie-down space and such additional facilities as are required by law, ordinance or regulation.

**Home Occupation:** A business, profession, occupation or trade conducted for gain or support within a residential building or its accessory buildings which use is incidental and secondary to the use of the buildings for dwelling purposes and which does not change the residential character of such buildings. (See Section 5-400 for Home Occupation standards).

**Homeowners' Association:** A non-profit organization operating under recorded land agreements through which: (a) each lot and/or homeowner in a clustered or planned development is automatically a member, and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property, and (c) the charge if unpaid becomes a lien against the property.

**Home Service Establishment:** Establishment primarily engaged in rendering services whose principal function is to enhance, beautify, maintain or restore residences such as, but not limited to decorators, exterminators, plumbing, electrical, appliance service, carpet and tile, lawn maintenance, and roofing. All storage for these establishments shall be enclosed.

**Horse trails or networks:** Paths or trails maintained for the purpose of horseback or other animal-mounted recreational riding, but not including racetracks.

**Horticulture:** The active and on-going cultivation and production of orchard, garden, or nursery crops on a small or large scale, including the production of Christmas trees, field grown crops, specialty crops, flowers, fruit, grapes, market gardening, nursery stock, nuts, ornamental plants, sod, vegetables, and similar horticultural uses; and the cultivation of such produce by means of biotechnical or genetic engineering techniques. Horticulture does not include preparatory functions such as grading or creation of planting beds through stockpiling of dirt or other means when such preparations do not result in an active and on-going horticultural activity within 30 days.

**Hospital:** Any licensed and Commonwealth of Virginia accredited health care institution with an organized medical and professional staff and with inpatient beds available around-the-clock whose primary function is to provide inpatient medical, nursing, and other health-related services to patients for both

surgical and nonsurgical conditions and that usually provides some outpatient services, particularly emergency care.

**Hotel/Motel:** Any single building or group of dwelling units, combined or separated, containing 20 or more guest rooms used for the purpose of housing transient guests, each unit of which is provided with its own toilet, washroom and off-street parking facility, and which may include features such as conference rooms, a restaurant or snack bar, or swimming pool or exercise room that would attract clientele other than transient guests.

**Hours of Operation:** The time period during which an activity or enterprise is active, including any times during which the activity is open to customers or other members of the public, employees are present and working, deliveries are made, or equipment (other than utilities or ordinary indoor appliances) is being actively operated on the site.

**Household Living:** Uses characterized by the residential occupancy of a dwelling unit by a household, whether owned by the occupant or otherwise where tenancy is arranged on a month-to-month or longer basis. Accessory uses may include recreational activities, caring for pets, gardens, personal storage structures, hobbies, and parking of occupants' vehicles.

**Hydrogeological Report:** A study of groundwater, its location and prevalence that is prepared according to standards in the Facilities Standards Manual (FSM).

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**Impervious Surface:** Any material such as paved parking areas, sidewalks, or trail surfaces, which prevents absorption of storm water in or through such surface but shall not include permeable or "pervious" paving materials.

**Impulsive Sound:** Sound of a short duration, usually less than one second, with an abrupt onset and rapid decline. Examples of sources of impulsive sound include, but are not limited to, punch press, discharge of firearm, and explosive blasting.

**Industrial, Scientific or Technical Exposition:** A place, structure, area or other facility used for temporary or permanent display or exhibit of industrial or scientific equipment, machinery, tools, or other merchandise. Such activities could include trade shows, conventions, merchandise marts, or industrial or scientific fairs or displays. Activities categorized as wholesale trade establishments shall not be deemed to be industrial, scientific or technical expositions.

**Industrial Use:** Non-residential and non-commercial employment uses such as, but not limited to, mining, milling and manufacturing.

**Infrastructure:** The basic installations and facilities on which new development depends. The public infrastructure includes roads and water and sewer lines.

**Inner Core Subarea:** A Planned Development Transit Related Center district subarea that includes the total gross land area located generally within a one-quarter (1/4) mile from the outer edge of the planned rail 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.

**Inoperable Vehicle:** A motorcycle or motor vehicle, trailer, or attachment thereto which is required by the Commonwealth of Virginia to display current license plates and/or meet safety standards, as evidenced by display of an approved inspection sticker, which motorcycle, vehicle, trailer, or attachment therefore does not display said license plates and/or approved inspection sticker.

**Institutional Use:** Public or private health, recreational or educational uses such as parks, schools, libraries, hospitals and camps.

**Interactive Science & Technology Center:** A facility, indoors, outdoors, or both, providing access for members of the public to interactive exhibits that promote an understanding of science, nature, engineering, architecture, technology, or any mixture of these subjects. Access may be granted on a scheduled or unscheduled basis, or both, for a fee or for free. Such facilities may, as a subordinate use, include related retail sales, may host or allow events, and may offer scheduled classes in the same subject matter as is permitted for exhibits.

J-K

**Junk Yard:** Any land or building used for the abandonment, storage, keeping, collecting, or bailing of paper, rags, scrap metals, other scrap or discarded materials or for the abandonment, demolition, dismantling, storage, or salvaging of automobiles or other vehicles or machinery not in running condition, or parts thereof.

**Karst/Sensitive Environmental Feature Setback:** An area established from the edge of a karst/sensitive environmental feature, in which land disturbance is restricted.

**Karst Features or Karst/Sensitive Environmental Features:** Karst landforms including but not limited to caves, sinkholes, rock outcrops, perennial sinking streams, significant fissures/cracks, vadose shafts, or other karst anomaly associated with calcareous geologic formations.

**Karst Terrain:** A type of terrain characterized by closed depressions and/or sinkholes, caves, rock pinnacles, and underground drainage, and which results from solution of limestone and dolomite bedrock.

**Kennel:** See Section 5-606.

**Kennel, Indoor:** See Section 5-606.

L

**Land-Disturbing Activity:** Any grading, scraping, excavating, trenching, filling of land, dumping of fill materials (including but not limited to dumping of soil, concrete, and construction debris), bulk

outdoor storage, clearing of trees or vegetation and any construction in preparation for development, reconstruction, or significant alteration of a structure.

**Landfill Water Service District:** A specific area designated for water service by central water supply system, the boundaries of which are determined by the County of Loudoun as shown on the Loudoun County Sanitation Authority Water and Sewer Lines map, incorporated into this definition by reference, and found on the following page.

**Landfill, Sanitary:** A publicly owned and controlled, engineered land burial facility for the collection, source separation, storage, transportation, transfer, processing, treatment or disposal of solid waste. Associated uses may include a debris landfill, a transfer station, Materials Recovery Facility (MRF), vegetative waste management facility, and/or an incinerator. It shall mean a facility so located, designed and operated that it does not impose a present or potential hazard to human health or the environment, including pollution of air, land, surface water or ground water.

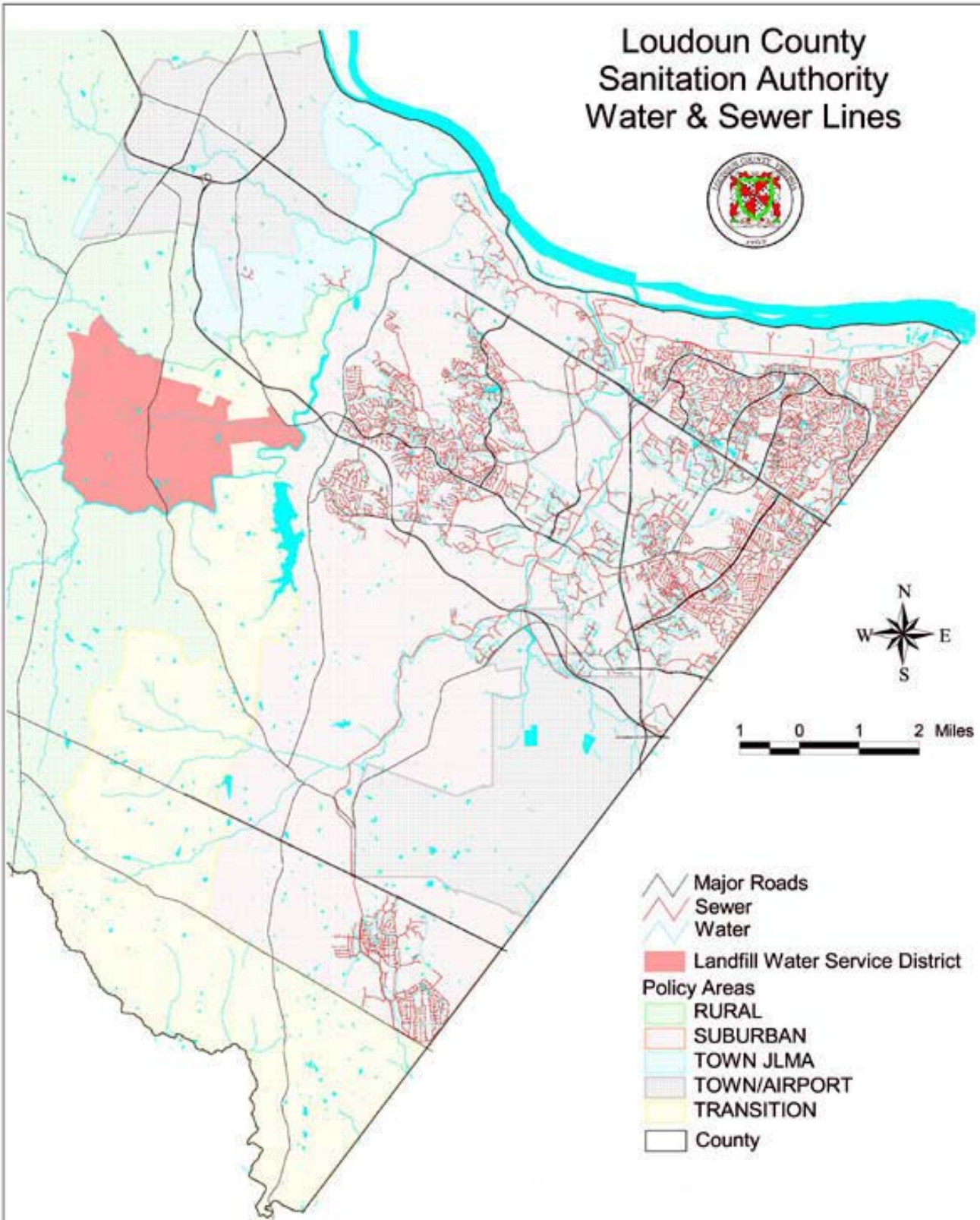
**Landscape Architect:** An individual who is recognized by the State and who is registered with the state department of professional and occupational registration as a "landscape architect".

**Landscaped Open Space:** An area which shall include appropriate grassing of the area, placement of shrubbery and trees, walkways, and appropriate grading such as to render the required open space area aesthetically pleasing.

**Land Subdivision and Development Ordinance (LSDO):** The Land Subdivision and Development Ordinance of Loudoun County, adopted by the Board of Supervisors to establish subdivision and site development plan standards and procedures for the unincorporated areas of Loudoun County.

**Limestone:** Geologic formation that is highly water-soluble and is characterized by numerous underground caves and surface sinkholes; it is a natural groundwater aquifer and good water supply source. Limestone consists of a conglomerate of various small rocks cemented together with a carbonate matrix and containing calcareous geologic formations. In appearance, it is very similar to concrete.

# Loudoun County Sanitation Authority Water & Sewer Lines



- Major Roads
- Sewer
- Water
- Landfill Water Service District
- Policy Areas
  - RURAL
  - SUBURBAN
  - TOWN JLMA
  - TOWN/AIRPORT
  - TRANSITION
- County

Sources: Loudoun County Sanitation Authority  
and the Office of Mapping and Geographic Information

Map Number: CPRV-W-053  
Map Created: 05/15/00  
Map Revised: 04/15/01, 07/15/01

**Livestock:** Animals, especially farm animals, raised for use, profit or enjoyment including horses and very small equine, bison, cattle, pigs, mules, sheep, goats, alpacas, llamas, emus, and other similar domesticated animals. Livestock does not include animals meeting the definition of “Pet”.

**LOD:** Limestone Conglomerate Overlay District, as defined in Section 4-1900 of the Zoning Ordinance.

**Lodging Unit:** Living quarters for a family which do not contain independent kitchen facilities, provided, however, that dwelling units available for occupancy on a rental or lease basis for periods of less than one (1) week shall be considered lodging units even though they contain independent kitchen facilities.

**Lot:** A parcel of land occupied, or to be occupied, by one or more buildings and accessory buildings, and open space, and other requirements of the provisions of this Ordinance. "Lot" shall include the words "plot" and "parcel". The term "lot" does not include land identified on a legally recorded subdivision plat filed among the land records of Loudoun County as an "outlot" as referenced in Section 1-404(B)(3).

**Lot Area:** The total horizontal area included within the rear, side and front lot lines or street lines of the lot, excluding any streets or highways, whether dedicated or not dedicated to public use, but including off-street automobile parking areas and other accessory uses. "Lot area" shall not include portions under water, except where the total area of a body of water is within the lot or where the width included as part of the area of the lot does not exceed 30 feet.

**Lot, Civic Use:** Land area within a Rural Village Center or Countryside Village development, so designated on the Village Concept Development Plan, upon which structures may be erected for community use, enjoyment and benefit.

**Lot, Concave:** A lot that has one side curving inward from the street on which the lot fronts.

**Lot, Convex:** A lot that has one side curving outward toward the street on which the lot fronts.

**Lot, Corner:** A lot abutting on two or more streets at their intersection, where the interior angle of the intersection does not exceed one hundred thirty-five degrees.

**Lot Coverage:** The percentage of a lot area occupied by the ground area of principal and accessory buildings or structures, excluding uncovered decks, on such a lot. Multifamily and nonresidential parking structures below or above grade and stand-alone mechanical structures are excluded from lot coverage.

**Lot, Depth of:** The average horizontal distance between the front lot line and the rear lot line, measured along a straight line. If no rear lot line exists, the depth shall be measured between the front lot line and the rear setback line.

**Lot, Interior:** Any lot other than a corner lot, but including a through lot.

**Lot, Irregular:** A lot, usually but not always with sole access from a Class III road or private access easement, which is so located, shaped or oriented to adjacent lots that application of general measurement methods or dimensional yard requirements of the district in which located serve no significant public purpose, and/or with location of yards by type (front, side and rear) not logically determined by nor related to yard patterns on nearby regular lots. Yard requirements for regular lots shall be followed where possible.

**Lot Line:** Any boundary line of a lot as defined herein. Where applicable, a lot line shall coincide with a street line. Where a lot line is curved, all dimensions related to said lot line shall be based on the arc.

**Lot, Outlot:** A parcel of land identified on a legally recorded subdivision plat, subject to a permanent open space easement or dedicated to a homeowner's association, which does not meet lot area and lot width requirements.

**Lot, Record:** The land designated as a separate and distinct parcel recorded among the land records of Loudoun County.

**Lot, Regular:** A lot with direct access to a Class I, Class II, or Class III road, so located, shaped and oriented to adjacent lots as to be reasonably adapted to application of general measurements indicated in Article I, and with location of yards by type (front, side, rear and special) logically determined by, and related to, adjacent street or streets and adjacent yard patterns. A regular through lot has frontage on two Class I, Class II, or Class III roads.

**Lot, Through:** An interior lot fronting on two parallel, or approximately parallel, streets or private access easements.

**Lot Width:** See Frontage.

## M

**Major Recreational Equipment:** Travel trailers, pickup campers, motorized dwellings, tent trailers, boats and boat trailers, houseboats, and the like, and cases or boxes used for transporting such recreational equipment, whether occupied by such equipment or not.

**Management Buffer:** An area designed to protect a stream or river and its associated floodplain from adverse upland development impacts. The "50-foot management buffer" is included within the Protected River and Stream Corridor, as shown on the RSCOD Map.

**Maneuvering Space:** An area directly related to required parking areas and designed to permit easy vehicular movement. "Maneuvering space" shall not be considered as part of any required "parking space" or "loading space".

**Manufactured Housing:** A structure constructed and subject to federal regulation, which is transportable in one or more sections; is eight body feet or more in width and forty body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; 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 the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. A manufactured home shall not include units built prior to June 15, 1976.

**Manufacturing and Production:** Facilities for the processing, fabrication, packaging, or assembly of goods, including small-scale production and production by hand. Accessory uses may include offices, in some instances eating facilities for employees, outdoor storage associated with the use, repair facilities, and caretaker's quarters.

**Market Area:** The area from which an enterprise draws its customers on a regular and anticipated basis. Influencing the size of the area are variables such as, but not limited to, type of product being marketed, surrounding land uses and neighboring road network.

**Market Study:** A study that measures the supply and demand for a particular product within a defined area.

**Material Recovery Facility (MRF):** A solid waste management facility which collects mixed solid wastes and manually or mechanically separates recyclable materials to be marketed and disposes of all non-recyclable wastes to a permitted facility, or a solid waste management facility for the collection, recovery and processing of materials, such as metals, paper or glass, from solid waste for the production of a fuel from solid waste, including a solid waste transfer station.

**Mausoleum:** A building or vault containing niches or other designated places intended to be a final resting place for human or pet animal remains as an alternative to land burial.

**Maximum Extent Feasible:** No feasible and prudent alternative exists, as determined by County staff, and all possible efforts to comply with the regulation or minimize potential harmful or adverse impacts have been undertaken by an applicant. Economic considerations may be taken into account but shall not be the overriding factor in determining “maximum extent feasible.”

**MDOD:** Mountainside Development Overlay District, as defined in Section 4-1600 of the Zoning Ordinance.

**Medical Care Facility, Outpatient Only:** Any institution, place, building, or agency, whether or not licensed or required to be licensed by the State Board of Health or the State Hospital Board, by or in which facilities are maintained, furnished, conducted, operated, or offered for the prevention, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, whether medical or surgical, of two or more non-related mentally or physically sick or injured persons: or for the care of two or more non-related persons requiring or receiving medical, surgical or nursing attention or service as acute, chronic, convalescent, aged, or physically disabled, including but not limited to intermediate care facility, mental retardation facility, outpatient surgery centers, chiropractic, birthing, diagnostic imaging, radiation therapy, dialysis, medical/physical rehabilitation and trauma units, and other related institutions and facilities offering treatment on an outpatient basis, whether operated for profit or nonprofit and whether privately owned or operated by a local government unit (this term shall not include a physician's or medical office).

**Metes and Bounds:** A method of describing the boundaries of land by courses and distances.

**Minimum Stream Buffer:** A 100-foot area on both sides of a stream, measured from each stream bank, designed to be a natural riparian forest and filtration area that will ensure the maintenance of water quality and the ecological integrity of the protected corridor.

**Mini-Warehouse:** A building consisting of individual, small, self-contained units that are leased or owned for the indoor storage of business and household goods or contractors' supplies.

**Minor Utilities:** Above- and below-ground electrical transmission lines, except for overhead electrical transmission lines and distribution feeder lines that collect and transmit over 110 KV of power; above- and below-ground natural gas lines; flood control or drainage facilities; transportation or

communications utilities, and similar facilities of public agencies or public utilities; utilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, poles, or cables; switch boxes; transformer boxes; cap banks; and underground water and sewer lines. Such “minor utility” facilities generally do not have employees on site, and the services may be publicly or privately provided. “Minor utility” does not include uses more specifically defined in this Ordinance, including but not limited to “telecommunication use and/or structures.”

**Mitigation Measures:** Methods used to alleviate or lessen the adverse impacts of development.

**Model home:** A building having the physical characteristics of a residential dwelling which exists for the purpose of display or advertising in connection with the sale of units in a residential development. The ultimate intended use for such a model is as a dwelling.

**Moderately Steep Slope Area:** Naturally occurring land areas with slopes from 15% to 25%. The Steep Slope Standards do not apply to slopes created by permitted land disturbing activities, such as, but not limited to, building and parking pad sites; berms; temporary construction stock-piles; and road-side ditches.

**Motorcycle:** A motor vehicle designed to travel on not more than three wheels in contact with the ground. The operator must hold a valid driver’s license with a Class M designation or a motorcycle driver’s license.

**Motor Vehicle Sales and Accessory Service:** Any use of land whereon the principal occupation is the sale, rental and accessory service of vehicles in operating condition such as automobiles, motorcycles, All Terrain Vehicles (ATV), and trucks stored on site. For the purpose of this Ordinance, vehicle sale, rental and ancillary service establishments shall not be deemed to include heavy equipment and specialized vehicle sale, rental and service establishments; however, specialized vehicles may be sold, rented and serviced as an accessory use.

**Motor Vehicle Sales Limited to Racecars:** Any business establishment intended for the sale of racecars.

**Motor Vehicle Service and Repair, Heavy:** Buildings and premises wherein major mechanical and body work, repair of transmissions and differentials, straightening of body parts, painting, welding or other similar work is performed on vehicles. Light vehicle service establishments may be permitted as an ancillary use; however, motor vehicle service establishments shall not be deemed to include heavy equipment and specialized vehicle sale, rental and service establishments. Motor vehicle service and repair shall be conducted within a building and shall not include on-site storage of inoperable vehicles. All areas containing vehicles under repair shall be screened.

**Motor Vehicle Service and Repair, Light:** Buildings and premises wherein the primary use is the sale, servicing, repair and/or installation of motor vehicle accessories, such as the following: Spark plugs, batteries, distributors and distributor parts, tires, brakes, brake fluid, mufflers, tail pipes, water hoses, fan belts, light bulbs, fuses, floor mats, windshield wipers, wiper blades, grease retainers, wheel bearings, and mirrors. Light vehicle service establishments may also include greasing, lubrication and radiator flushing, minor servicing and repair of carburetors, fuel pumps, oil pumps, water pumps and lines, electrical systems, and minor motor adjustments not involving removal of the head or crankcase or racing the motor, except that 10% of the floor area may be used for heavy motor vehicle service and repair as defined in Motor

Vehicle Service and Repair, Heavy. Uses permissible at a vehicle light service establishment shall not include major mechanical and body work, the repair of transmissions or differentials, straightening of body parts, painting, welding, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations. Motor vehicle service and repair shall be conducted within a building and shall not include on-site storage of inoperable vehicles. All areas containing vehicles under repair shall be screened.

**Motor Vehicle Storage and Impoundment Yard:** An area designed for the temporary storage of wrecked and/or inoperable and/or abandoned motor vehicles, but not to include the dismantling, wrecking or sale of said vehicles or parts thereof.

**Municipal drinking water supply reservoir:** A dam and impoundment area created, owned and operated by a municipality to store water as part of a public water utility, including necessary or customary appurtenant facilities such as access roads and transmission pipes. Water storage tanks and water treatment plants are separate uses not included as part of a water supply reservoir.

## N

**National Register of Historic Places:** A register of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology and/or culture that is maintained by the Federal Secretary of the Interior. National Historic Landmarks are districts or structures listed on the Register that are considered to be of unusual importance to American history, architecture, archaeology and/or culture.

**Naturally Occurring:** Areas of land, landforms, slopes, and features existing in nature and not made or caused by human manipulation.

**Nature study area:** A natural place set aside for the observation or study of flora or fauna, where structures and changes to the landscape are limited to facilities that enable study or observation, such as benches, trails, markers or observation platforms.

**Nonconforming Use:** Any use lawfully being made of any land, building or structure, other than a sign, on the effective date of this Ordinance, or any amendment to it rendering such use nonconforming which does not comply with all of the regulations of this ordinance, or any amendment hereto, governing use for the zoning district in which such land, building or structure is located.

**Non-Habitable:** Space in a structure that is not used for living, sleeping, eating, or cooking, such as, but not limited to, garages, toilet compartments, closets, utility spaces or similar areas. Commercial and industrial structures do not have habitable space.

**Non-Point Source Pollution (NPS):** Pollutants carried in stormwater runoff, including but not limited to sediments, nutrients, animal waste, pesticides, salt and toxins, that cannot be traced to a specific point source and whose point of entry into a stream cannot be determined.

**Non-Profit Organization:** An incorporated organization or group whose charter prohibits profit-making endeavors and which enjoys tax exemption privileges.

**Non-Vehicular Open Space:** See Open and Useable Space.



**Nursery, Commercial:** An agricultural/commercial enterprise where plants and accessory products are sold on a retail basis.

**Nursery, Production:** An agricultural enterprise where plants are grown for resale on a retail or wholesale basis for only those plant materials grown on-site.

**Nursing Home:** A place devoted primarily to the maintenance and operation of facilities for the treatment and care of any person suffering from illnesses, diseases, deformities or injuries not requiring extensive and/or intensive care that is normally provided in a general hospital or other specialized hospital.

## O

**Office:** Any room, studio, clinic, suite or building wherein the primary use is the conduct of a business such as, but not limited to: accounting, correspondence, research, editing, administration or analysis; or the conduct of a business by salesman, sales representatives or manufacturers' representatives; or the conduct of a business by professionals, such as engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, dentists or physicians, urban planners and landscape architects. An office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials, goods and products; or the sale and/or delivery of any materials, goods or products which are physically located on the premises. An office shall not be deemed to include a veterinary service or animal hospital.

**Office, Administrative:** Any room, studio, clinic, suite or building wherein the primary use is the conduct of a business such as accounting, correspondence, research, editing, administration, or analysis.

**Office, Business or Sales:** Any room, studio, clinic, suite or building wherein the primary use is the conduct of a business by salesmen, sales representatives, or manufacturers' representatives.

**Office, Medical:** Any room, studio, clinic, suite or building wherein individuals licensed in the State practice medicine, osteopathy, dentistry, chiropractic, podiatry, physical therapy, psychiatry, clinical psychology, or other health-related professions on an out-patient basis. A medical office shall not be deemed to include a hospital, veterinary service or animal hospital.

**Office, Professional:** Any room, studio, clinic, suite or building wherein the primary use is the conduct of a business by professionals such as, but not limited to, engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, dentists or physicians, urban planners, and landscape architects.

**Officially Accepted:** The date that all required submissions have been made and the Director has signed the application. This date shall be deemed that date upon which a plan or other application has been officially submitted.

**Off-Site:** Describing a location or an area of land which is proximate to a parcel of land defined as "on-site". Off-site means not on site; that is, outside the lot or parcel that is the subject of a given land use application.

**Off-Street Parking Facility, Free-standing:** A lot, or portion thereof, other than an automobile sales lot, held out or used for the storage or parking of six (6) or more motor vehicles for consideration, where service or repair facilities are not permitted. Such parking lot shall not be considered an accessory use; nor shall it be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk.

**On-Site:** "On-site" shall be construed to be describing a location on all, or a portion, of a parcel of land which is the subject of an application for approval by the Board of Supervisors, Planning Commission, or Board of Zoning Appeals, and which parcel of land is in single ownership or under unified control. In general, "on-site" shall mean within a lot or parcel.

**Open and Usable Space:** Areas of trees, shrubs, grass, pathways and other natural and man-made amenities not within individual building lots, set aside for the use and enjoyment of residents, visitors and other persons, unoccupied by buildings or facilities unless related to recreational activities, and accessible to and adequate for the persons and functions it is designed to serve.

**Open Space:** Areas of trees, shrubs, lawns, grass, pathways and other natural and man-made amenities not within individual building lots, (except in rural village and Countryside Village developments), set aside for the use and enjoyment of residents, visitors and other persons, unoccupied by buildings or facilities unless related to recreational activities and in the TR and JLMA districts HOA facilities, and accessible to and adequate for persons and functions it is designed to serve. Lot coverage in the open space shall be limited to 0.01 of the lot. Generally, open space is intended to provide light and air and is designed for either scenic or recreational purposes. For the purpose of this Ordinance, open space shall include and be qualified as active recreation space, common open space, and dedicated open space.

- a. **Open space, active recreation:** That open space that is designed for recreational purposes, to include, but not to, be limited to such uses as ballfields, multi-purpose courts, swimming pools, tennis courts, golf courses, play lots and playgrounds, camping, picnicking, boating, fishing, equestrian activities, walking and biking trails, and activities incidental and related to the foregoing. (In the TR and JLMA districts, these recreational facilities may include HOA facilities.) Recreational facilities may be open to the public for a fee, provided the intent of the open space requirements is maintained. Examples of acceptable for-fee facilities include golf courses and sports pavilions where such facilities are utilized and enjoyed by the development but that must secure outside users for economic viability.
- b. **Open space, common:** Land within, or related to, a development not individually owned or dedicated for public use which is designed or intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate. In only the Planned Development Housing (PD-H) Zoning District, uses of common open space may also include a dog park provided that the following conditions are met: 1) the dog park is non-commercial in nature; and 2) the homeowners' association (HOA) for such PD-H Zoning District owns and operates the dog park and owns the common open space upon which the dog park is located. Such dog park may be open to the public for a fee, provided the intent of the open space requirements is maintained.
- c. **Open space, dedicated:** All open space which is to be dedicated or conveyed to the County or an appropriate public agency, board, or body for public use as open space. For the purposes of this definition, twenty-five percent (25%) of all dedicated school sites shall be considered as dedicated open space.

**Optional Overlay:** See paragraph 2 of the definition of “Overlay District,” below.

**Originating Tract:** A lot or parcel of land in the AR-1 or AR-2 Zoning District which is to be the subject of a subdivision through either the “Principal/Subordinate” or “Cluster” subdivision options as identified in the Zoning Ordinance. This designation is for the purpose of establishing a base density of development in order to implement these two subdivision options.

**Ornamental Grass:** Grasses that are grown for their aesthetic value and are generally low maintenance plants resilient to harsh conditions, but does not include turf grasses.

**Outdoor Amphitheater:** A place, not enclosed in a building, having a stage and seating for performances, concerts, and the like, with the seating for spectators arranged largely within a natural or artificial grade in the land such as a hillside or depression.

**Outdoor Sales, Accessory:** An unenclosed area where the primary purpose of the area is for the retail sale of merchandise. Such sales and or display area shall be accessory and subordinate to a permitted principal use.

**Outdoor Storage:** The holding or storage, in an unroofed area, of any goods, junk, materials, merchandise, or vehicles in the same place for more than twenty-four (24) hours. All outdoor storage shall be required to be enclosed by a fence, wall, landscaped berm, or other suitable and appropriate method.

**Outdoor Storage/Storage Yard, Accessory:** The holding or storage of merchandise, goods, vehicles, equipment or materials as an accessory use to the permitted business. All outdoor storage shall be required to be enclosed by a fence, wall, landscaped berm, or other suitable and appropriate method.

**Outdoor Storage, Construction Materials:** The holding or storage of materials utilized in off-site construction, to include machinery, tools or construction equipment and/or supplies including, but not limited to, lumber, prefabricated structural elements, forms, jigs, or other articles utilized in the fabrication of structural elements, structural steel, steel wire rods, concrete beams, or other materials utilized in construction.

**Outdoor Storage, Vehicles:** The holding or storage of new or used automobiles, trucks, buses, snowmobiles, motorcycles, all-terrain vehicles, boats, light aircraft, mobile homes, trailers, farm machinery, major recreational equipment, or construction machinery or equipment. The storage of inoperable equipment shall be deemed to be a motor vehicle storage and impoundment yard.

**Outer Core Subarea:** A Planned Development Transit Related Center district subarea that includes 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 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.

**Overlay District:** A zoning district superimposed on another, where:

1. both districts have validity in governing the use of the property, or

2. an “optional overlay” where the property owner may elect to proceed under the regulations of the overlay district rather than the other district, and the other district no longer governs the use or development of the property after this election is made (see Article 4, Division D).

P-Q

**Park and Open Space:** Uses of land that are characterized primarily by natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, or community gardens in which persons not owning or residing on the property grow plants or flowers for personal consumption. Structural improvements are generally limited to those structures that facilitate the use of the land as park and open space. Accessory uses may include playgrounds, maintenance facilities, swimming pools, restrooms and dressing rooms, concessions, caretaker’s quarters, and parking.

**Park, Countryside Village Community:** A park that provides recreational facilities for the community and is at least three (3) acres minimum.

**Park, Countryside Village Neighborhood:** A neighborhood park at least 40,000 square feet minimum in size.

**Park, Neighborhood:** A park that provides a variety of small-scale, localized recreational facilities, such as playgrounds and tot lots or volleyball, basketball and tennis courts, and designed to be within walking distance of the primary users.

**Parking Area:** The area on a lot or site used for the parking of motor vehicles that meets the minimum standards of this Ordinance and the Facilities Standards Manual (FSM) and that is an accessory use to the principal use or structure on the lot or site.

**Parking Lot:** A lot on which the parking of motor vehicles is the principal use.

**Parking Lot/Valet Service:** A lot or structure on/in which the parking of motor vehicles for a fee on a daily, weekly, or monthly basis is the principal use and accessory services, such as washing and polishing, are provided.

**Parking, Off-Site:** Any space that is off-site and specifically allotted to the parking of motor vehicles. Such space shall not be in a public right-of-way.

**Parking Space, Off-Site:** A space suitable for parking one automobile and including adequate driveways, if necessary, to connect such space with a public right-of-way. Space within a building or upon a roof, allocated for parking shall be included and considered a part of the required spaces.

**Passive recreational uses:** Recreational uses (such as hiking, nature observation, and picnicking) not requiring constructed facilities, but making use of areas which are largely left in their natural state except for basic facilities as bathrooms, benches, picnic tables, and trails.

**Pedestrian-oriented uses:** Uses located at street level that are visible and accessible from the street.

**Pedestrian Walkway:** A right-of-way developed for use by pedestrians, including sidewalks, walking trails, and plazas.

**Pedestrian Way:** A right-of-way developed for use by pedestrians, including sidewalks, bicycle paths and jogging trails.

**Perennial:** Ornamental herbaceous plants that persist for many growing seasons.

**Performing Arts Center:** A facility for the viewing of performing arts with a seating capacity of 8,000 persons or greater.

**Performance Standards:** A set of criteria or limits relating to nuisance elements which a particular use or process may not exceed.

**Personal Service Establishment:** Establishments primarily engaged in providing services, including the care of a person or his or her apparel, such as, but not limited to, cleaning and garment services, which are deemed to be establishments for the mechanical cleaning of garments, articles or goods of fabric for retail customers, containing no more than 3,000 square feet of gross floor area, linen supply, diaper service, coin-operated laundries, carpet and upholstery cleaning, photographic studios, beauty shops, barber shops, shoe repair, steam baths, reducing salons and health clubs, travel agent, clothing rental, locker rental, porter service, optician, and tailor.

**Pet:** An animal kept for pleasure rather than utility, not included within the animals listed in the definition of Animal Husbandry, such as dogs; cats; birds; non-poisonous spiders; chameleons and similar lizards; non-poisonous snakes; pot-belly pigs; hamsters; ferrets; gerbils; guinea pigs; pet mice and pet rats; turtles; fish; domesticated rabbits; miniature horses; and other similar domesticated animals. The keeping of such animals is permitted as an accessory use to a dwelling unit.

**Pet Farm:** A facility in which livestock, farm animals and other animals are kept for public exhibition, viewing and contact, regardless of compensation, and which may include related accessory uses and activities such as gift shops not exceeding 600 square feet in area, picnic areas and recreational activities. For the purpose of this Ordinance, a pet farm shall not include retail pet stores and kennels, horse races, and such activities as State and County fairs, livestock shows, rodeos, field trials, and horsing events.

**Planned Development:** An area of a minimum contiguous size, as specified by this Ordinance, developed according to plan as a single entity and containing one or more structures with appurtenant common areas. (See Section 6-1502 for the Purpose of Planned Development districts.)

**Planning Commission or Commission:** The Planning Commission of Loudoun County, Virginia.

**Playground:** An area of land where recreational equipment for children is installed out of doors.

**Play Space:** An off-street space available and usable for play by children; a "tot-lot", a playground.

**Plaza:** An open space which may be improved and landscaped; usually surrounded by streets and buildings.

**Police station or substation:** Any building or part of a building which is designated by a chief of police or sheriff to be used as a police or sheriff's station or substation and at which duly authorized officers perform law enforcement functions.

**Porch:** The term "porch" shall include any porch, veranda, gallery, terrace, portico, deck, patio, or similar projection from a main wall of a building, covered by a roof, other than a carport, as defined in this Article. An "unenclosed porch" is a porch with no side enclosure (other than the side of the building to which the porch is attached) that is more than eighteen (18) inches in height, exclusive of screens.

**Portable dwelling/trailer during construction of primary residence:** A structure that is installed temporarily for use as a dwelling while a residence is being constructed. The portable dwelling/trailer shall be removed within one month of the completion of construction on the primary residence.

**Postal Services:** Retail sales or business services establishment to facilitate the transmittal and receipt of letter, bulk, and package mail.

**Principal Lot:** One of the types of lots permitted within the Principal/Subordinate Subdivision Development Option. Permitted density is assigned to the Principal Lot for purposes of tracking the number of lots which can be subdivided within the development. The Principal Lot may be further subdivided up to the maximum number of lots assigned to the Originating Tract of the subdivision.

**Principal/Subordinate Subdivision Option:** A division of land in which a maximum lot yield is calculated for an Originating Tract based on the gross acreage of such tract. The Principal/Subordinate Subdivision Option results in the creation of one Principal Lot and one or more Subordinate Lots. Lots are served by individual well and septic systems located on the subject lot.

**Printing Plant:** A commercial/light industrial use devoted to printing or bookbinding, including related large-scale storage and transshipment.

**Printing Service:** A retail establishment, which includes a quick print shop or the operation of offset printing and other related equipment, such as, but not limited to, paper cutters, collating machines, multi-colored press equipment, plate burners, binding and photographic developing equipment.

**Private Access Easement:** A private road built to standards in locations as permitted in the Land Subdivision and Development Ordinance (LSDO).

**Private Club or Lodge:** A structure or facilities owned or operated by an organization of persons for special purposes, such as the promulgation of sports, arts, literature, politics, but not operated for profit, and excluding churches, synagogues, other houses of worship, and also excluding structures and uses associated with commercial or non-commercial outdoor recreation. Adult entertainment shall not be permitted at a private club or lodge.

**Private Parties:** Events that are not open to the public and are by invitation only.

**Property Line, Front:** A line running along the front of a lot, from side lot line to side lot line, separating the lot from any street right-of-way or street easement. (See Article I.)

**Protected Corridor:** (*also "Protected River and Stream Corridor."*) A Protected Corridor is an area of natural or established vegetation along a stream or river that may be sensitive to changes.

**Public Hearing:** Meetings of the Board of Supervisors, Board of Zoning Appeals and Planning Commission held expressly for the purpose of soliciting comments from the general public in accordance with requirements of the State Code.

**Public Safety:** Uses for the provision of public safety and emergency response services. Typically, these uses need to be located near the area where services are provided. In some instances, employees are present on site around the clock. Accessory uses may include offices, parking, and areas for maintenance of emergency vehicles.

**Public Transit:** Any vehicular or rail transportation system owned or regulated by a government agency, used for the mass transport of people.

**Public Utilities/Facilities:** Public parks, playgrounds, trails, paths and other recreational areas and other public open spaces; scenic and historic sites; schools and other public buildings and structures. Any water or sewer system serving more than two (2) lots, and any building or structure owned by a public utility as defined in Section 56-232 of the Virginia State Code, all building and facilities owned by a public service corporation as defined in Section 56-1 of the Virginia State Code.

**Public Utility Service Center and Storage Yard:** A facility owned by a public utility company that may include business offices, a dispatching center, and fenced yard for the storage of vehicles and materials related to the maintenance, construction, and repair of a utility transmission line, substation service line and other such facilities. Such service and storage yard may include shop facilities for the servicing and repair of equipment. Similar facilities owned by a public agency or private road company for maintenance of roads and interchanges are included in this definition.

**Public Use:** Any area, building or structure held, used or controlled exclusively for public purposes by any department or branch of the Federal Government, Commonwealth of Virginia, or the Loudoun County government.

**Qualified Professional:** A professional who is accredited by or registered with a professional group operating within the scope of his/her license that is acceptable to the County.

## R

**Racecars:** Any vehicle manufactured for the sole purpose of competitive motor vehicle racing on a track in accordance with the rules and requirements of any nationally or internationally recognized organization governing the sport of professional motor vehicle racing. "Dual purpose" cars, i.e. those designed and intended for both track and public street use, and all other forms of street legal motor vehicles are specifically excluded from this use.

**Radio, Radar and/or Television Tower:** A structure for the transmission of broadcasting of radio, TV or radar signals.

**Record Plat:** A map or a chart of a lot, lots, or subdivision, filed among the land records of Loudoun County.

**Recreation and Entertainment:** Uses that are generally commercial and provide indoor or outdoor entertainment for consumers. Accessory uses include offices, storage of goods, outdoor storage, parking, concessions, caretaker's quarters, and maintenance facilities.

**Recreation Establishment, Indoor:** An enclosed or semi-enclosed building, tent, or structure designed to accommodate gatherings of human beings for games, athletics, cultural activities, martial arts, archery or firearm shooting, rides, and the like. Office, retail, and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances. A commercial recreation area may also include mechanical or electrical amusement devices, and may include accessory uses such as refreshment stands, equipment sales or rentals.

**Recreation Establishment, Outdoor:** Any establishment operated as a commercial enterprise in which seasonal facilities directly related to outdoor recreation are provided for all or any of the following: camping, skating rink (indoor or outdoor), lodging, picnicking, boating, fishing, swimming, golf driving ranges (as defined herein), outdoor games and sports, and the like, and activities incidental and related to the foregoing. A commercial recreation area may also include miniature golf grounds, mechanical or electrical amusement devices, and may include accessory uses such as refreshment stands, equipment sales or rentals.

**Rural Resort:** A private establishment consisting of a detached structure or structures located in a rural setting in which lodging units are offered to transients for compensation as the principal use, along with conference and meeting facilities, restaurant and banquet facilities, and recreational amenities.

**Recreation Space, Active:** Flat, open, well-drained usable space configured in squares or greens. Active recreation space may include facilities such as ballfields, tennis courts, or swimming pools, or tot-lots and other similar type play areas. Active recreation space may also be used for camping, picnicking, boating, fishing, swimming, outdoor games and sports, equestrian activities, and the like, and activities incidental and related to the foregoing, all on a non-commercial basis and to fulfill the requirements of the R-8, R-16, and R-24 zoning districts.

**Recreational Vehicle Park:** An outdoor facility designed for overnight accommodation of human beings in motorized vehicles, rustic cabins and shelters, or trailers for recreation, education, naturalist, or vacation purposes. Office, retail and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances.

**Recreational Vehicle Unit:** A travel trailer, pick-up camper, motorhome, tent trailer, or similar device used for temporary housing.

**Recyclable Materials:** Any material separated from the waste stream for utilization as a raw material in the manufacture of another product. This includes both source-separated material and mechanically separated material. Recyclable materials include, but are not limited to, newspapers, office paper, glass, metals, plastic and corrugated cardboard.

**Recycling Drop-Off Center, Private:** A collection site operated by a non-governmental entity, a for-profit company or a non-profit organization, for the acceptance by donation, redemption, or purchase of recyclable materials from the public. Such centers may not exceed 3,000 square feet in area, may contain permanent or semi-permanent buildings, or structures, but typically consist of portable containers which can be emptied and readily moved.



**Recycling Drop-Off Center, Public:** A collection site operated by a governmental entity for the acceptance by donation, redemption or purchase of recyclable materials from the public. Such centers may not exceed 3,000 square feet in area. The 3,000 square foot area applies to the recycling containers only. A center does not contain permanent structures, and typically consists of portable containers which can be emptied and readily moved.

**Religious Assembly:** Uses providing meeting areas for religious observances and activities. Includes church, synagogue, temple or mosque.

**Research and Development Use:** Any use related to the invention, discovery, study, experimentation, evaluation, identification, verification, design preparation or production of products, new technologies, techniques, or processes. Research and development functions would include repair, storage, sale, resale of materials, goods and products relating to the research and development use.

**Residential Use:** Structures which are built for, and occupied by, private households; any activity of a private household conducted in a private dwelling.

**Resource Recovery:** The process of obtaining materials or energy, particularly from solid waste.

**Rest Home, Nursing Home, Convalescent Home:** An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

**Restaurant:** Any establishment which provides as a principal use the preparation and sale of food, frozen desserts, or beverages in a state ready for consumption within the establishment, and whose design or principal method of operation includes both of the following characteristics:

- a. Customers are provided with an individual menu and are served their food, frozen desserts, or beverages by a restaurant employee at the same table or counter at which said items are consumed.
- b. The food, frozen desserts, or beverages are served on non-disposable plates or containers, and non-disposable eating utensils are provided. Customers are not expected to clear their table or dispose of their trash.

Notwithstanding the above, a cafeteria where food, frozen desserts, or beverages are: (a) generally consumed within the establishment; and (b) served on non-disposable plates or containers and non-disposable eating utensils are provided shall be deemed a restaurant.

A restaurant may provide a carry-out service, provided that such carry-out service is clearly not the principal business of such establishment. However, a snack bar or refreshment stand at a public or non-profit community swimming pool, playground, playfield or park operated solely by and for the agency or group operating the recreational facility, and for the convenience of patrons of the facility, shall not be deemed to be a restaurant.

**Restaurant, Carry-Out Only:** Any establishment, without a drive-through facility, which provides as a principal use, the preparation and/or sale of food, frozen desserts, or beverages for carry-out service only with seating capacity up to 1,000 square feet.

**Restaurant, Fast-food:** Any establishment which provides as a principal use the preparation and sale of food, frozen desserts, or beverages in a ready-to-consume state for consumption either within the restaurant, within a motor vehicle parked on the premises, or off-premises, and whose design or principal method of operation includes one or more of the following characteristics:

- a. Food, frozen desserts, or beverages are served in edible containers or in paper, plastic or other disposable containers. Eating utensils, if provided, are disposable.
- b. Food, frozen desserts, or beverages are usually served over a general service counter for the customer to carry to a seating facility within the restaurant, to a motor vehicle or off-premises. If consumed on premises, customers generally are expected to clear their own tables and dispose of their trash.
- c. Forty-five percent (45%) or more of the gross floor area of the establishment is devoted to food preparation, storage and related activities, which space is not accessible to the general public.
- d. Food, frozen desserts, or beverages are served to the occupants of motor vehicles while seated in the car.

A fast food restaurant shall have two classes; with a drive-through facility or without a drive-through facility.

**Retail, Construction Establishment:** Buildings or land used for sale of construction materials at retail or for the rendering of construction services including, but not limited to, coal, wood, and lumber yards.

**Retail Sales and Service:** Uses primarily engaging in the commercial sale, rental, or leasing of new or used products to the general public. Accessory uses include offices, parking, storage of goods, and repair of goods for on-site sale.

**Retail Sales Establishment:** Buildings or land used for sales of merchandise at retail or for the rendering of personal services including, but not limited to, the following: pharmacy, newsstand, food store, candy shop, milk dispensary, dry goods and notions store, antique store and gift shop, hardware store, quick print shop, household appliance store, furniture store, florist, music and radio store; but specifically excluding coal, wood and lumber yards.

**Rezoning:** A change in zoning district designation for a parcel or group of parcels adopted by the Board of Supervisors.

**Ridgeline:** A ground line located at the highest elevation of a drainage divide for the major watersheds mapped by the County.

**Riparian Area:** The land area adjacent to a stream, river, lake, or wetland that contains vegetation that due to the presence of water, is distinctly different from the vegetation of adjacent areas. A riparian area will vary in width depending on the particular stream, river, lake, wetland, or other body of water.

**Road:** Shall include the terms "street", "avenue", "way", "court", "drive" and the like. Pedestrian elements such as sidewalks and trails are allowed within road rights-of-way to the extent allowed by the Virginia Department of Transportation or this Ordinance.

**Road, Class I:** Roads which were part of the State-maintained highway system at the time of adoption of the 1972 Zoning Ordinance.

**Road, Class II:** Roads meeting Virginia Department of Transportation's specifications and acceptable for maintenance by the State, bonded as provided in the Loudoun County Subdivision Ordinance, or roads accepted in the State-maintained highway system after the effective date of the 1972 Zoning Ordinance.

**Road, Class III:** A non-State maintained road which meets the design standards contained in the Facilities Standards Manual.

**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.

**Road, Local Access:** A publicly owned and maintained street with a limited through function, predominantly providing access to individual lots. Local access roads are an outlet for neighborhoods, or may link neighborhoods, to the collector road network. Local access roads are characterized by low traffic volumes and low speeds.

**Road, Major Arterial:** A publicly owned and maintained road, designed to carry substantial amounts of high speed regional traffic, usually requiring at least four lanes for through traffic, and generally planned for restricted or controlled access. Routes 7, 15, and 50 are examples of major arterial roads.

**Road, Minor Arterial:** A publicly owned and maintained street designed to perform a regional, as well as a local, function connecting communities or other arterials across State or County boundaries. Traffic volumes generally require a minimum of four through lanes, although some existing minor arterials may have only two through lanes. Minor arterials have limited or controlled access, with signals at important intersections and stop signs on side streets. Route 9 is an example of a minor arterial road.

**Road, Major Collector:** A publicly owned and maintained road generally serving an intra-county and, in some situations, an inter-county function. Major collectors carry traffic from individual developments to arterial roads. New major collectors are planned for controlled access, with turn lanes at all entrances. Major collectors are often four, and sometimes six lanes. However, existing rural major collectors may be as few as two lanes. Examples of urban major collectors include Route 640 and Ashburn Village Boulevard. Routes 734 and 621 are examples of rural major collectors.

**Road, Minor Collector:** A publicly owned and maintained road generally serving several different neighborhoods and providing a linkage to the major collector roads. This category of road allows for traffic mobility and individual, or combined, lot access. Minor collectors may be two or four lanes and receive local and private roads.

**Road, Private:** A privately owned road designed and built to established County Standards for direct access to individual lots, with the owners of said lots or a Homeowner's Association (HOA) responsible for its maintenance.

**Road, Village Neighborhood:** Roads which primarily provide for traffic circulation within the Village Center and access to individual lots.

**Road, Village Through:** Roads which provide for primary access to the Village Center from the Significant Rural Transportation Route and Corridor Network listed in Table 1. (Section 4-1200)

**Rock Outcrop:** Any rock exposed at or above the ground surface which is attached to the underlying bedrock.

**Rooming House:** A lodging place for four or more boarders where rooms are offered on a single room occupancy basis and where sanitary facilities may be shared. A common cooking facility may be provided. Lodging is provided on no less than a month-to-month basis.

**Rural Cluster Lot:** A type of lot located within an AR-1 or AR-2 District cluster subdivision.

**Rural Corporate Retreat:** A use, compatible with agriculture, horticulture, animal husbandry, open space and/or historic preservation, which is engaged in the study, testing, design, invention, evaluation, or development of technologies, techniques, processes, or professional and consulting services, and education and training related to such advances and services. Rural Corporate Retreats may be utilized for basic and applied research services and education wherein the inquiry process is conducted in a manner similar to that of institutions of higher learning or management consulting firms. Rural Corporate Retreat facilities may include facilities for associated training programs, seminars, conference, and related activities.

**Rural Economy Conservation Lands:** One of the two required elements of a residential cluster option development within the AR zoning district located outside of the cluster portion and intended to accommodate rural economy and open space uses as permitted in the underlying zoning district.

**Rural Economy Lot:** A type of lot located with an AR-1 or AR-2 District cluster subdivision. A minimum of one Rural Economy Lot is required to be located within any AR-1 or AR-2 cluster subdivision. The primary use of such lot is for rural economy uses, with residential uses permitted in association with a rural economy use

**Rural Economy Uses:** An array of agricultural and equine enterprises, tourist attractions and services, and commercial businesses that are land-based, depend on large tracts of open land, and the area's rural atmosphere.

**Rural recreational establishment, outdoor:** Any establishment operated as a commercial enterprise in which seasonal facilities directly related to outdoor recreation are provided for all or any of the following: camping, skating rink (outdoor), lodging, picnicking, boating, fishing, swimming, outdoor games and sports, animal-mounted trail riding, and activities incidental and related to the foregoing. This use may include a refreshment stand as an accessory use. Nothing in this definition shall be construed to mean a track for motorized vehicles of any type, however defined.

**Rural Resort/Rural Retreat:** A private establishment consisting of a detached structure or structures located in a rural setting in which lodging units are offered to transients for compensation as the principal

use, along with conference and meeting facilities, restaurant and banquet facilities, and recreational amenities.

**Rural Village Center Subdistrict:** The portion of the Rural Village (RV) district designated for pedestrian friendly, mixed-use development, consisting of single-family detached, townhouse, apartment, storefront, workplace and civic uses on the Concept Development Plan.

**Rural Village Commercial Area:** Land within the Rural Village Center designated primarily for commercial, apartment and civic uses on the Concept Development Plan.

**Rural Village Conservancy (VC) Subdistrict:** Land within the Rural Village (RV) district surrounding the Village Center subdistrict which is placed in an open space easement in order to offset the increased density in the Village Proper (VP).

**Rural Village Residential Area:** The land area within the Village Center subdistrict designated primarily for single-family attached and detached and civic uses on the Concept Development Plan.

**Rural Village Satellite Conservancy (RVSC) Subdistrict:** Land within the Rural Village (RV) district which does not adjoin the Village Conservancy and which is placed in an open space easement in order to offset the increased density in the Village Proper (VP).

**Rural Village Workplace Area:** The land area within the Village Center designated for employment uses on the Concept Development Plan.

S

**Sawmill:** A mill for sawing timber or logs into boards or lumber.

**Scenic River:** Rivers, streams, runs and waterways that are designated according to State code.

**School, Public (Elementary, Middle or High):** An establishment for the education of students, at the primary, elementary, middle, or high school level, including vocational, and technical schools, owned and/or operated by Loudoun County/Loudoun County School Board, and public charter schools. Accessory uses include, but are not limited to, play areas, cafeterias, auditoriums, parking of school buses, and recreational and athletic facilities/fields (lighted or unlighted).

**School, Private (Elementary, Middle or High):** An establishment which meets State requirements for providing any kindergarten, primary, and/or secondary educational course, which does not secure the major part of its funding from any governmental agency. Such use shall not include an establishment for the instruction of adults, a day care establishment, a child care center, a child care home, or an in-home school for the purposes of instructing children of the family of the household. Parking of school buses on-site shall be considered an accessory use to a school.

**School, vocational:** An establishment offering courses of training in a skill or trade.

**Screening:** Whenever this term is used, it shall refer to any landscaping, screening, buffering, fencing or other barrier as required by this Ordinance. See "Buffering".

**Setback:** For the purposes of Section 5-600, use of the terms “setback” or “set back” means the building, structure, use, or activity shall be located the required distances from the point of reference (e.g. lot line, right-of-way or building, etc.). Required yards may be located in this setback area.

**Setback:** The minimum distance by which any building or structure must be separated from the point of reference (e.g. lot line, right-of-way or building, etc.).

**Sewage Treatment Plant:** A plant for the primary, secondary, tertiary treatment of sewage.

**Sewer, Public:** A central, communal or municipal wastewater treatment system serving more than two (2) lots owned or operated by a municipality, the Loudoun County Sanitation Authority (LCSA), or a public sewer (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia, for the collection, treatment and disposal of sewage.

**Sewer System, Central:** The sewage treatment system for Eastern Loudoun County owned and operated by the LCSA that is served by the Blue Plains and/or Broad Run treatment plants, and/or capacity supplied by the Upper Occoquan Sanitary Authority.

**Sewer System, Communal or Communal Wastewater System:** A sewage treatment system for the collection, treatment and/or disposal of sewage operated and or owned by LCSA, or operated by a public sewer (wastewater) utility as defined by Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia that is designed to serve small scale development, including clusters, where permitted by this Ordinance. Such system may serve only one lot, where a communal system is required by this Ordinance for a specific use.

**Sewer System, Municipal:** A sewage treatment system that is owned or operated by one or the incorporated towns within Loudoun County.

**Sewage Disposal System, Individual:** A complete system for the collection, treatment and/or disposal of sewage, located on the lot served.

**Shopping Center:** Any group of two (2) or more commercial uses of a predominately retail nature which:

- a. Are designed as a single commercial group, whether or not located on the same lot,
- b. Are under common ownership or management,
- c. Are connected by party walls, partitions, canopies, or other structural members to form one continuous structure or, if located in separate buildings, are interconnected by walkways and accessways designed to facilitate customer interchange between the uses,
- d. Share a common parking area, and
- e. Otherwise present the appearance of one (1) continuous commercial area.

**Shoreline:** The top of the streambank, which is defined in engineering terms as the water surface elevation of the two (2) year storm event.

**Short term, recurring zoning violation:** Any violation of this Ordinance of a type that is typically of a relatively short duration or susceptible of regular recurrence. Violations in this classification are deemed to include, but are not limited to, inoperable vehicles, commercial vehicles parked in residential districts, parking of vehicles on an unpaved surface, exceeding maximum occupancy limitations for residential dwelling units, violations of sign regulations, and violations related to permitted and or non-permitted temporary or seasonal sales.

**Shrub:** A deciduous or evergreen multi-trunked, woody plant that usually attains a mature height of no more than ten (10) feet. Preferred species are provided in the Facilities Standards Manual.

**Sign:** Any visual display that comprises letters, words, numerals, figures, logos, trademarks, symbols, emblems, devices, or illustrations, or any combination thereof, which identifies a property, business, product, service, person, or entertainment, but not including, when standing alone, a flag, emblem, badge, or insignia of any governmental unit.

**Sign, Area of:** The area within a continuous perimeter enclosing the limits of a sign, as defined herein and illustrated in Figure 4, Section 5-1200, and including any frame or other material or color that forms an integral part of the display or is used to differentiate the sign from the background against which it is placed, but excluding the structural supports or uprights on which the sign is placed. In the case of a ground mounted sign utilizing the bonus multiplier for the background structure, the permitted increase in area of the background structure is not counted as the area of the sign. In the case of a sign where lettering appears back to back, that is, on opposite sides of a sign, only one display face shall be counted in the area of the sign.

**Sign, Awning and Canopy:** A sign that is mounted on, painted on, affixed, or otherwise attached to an awning or canopy.

**Sign, Background Structure:** The surface on which a sign is mounted, painted, affixed, or otherwise attached.

**Sign, Backlight:** An illuminated sign, where the source of illumination is located on the back of the sign or on the interior of an enclosed sign.

**Sign, Banner:** Cloth, paper, vinyl, bunting or the like, intended to be hung either with or without frames. Governmental flags or symbolic flags shall not be considered banners for the purpose of this Ordinance.

**Sign, Bonus Multiplier:** An increase in the area of the sign by a multiplier for ground mounted signs.

**Sign, Building Façade for Determining Size of:** The entire area of an exterior wall of a building within a continuous perimeter. See Figure 5, Section 5-1200.

**Sign, Building Mounted:** A sign that is mounted, painted, affixed, or otherwise attached on the wall of a building or structure.

**Sign, Business:** A sign which identifies a business or profession conducted, or a commodity or service sold, offered, or manufactured, or an entertainment offered on the premises where the sign is located.

**Sign, Danger, Aviation, Railroad, Bridge, Ferry Transportation, Red Cross, and other such sign:** Signs as set forth in Section 33.2-1204 (5), (6), (7), (8), (15), and (17) of the Code of Virginia 1950, as amended.

**Sign, De Minimis:** Any sign with an area no greater than one (1) square foot.

**Sign Development Plan:** A graphic representation showing a detailed plan of all signage proposed for a particular structure, lot, or development.

**Sign, Directional, On-Site:** Any sign providing directions to a specific use, which sign is located on-site of the same parcel or on-site within the same development as the use to which such sign provides directions.

**Sign, Directory:** A sign on which the names and locations of occupants or the uses of a building or group of buildings is given.

**Sign, Electronic Message:** A sign on which the visual display is composed of a series of lights, panels, or other mechanisms that may be static, changing, or otherwise give the appearance of change of the display through electronic means.

**Sign, Farm:** Sign erected or maintained on any farm by the owner or tenant of such farm and relating solely to farm or horticultural produce, livestock, silviculture, or services sold, produced, manufactured or furnished on such farm.

**Sign, Freestanding:** Any sign not affixed to a building such as, but not limited to, pole mounted, monument, pylon, sidewalk, and ground mounted signs.

**Sign, Government/Official Notices:** Sign erected and maintained by or under the direction of the Virginia Department of Transportation, other governmental authorities, or court officer in accordance with the law.

**Sign, Ground Mounted:** See Figure 1, Section 5-1200.

**Sign Height:** The height of a sign shall be computed as the linear measurement from the base of the sign at normal grade to the top of the highest attached component of the sign. If the land is uneven at the base of the sign, the elevation at the halfway point (middle) of the sign at the base shall be used. Normal grade shall be construed to be the lower of (1) existing grade prior to construction, or (2) the newly established grade after construction, exclusive of any filling, berming, mounding or excavating for the purpose of locating the sign.

**Sign, Historical Markers:** Any sign or marker erected to identify a site, location, or landscape related to a person, structure, or event documented as historically significant at the local, state, or national level.

**Sign, Home Occupation:** Any sign upon property displaying the name and/or address of the occupant(s) of the premises and the nature of the home occupation(s).



**Sign, Illuminated:** Any sign or any part of a sign, which is illuminated, externally or internally, from an artificial light source located for the specific purpose of such illumination.

**Sign, Informational:** Signs to identify such locations as restrooms, loading areas, parking areas, no parking areas, entrances, exits, and the like.

**Sign, Linear Foot (LF) for Determining Size of:** The horizontal length of a wall of a building which physically encloses usable interior space. Said horizontal length shall be measured at a height not greater than ten feet above grade. See Figure 6, Section 5-1200.

**Sign, Non-PD District Project Directional:** Signs giving direction to new homes for sale or lease for non-Planned Development District projects, subject to the boundaries of a rezoning plat approved by the Board of Supervisors, which do not contain the names of specific builders.

**Sign, Outlined with Neon:** Any sign which uses neon, argon, or similar gas to illuminate transparent or translucent tubing or other material to emit light outlining all or a part of such sign.

**Sign, PD-H Community Directional:** Signs located within the boundaries of an approved PD-H district, providing direction to subdivisions, sections, or civic features within the PD-H district.

**Sign, Pole Mounted:** See Figure 2, Section 5-1200.

**Sign, Project Identification:** A sign that identifies the name of the development only, including any corporate typeface or logo.

**Sign, Public/Quasi-public:** Sign identifying or locating a town, community center, public building or historical place situated in Loudoun County, Virginia, and also a sign for a use owned or operated by a nonprofit, religious, or charitable institution and providing educational, cultural, recreational, religious, or similar types of programs.

**Sign, Real Estate:** Sign pertaining only to the offering for sale or lease of the land or structures on the land upon which the sign is placed.

**Sign, Residential Name:** Sign upon property displaying the name and/or address of the owner, lessee, or occupant of the premises.

**Sign, Sidewalk:** A movable sign not secured or attached to the ground or surface upon which it is located. Such sign may be freestanding, placed on an easel, or constructed in a manner to form an "A" shape.

**Sign, Temporary:** A sign of temporary duration or non-recurring nature that is associated with a special event that is approved in accordance with Section 5-500(C) of this Ordinance, or other event that lasts no longer than 48 hours and falls outside of the primary permitted use of the property upon which such event is located.

**Sign, Wayside Stand:** Sign erected or maintained by any farm owner or tenant of such farm and relating solely to farm or horticultural produce or merchandise sold from said stand located on farm including Christmas trees, vineyards and wineries.

**Sign, Window or Display (Business):** A sign within a window of a business relating to the business conducted within.

**Sign, Window or Display (Non-Business):** A sign within a window of a business not relating to the business conducted within; but to amusements or civic, religious, cultural, educational, or charitable activities.

**Silviculture:** The art and science of controlling the establishment, growth, composition, health, and quality of forests and woodlands, typically dependent on Best Management Practices. In Loudoun County it is a component of healthy forest management that is limited to tree and shrub planting; limited tree clearing for firewood, and clearing of dead and diseased trees and invasive species; and tree pruning and trimming. Silviculture does not include commercial planting or clear cutting of a forest.

**Sinkhole:** A vertical opening or closed depression in the land surface and formed by solution of carbonate bedrock and downward movement of soil into bedrock voids or by collapse of underlying caves.

**Sinking Stream:** Any stream draining 640 acres or less that disappears underground into a Swallet, Sinkhole, Closed Depression or Cave Opening.

**Site Plan:** A required submission, prepared and approved in accordance with the provisions of Section 6-700, which is a detailed engineering drawing of the proposed improvements included and required in the development of a given lot. For the purpose of this Ordinance, a site plan is not to be construed as a concept development plan, as required by other provisions of this Ordinance. Reference Chapter 1244 Site Plan Procedures of the Land Subdivision and Development Ordinance (LSDO).

**Slope:** The vertical elevation of land area divided by the horizontal distance, expressed as a percentage. Slope percentage shall be determined using the County base planimetric and topographic maps or if required, then other topographic maps, elevations, etc., prepared by such persons licensed to perform surveys to determine such information. See also related definitions of “Very Steep Slope Area” and “Moderately Steep Slope Area,” in this Article.

**Small Business:** A business or service which may be conducted in a private residence that is considered temporary for the purpose of starting a new business and operates according to the restrictions and standards established by this Ordinance. For the purposes of this definition the following terms have the meaning herein ascribed to them:

- a. Structure. A structure used for a small business.
- b. Business vehicles. Automobiles, vans, pick-up trucks, motorcycles, and other similar vehicles requiring Department of Motor Vehicle tags and designed and primarily used to transport people.
- c. Employees. Persons, other than members of the household permanently residing on the premises, who are engaged onsite in the operation of the small business on a regular or occasional basis.

- d. Heavy equipment. Bulldozers, fork lifts, compactors, paving cutters, backhoes, skid loaders, and any other motorized or similar equipment which is primarily used to perform heavy work activities, and not used to transport passengers, and which do not require or use Department of Motor Vehicle tags; and dump trucks requiring 26,000 pounds gross vehicle weight; and passenger and tour buses, excluding school buses and 16-seat commuter vans; and vans and large pick-up trucks modified for heavy work, all of which are used for off-site income producing purposes.

Any heavy equipment used principally for agricultural uses onsite may be used offsite for small business uses listed in Section 5-614(D). The term "heavy equipment" includes all vehicles not classified as "business vehicles", as defined above, which are associated with the small business. Additionally, trailers used for transporting heavy equipment are considered accessory to the heavy equipment.

- e. Storage yard. An outdoor space accessory to a permissible use and used for the purpose of storing equipment, vehicles, construction materials and similar items necessary to a permissible business.

**Soil Mapping Unit:** An area of similar kinds of soil materials on the same landform, as defined in the Interpretive Guide to Soils Maps of Loudoun County, as amended.

**Solid Waste:** Any garbage, refuse, sludge, and other discarded materials, resulting from household, industrial, commercial, mining, and agricultural operations, or community activities, but not including (i) solid or dissolved material in domestic sewage, (ii) solid or dissolved material in irrigation return flows or in industrial discharges which are sources subject to a permit from the State Water Control Board, or (iii) source, special nuclear, or by-product material as defined by the Federal Atomic Energy Act of 1954, as amended.

**Solid Waste Container:** A container that is specifically designed, constructed, and placed for use as a depository for the storage of solid waste, which includes dumpsters, bulk containers, refuse containers, or other such containers specifically designated as waste receptacles.

**Solid Waste Incinerator:** A facility or device designed for the treatment of solid waste by combustion.

**Solid Waste Management Facility (SWMF):** A site used for the planned treating, recycling, storing, processing or disposing of solid waste and includes recycling facilities, vegetative waste management facilities, yard waste composting facilities, materials recovery facilities, landfills, transfer stations and solid waste incinerator facilities. A facility may consist of several treatment, storage or disposal units. Further, "solid waste management facility" or "SWMF" means a facility so located, designed and operated that it does not impose a present or potential hazard to human health or the environment, including the pollution of air, land, surface water or ground water.

**Solid Waste Transfer Station:** A solid waste collection or storage facility at which solid waste is transferred from collection vehicles to hauling vehicles for transportation to a central solid waste management facility for disposal, incineration, or resource recovery.

**Solid Waste Vehicle:** Any vehicle or portion thereof used to collect, remove, transport, or dispose of solid waste or recyclable material and includes any container or other appurtenance attached to, or associated with the vehicle, whether such container or appurtenance is affixed temporarily or permanently.

**Sound Level Meter:** Means an electronic instrument, which includes a microphone, an amplifier and an output meter, which measures noises and sound pressure levels in a specified manner. It may be used with the octave band analyzer that permits measuring the sound pressure level in discrete octave bands.

**Special Event:** A temporary commercial or festive activity or promotion at a specific location that is open to the public and is planned or reasonably expected to attract large assemblies of persons. Special events include, but are not limited to, carnivals, festivals, circuses, music fairs or concerts, tent revivals, art shows, crafts shows, rodeos, corn mazes, civil war reenactments, equestrian shows, firework displays and events, or similar events open to the public. A private party held at a Banquet/Event Facility (including Hotel, Conference Center, Restaurant, Rural Resort, or similar facility), Bed and Breakfast Homestay, Bed and Breakfast Inn, or Country Inn shall not be deemed a special event. A private party which is held at a location other than the foregoing or held on property not occupied by the host, shall be deemed a special event. "Special event" does not include temporary or seasonal retail sales of goods, products, or services, such as temporary sales of Christmas trees, farm produce, fireworks, and other similar seasonal goods.

**Special Exception:** A use permitted in a zoning district, if listed in the district's regulations, only upon showing that such use in a specified location will comply with all the conditions and standards specified in the Zoning Ordinance and/or imposed by the Board of Supervisors as authorized by the State Code.

**Sports Stadium, Complex, Arena or Sports Field:** A facility, indoor or outdoor, designed for professional or amateur sporting events, exhibitions, shows or convocations. Office, retail and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances.

**Spring:** A place where the groundwater flows naturally from a rock or the soil onto the land surface or into a body of surface water.

**Stable, Livery:** A commercial facility for the boarding of more than ten (10) horses owned by non-owners and/or non-residents of the lot for their private use, and/or for the boarding of any horses for public use. Such facility may include the keeping of horses for the private use of the owners and/or residents of the lot. Accessory uses may include offices, storage areas, caretaker's quarters, educating and training students in equitation, and caring for, breeding, or training horses associated with the Livery Stable use.

**Stable, Private:** A facility for the keeping of horses for the private use of the owners and/or residents of the lot, and/or the boarding of ten (10) or fewer horses owned by non-owners or non-residents of the lot for their private use. No more than one (1) employed instructor engaged for the purpose of educating and training students in equitation shall be permitted.

**State:** The Commonwealth of Virginia.

**Stockpiling of dirt:** The acceptance, collection, accumulation or aggregation of dirt, fill, or gravel from off-site sources, for a period of more than 12 months.

**Stockpiling of dirt, Temporary:** The acceptance, collection, accumulation or aggregation of dirt, fill, or gravel from off-site sources, for a period of less than 12 months on a parcel. Such stockpiles are removed or immediately graded out in accordance with an approved grading plan.

**Stone Quarrying Industries:** Commercial or industrial stone quarries or operations involving removal from a site of natural accumulations of sand, rock, soil or gravel. The meaning of "stone quarrying", includes appurtenant structures such as crushers, screeners, and washers and also includes, as an accessory use, retail sales of stone products, but does not include any other industrial use, such as concrete batching plants or asphalt mixing plants.

**Storage Area:** An outdoor space accessory to a permitted use, used for the purpose of storing equipment, vehicles, construction materials, and similar items necessary to the permitted use.

**Storage, Bulk Gasoline:** A fixed installation where these products are stored, either for subsequent transshipment to a smaller fixed installation or for pick-up by truck for transport to the site where the product will be used by the consumer. Materials may be stored in one or more tanks on the site, the size of a tank being constrained by Federal and State regulations pertaining to construction and safety standards. Such facilities shall not include retail sales. Accessory tanks for agriculture, temporary construction or personal use are excluded from this definition.

**Stormwater Management Improvements:** Surface or subsurface drainage improvements, storm sewers, stormwater management best management practices (BMPs), and other such improvements as required by the Facilities Standards Manual, the Loudoun County Stormwater Management Ordinance, Chapter 1096 of the Codified Ordinances of Loudoun County or the Loudoun County Erosion Control Ordinance and Plan, Chapter 1220 of the Codified Ordinances of Loudoun County.

**Story:** That portion of a building included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, the space between such floor and the ceiling next above. A basement shall be counted as a story if it is used for business or dwelling purposes. A mezzanine floor shall be counted as a story if it covers more than one-third of the area of the floor next below it or if the vertical distance between the floor next below it and the floor next above it is twenty feet or more.

**Stream Bank:** The uppermost limit of the stream's active channel, usually marked by a break in slope.

**Street, Centerline of:** A line established as a centerline of a street by any State, County, or other official agency or governing body having jurisdiction thereof and shown as such on an officially adopted or legally recorded map or, if there be no official centerline, a line running and lying midway between the street right-of-way lines. Where street lines are indeterminate and a pavement or a traveled way exists, the centerline shall be established by the Commission or, in the absence of a determination by the Commission, shall be assumed to be a line midway between the edges of such pavement or traveled way.

**Streetlight:** A pole or pedestal mounted luminaire with a metal halide or other full spectrum bulb.

**Street Tree:** Any large deciduous tree which grows in the street right-of-way or on private property abutting the street right-of-way.

**Structural Alteration:** Any change, modification, addition or deletion to the bearing walls of an existing structure.

**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, and railroad tracks.

**Structure, Accessory:** A building or structure subordinate and incidental to, and located on the same lot with, a principal building, the use of which is customarily found in association with and is clearly incidental to that of the main building or to the use of the land, and which is not attached by any part of a common wall or roof to the principal building.

**Studio space - artist, craftsperson, writer, etc.:** The workshop of an artist, writer, craftsperson, or photographer, but not a place where members of the public come to receive instruction on a more than incidental basis or to sit for photographic portraits.

**Subdivision:** The division of a parcel of land into two (2) or more new parcels. The process of subdividing is regulated by the Land Subdivision and Development Ordinance.

**Subordinate Lot:** One of the types of lots permitted within the Principal/Subordinate Subdivision Development Option. Subordinate Lots may not be further subdivided.

**Swallet:** A hole in the land through which surface water is delivered to the aquifer (may be considered the opposite of a spring).

## I

**Tank Farm:** A facility for storage of tanks which in total contain more than one (1) million gallons of petrochemical or other hazardous material products.

**Telecommunications Use and/or Structure:** A use provided by or a structure utilized by a public service utility or commercial public telecommunications service under the jurisdiction of the Virginia State Corporation Commission and/or licensed by the Federal Communications Commission to provide commercial public telecommunications services. A telecommunications structure may include a tower, monopole, antenna hub site, and other antenna support structure or equipment buildings. Telecommunications use and/or structure does not include non-commercial applications, such as amateur radio operations. Telecommunications use and/or structure does not include those uses or structures that are accessory to and solely used by an individual business.

**Antenna:** Any structure or device used to collect or radiate electromagnetic waves, including both directional antennas, such as panels and microwave dishes, and omnidirectional antennas, such as whips and satellite dishes, but not including satellite earth stations. For the purposes of the district use lists in this Ordinance, antenna shall include antenna hub site.

**Antenna Hub Site:** An area containing one or more unmanned equipment structures sited to serve telecommunications antennas. An antenna hub site may be located on the same lot as the antennas being served or located on a lot that does not contain the antennas being served.

**Antenna Support Structure:** A self-supporting or bracketed ground mounted pole sixty (60) feet or less in height that is accessory to and used to support one or more telecommunications antennas and no more than one related unmanned equipment structure.

**Monopole:** A single, self-supporting pole-type structure, tapering from base to top and supporting a fixture designed to hold one or more antennas. For the purpose of this Ordinance, a monopole shall not be deemed to be a transmission tower.

**Transmission Tower:** A lattice-type structure, guyed or self-supporting, used to support antennas. Also called a communication tower or radio tower.

**Temporary Mobile and Land Based Telecommunication Testing Facility:** Whip antennas, panels antennas, microwave dishes, and receive-only satellite dishes and related equipment for wireless audio-transmission with low wattage not to exceed 500 watts, from a sender to one or more receivers, such as for mobile cellular telephones and mobile radio system facilities.

**Temporary Retail:** A building or open area in which stands or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

**Tenant Dwelling:** A dwelling occupied by a person or persons other than the owner of the lot on which it is located. Tenant dwellings may include freestanding dwellings, portable dwellings, or apartments in an accessory farm building.

**Testing Station:** Land and/or structures for the purpose of testing electromagnetic waves utilized for radios, television, microwave, radar, and other means of communication. This use shall not include testing operations for light, X-ray, radioactive emissions, or any other emissions dangerous to human health.

**Theater, Indoor:** A building designed and/or used primarily for the commercial exhibition of motion pictures to the general public or used for performance of plays, acts, dramas by actors and/or actresses.

**Town Center:** A compatible mixture of commercial, cultural, institutional, governmental, and residential uses in compact, pedestrian-oriented centers serving as focal points for substantial residential areas.

**Town Green:** The primary public open space within a town center which contains a well-defined green space with landscaped areas.

**Training Facility:** A facility used for business, technical or professional training and/or certification, which may be operated as a principal use or as an accessory use to a permitted or permissible use.

**Transit-Designed Supportive Subarea:** A Planned Development - Transit Related Center district subarea 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.

**Transitional Use:** Permissible uses, as regulated herein, which by their level and scale of activity, serve as a transition between two (2) or more types or densities of land uses.

**Transportation System Management Plan:** An organized program of strategies and techniques to reduce traffic demand and congestion and thereby improve traffic flow by means other than the construction of new capital intensive transportation facilities.

**Tree:** A single perennial woody stem attaining a height of fifteen (15) feet or more at maturity. The particular categories of trees listed below, when used in this Ordinance shall have the following meanings:

**Tree, Deciduous:** Trees and shrubs that shed their leaves annually, usually in Autumn.

**Tree, Evergreen:** A non-deciduous tree, often used for the purposes of screening, weather barrier, or accent planting. Preferred species are provided in the Facilities Standards Manual.

**Tree, Flowering:** Trees that flower.

**Tree, Large Deciduous:** A deciduous tree, usually single trunked, with a definitely formed crown of foliage and which attains a mature height of at least 30 feet. Preferred species are provided in the Facilities Standards Manual.

**Tree, Small Deciduous:** A deciduous tree which attains a mature height of no greater than 30 feet. Preferred species are provided in the Facilities Standards Manual.

**Tree Canopy or Tree Cover:** Shall include all areas of coverage by plant material exceeding five (5) feet in height.

U

**Undisturbed Grade:** The grade and elevation of land prior to excavation, filling, or grading.

**University:** See College or Educational Institution.

**Urban Deck:** A platform for landscaped greens or engineered to accommodate buildings, which spans over major roadways. The intent of an urban deck is to create and enable pedestrian movement across an otherwise, typically impenetrable barrier, and to provide space for activity that can link both sides of the roadway.

**Urban Forester:** See Arborist.



**Urban Growth Area:** Any area within the County that is currently served with public water and sewer or that is planned to be served with public water and sewer at some time within the timeframe of the Comprehensive Plan.

**Use, Accessory:** A use of a building, lot, or portion thereof, which is customarily incidental and subordinate to the principal use of the building or lot.

**Use, Auxiliary:** A principal use of a building or lot within a district which is customarily incidental and subordinate to the principal uses of the district.

**Use, Commercial:** Any wholesale, retail, or service business activity established to carry on trade for a profit.

**Use, Principal:** The primary use and chief purpose for which a lot or the main building thereon is designed, arranged, or intended and for which it is or may be used, occupied, or maintained.

**Utility:** Facilities for the provision of infrastructure services that support legally established uses and that need to be located in or near the area where the service is provided. Utilities include communal water supply systems, re-cycling drop-off collection centers, public; water treatment and pumping stations; water pumping stations; water storage tanks; communal sewer systems; sewage treatment plant and pumping station; utility substation, transmission; utility substation, distribution; utility transmission lines. Services may be publicly or privately provided. Accessory uses may include control, monitoring, data, or transmission equipment.

**Utility Distribution or Transmission Pole:** A ground-mounted self-supporting vertical structure made of fabricated metal, treated wood or concrete used to elevate electrical and communication distribution and/or transmission lines and antennas, whose primary function is the support of wires, conductors and associated apparatus used for the distribution and/or transmission of electrical energy and/or land line communication signals.

**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.

**Utility Substation, Dedicated:** A facility for the transformation or transmission and/or switching of voltages to distribution voltages which switches circuits and distributes usable/consumable electric power, transmits natural gas, television or telephone signals dedicated to an individual user.

**Utility Substation, Distribution:** A facility for the transformation or transmission voltages to distribution voltages which switches circuits and distributes usable/consumable electric power, transmits natural gas, television or telephone signals dedicated to an individual user.

**Utility Substation, Transmission:** A facility primarily serving as part of a regional interconnecting grid system which provides for the transformation, switching and distribution of both transmission voltage and/or distribution voltages, transmits natural gas, television or telephone signals. Such use may include a distribution and/or dedicated substation.

**Utility Transmission Line, Overhead:** A line suspended on overhead structures and used for the transmission of electric power or other utility service to serve a regional area. Pursuant to Section 56-46.1 of the Code of Virginia, electrical transmission lines of 150 KV or more, approved by the State Corporation Commission, shall be deemed to have satisfied the requirements of this ordinance.

**Utility Transmission Line, Underground:** A line used for the transmission or conveyance of water, sewage, natural gas, electricity, telephone signals, or other public utility service when located underground and serving a regional area. Pursuant to Section 56-46.1 of the Code of Virginia, electrical transmission lines of 150 KV or more, approved by the State Corporation Commission, shall be deemed to have satisfied the requirements of this Ordinance.

V

**Vacant Land:** A lot or parcel of land on which no improvements have been constructed.

**VDOT:** The Virginia Department of Transportation.

**VDOT Resident Engineer:** The Resident Engineer for Loudoun County of the Virginia Department of Transportation, or his designated deputy.

**Vegetative Waste:** The decomposable materials generated by yard and lawn care or land clearing activities, and includes, but is not limited to, leaves, grass trimmings, and woody waste such as shrub and tree prunings, bark, limbs, roots, and stumps.

**Vegetative Waste Management Facility:** A solid waste management facility that manages vegetative waste.

**Vehicle Wholesale Auction:** A business which sells or offers for sale motor vehicles, at auctions on a wholesale basis, only to licensed new or used vehicle dealers or wholesalers. Accessory uses may include services such as, title processing, clean-up and light service and repair of vehicles for sale for auction, the sale of food to customers, financial services, test drive track, the storage or marshalling of auction vehicles, and the sale of specialty vehicles at auctions on a wholesale basis.

**Very Steep Slope Area:** Naturally occurring land areas with slopes greater than 25%. The Steep Slope Standards do not apply to slopes created by permitted land disturbing activities, such as, but not limited to, building and parking pad sites; berms; temporary construction stock-piles; and road-side ditches.

**Veterinary Service:** A service for the care of animals where the animals are not brought to the establishment but are cared for on an off-site basis. The care can be medical or custodial. Accessory uses may include an office and storage areas for equipment and supplies necessary for conducting the veterinary service. Crematory facilities shall not be permitted.

**Village Green:** The primary public open space located within the Rural Village Residential Area which primarily contains a well-defined, generally permeable green space with landscaped areas, pedestrian ways and passive recreational areas or any combination thereof. The Village Green shall be enfronted by a mix of uses, including storefront, civic and residential.

**Village Square:** An open, generally impervious, public space used for group gatherings, displays, meetings, concerts or other community activities.

**Visitor Accommodation:** Lodging where tenancy may be arranged for periods of less than 30 days. Accessory uses may include parking, laundry, recreational uses, and food services.

W

**Warehousing Facility:** A building used primarily for the holding or storage of goods and merchandise. For the purpose of this Ordinance a mini-warehousing establishment shall be deemed a separate and distinct use.

**Waste-Related Uses:** Uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic materials or processing of organic or related waste materials, or the collection or stockpiling of dirt. Waste-related uses do not include uses that receive hazardous wastes from others or that process other than organic material or related waste materials. Accessory uses may include offices and repackaging and transshipment of by-products.

**Water Management Plan:** A plan of irrigation indicating a sustainable water usage rate, identifying the water source(s), establishing a schedule of withdrawal, and providing methods for mitigation of undesirable effects.

**Water, public:** A central communal or municipal water supply system serving more than two (2) lots owned or operated by a municipality or the Loudoun County Sanitation Authority (LCSA) or a public water utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia for the purpose of furnishing potable water.

**Water Supply System, Central:** The water supply system for Eastern Loudoun County owned and operated by the LCSA for which the source of water is purchased from the City of Fairfax and County of Fairfax water supply system.

**Water Supply System, Communal:** A water supply system owned or operated by the LCSA or a public water utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia that is designed to serve small-scale development, including clusters, where permitted by this Ordinance. Such system may serve only one lot, where a communal system is required by this Ordinance for a specific use.

**Water Supply System, Municipal:** A water supply system that is owned or operated by one of the incorporated towns within Loudoun County.

**Water Storage Tank:** A tower or other facility for the storage of water for supply to a water system.

**Water supply system, individual:** A water supply system located on the lot served.

**Water Treatment Plant and Pumping Station:** A plant for the purification and pumping of potable water.

**Water Well, Municipal:** A well, used to collect water for a municipal water supply system. A municipal water well may include necessary or customary appurtenant facilities, such as access roads, transmission pipes, generators, and well houses.

**Wayside Stand:** Any structure or land used for the sale, by the owner or his family or tenant, of agricultural or horticultural produce, livestock or merchandise principally produced on said farm, but may include produce grown on other farms and accessory products, and which is clearly a secondary use of the premises and does not change the character thereof.

**Wetland:** Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that, under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as identified by the U.S. Army Corps of Engineers or the State of Virginia. Wetlands generally include swamps, marshes, bogs, and similar areas.

**Wetland Mitigation** is wetland enhancement, restoration, creation and/or preservation project that serves to offset unavoidable impacts to wetlands, wetland buffer areas, and other associated natural habitats. A Wetland Mitigation Bank is a type of Wetland Mitigation.

**Wetland Mitigation Bank:** A natural resource management technique authorized by Part 404 of the federal Clean Water Act, or other state or federal law, as applicable, using wetland preservation, restoration, creation and/or enhancement to offset or replace wetland functions that are lost due to development. Wetland mitigation banks are typically large areas of wetlands operated by private or public entities, which may sell credits to other entities to compensate for wetland loss or impact at development sites or enter into other similar arrangements.

**Wholesale Trade Establishment:** Any building wherein the primary occupation is the sale of merchandise in gross for resale, and any such building wherein the primary occupation is the sale of merchandise to institutional, commercial and industrial consumers. For the purpose of this Ordinance, a warehouse shall not be deemed a wholesale trade establishment.

**Winery, commercial:** An establishment with facilities for making and bottling wine for sale on site or through wholesale or retail outlets. A commercial winery is a winery that does not meet the definition of a Virginia Farm Winery. Uses at a commercial winery may also include the growing of fresh fruits or agricultural products for the production of wine. Accessory uses shall include wine tasting rooms at which wine tasting occurs, accessory food sales related to wine tasting occurs, and wines produced on-site are sold. Any winery licensee may manufacture and sell cider in accordance with this definition and Section 4.1-213 of the Code of Virginia.

**Winery, Virginia Farm:** An establishment: (1) located on a farm with a producing vineyard, orchard or similar growing area and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine that contains not more than 18 percent alcohol by volume; or (2) located in the Commonwealth with a producing vineyard, orchard or similar growing area or agreements for purchasing grapes or fruits from agricultural growers within the Commonwealth, and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine that contains not more than 18 percent alcohol by volume. As used in this definition, the term owner or lessee shall include a cooperative formed by an association of individuals for the purposes of manufacturing wine. In the event such cooperative is licensed as a farm winery, the term "farm" as used in this definition

includes all of the land owned or leased by the individual members of the cooperative, as long as such land is located in the Commonwealth. Accessory uses at a Virginia Farm Winery may include: commercial wineries, and wine tasting rooms at which wine tasting occurs, accessory food sales related to wine tasting occurs, and wines produced on-site are sold. A farm winery license shall be designated either as a Class A or Class B farm winery in accordance with Section 4.1-219 of the Code of Virginia. Any farm winery licensee may manufacture and sell cider in accordance with this definition and Section 4.1-213 of the Code of Virginia.

#### X-Y-Z

**Yard:** Area on a lot which shall be unoccupied by any structure, except as permitted by this Ordinance, from the ground to the sky.

**Yard, Front:** An open space on the same lot as a principal building between the front line of the principal building and the road, street, or private access easement and extending across the full width of the lot.

**Yard, Rear:** An open space on the same lot as a principal building between the rear line of the principal building and the road, street, or private access easement and extending across the full width of the lot.

**Yard, Required:** A yard, as defined above, located along the perimeter of a lot, the dimensions of which are set by the District Regulations of this Ordinance.

**Yard, Side:** An open space on the same lot as a principal building between the side line of the principal building and the road, street, or private access easement and extending from the front yard line to the rear yard line.

**Yard Waste:** The decomposable waste materials generated by yard and lawn care and includes leaves, grass trimmings, brush, wood chips, and shrub and tree trimmings. Yard waste shall not include roots or stumps that exceed six (6) inches in diameter.

**Yard Waste Compost:** A stabilized organic product produced from yard waste by a controlled aerobic decomposition process in such a manner that the product can be handled, stored or applied to the land so that it does not pose a present or potential hazard to human health or environment.

**Yard Waste Composting Facility:** A Solid Waste Management Facility which is so located, designed, constructed and operated for the composting of the portion of household waste that consists of grass clippings, leaves, brush, or tree trimmings arising from general household yard maintenance, is composted to a stabilized organic product so that it does not pose a present or potential hazard to human health or the environment.

**Zoning Administrator:** An appointed County official who serves as the Zoning Administrator, charged with the interpretation, administration and enforcement of this Ordinance for Loudoun County, Virginia, or his/her designee.

**Zoning Permit:** A document signed by the Zoning Administrator as a condition precedent to the commencement of a use or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, which acknowledges that such use, structure or building complies with the provisions of the County Zoning Ordinance, or authorized variance therefrom.

**Zoning District:** The various classification of agricultural, residential, commercial and industrial zoning categories provided for in this Ordinance and the areas on the zoning map in which such different districts are mapped. As used in this Ordinance, the term "zoning district" can refer either to the zoning category, i.e. "the A-3 zoning district", or the areas mapped in such uses on the zoning map.

**Zoo:** A facility, indoor or outdoor, where animals are kept for viewing by the public. Office, retail, and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances.