**PART 100 GENERAL DEFINITIONS**

*Abandonment* means to cease or discontinue a use or activity, excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

*Abutting/adjoining* means contiguous or adjoining; having property or zoning district lines in common or separated by a right-of-way.

*Accessory building or structure* means a building or structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use. Where an accessory building or structure is attached to the principal building in a substantial manner, as a covered structure made of materials complementary to the principal structure, such accessory building shall be considered a part of the principal building. A walkway alone shall not be considered a substantial connection for the purposes of this chapter. For purposes of this chapter, any swimming pool and patio in a residential district shall be considered an accessory structure.

*Accessory use* means a use of land, or a building or structure or portion thereof, customarily incidental and subordinate to the principal use of the land or building or structure and located on the same lot with such principal use.

*Acreage* means a parcel of land, regardless of area, described by metes and bounds and not as a lot shown on any recorded subdivision plat.

*Addition* means any construction that increases the gross floor area of a building or structure, or results in an expanded footprint of a building or structure on the ground.

*Alley* means a right-of-way that provides secondary vehicle, the placement and maintenance of utilities, and service access to abutting properties that have frontage on one or more streets.

*Alteration* means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, or any enlargement or reduction of a building or structure, whether horizontally or vertically, or the moving of a building or a structure from one location to another.

*Amendment* means a modification to this chapter, including the text or associated maps that has been approved by the town council.

*Antenna* means a communication device that transmits or receives electromagnetic signals. Antennas may be directional, including panels and microwave dishes, or omni-directional including satellite dishes, whips, dipoles, and parabolic types. An antenna does not include the tower or other supporting structure to which it is attached. For purposes of this chapter, an "antenna" does not include a satellite dish antenna, which is otherwise defined.

*Apartment* means a dwelling unit in a multifamily dwelling or multifamily use within a mixed-use building.

*Applicant* means a person seeking any determination, approval, or permit required by this chapter.

*Architect* means a registered shall mean a person who is registered with the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects as an architect.

*Area, gross* means a measure equating to the entire area of a property or structure.

*Area,* net means a measure equating to the entire area of a property or structure, less any specified features or attributes. In the case of land, net area shall be the entire area of a property less any area within the 100-year floodplain and resource protection area. In the case of structures, the net area shall be as defined in the building code.

*Assembly* means the piecing together of various, separate, manufactured components and mechanical parts to construct a finished product.

*Awning* means a shelter over a window or door constructed of rigid or non-rigid materials on a supporting framework, either freestanding, or projecting from and supported by an exterior wall of a building.

*Base flood* means a flood that, on the average, is likely to occur once every 100 years (i.e., that has a one percent chance of being equaled or exceeded in any given year).

*Base flood elevation (BFE)* means the water surface elevation which occurs in a 100-year flood as designated by the Federal Emergency Management Agency.

*Basement* means that portion of a building that is partly or completely below grade plane. A basement shall be considered a story above grade where the finished surface of the floor above the basement is (i) more than six feet above grade, (ii) more than six feet above grade for more than 50 percent of the total building perimeter, or (iii) more than 12 feet above the finished ground at any point.

*Berm* means a landscaped earthen mound, incorporated as part of a site design, and intended to enhance the compatibility of abutting or nearby properties through the mitigation of sound, the screening of views, and/or the visual enhancement of a property's landscaped character.

*Best management practices (BMP)* means a practice, or combination of practices as determined by the appropriate state and/or local agencies to be the most effective, practical means of preventing or reducing the amount of pollution generated by non-point sources to a level compatible with the water quality goals of the Town of Altavista and/or the Commonwealth of Virginia.

*Board of zoning appeals* means the Town of Strasburg Board of Zoning Appeals, also referred to in this chapter as the BZA.

*Buffer area* means a buffer area is a strip of land that contains landscaping, possibly with a man-made barrier, located along the common property line of two dissimilar abutting land uses or properties.

*Building* means any structure having a roof supported by columns or walls and intended for the shelter, or occupancy, or housing, or enclosure of any individual, animal, activity, process, equipment, goods or materials of any kind.

*Building, height* means the vertical distance measured from the average adjoining grade on all sides of a building or structure to the highest point of a flat roof, the deck line of a mansard roof or in the case of a pitched, gambrel or hip roof, the mean level between the eaves and the highest point of the roof.

*Building wall, front* means, when viewed from above, the wall, parallel to the street right-of-way, which passes through the point of the principal building nearest the street right-of-way.

*Building wall, rear* means, when viewed from above, the wall, parallel to the rear lot line that passes through the point of the principal building nearest the rear lot line.

*Building wall, side* means when viewed from above, the wall, parallel to a side lot line that passes through the point of the principal building nearest the side lot line.

*Canopy* means a permanent structure, or part thereof, that has a roof with support but not walls, and is intended to provide shelter.

*Caregiver* means as defined under § 15.2-2292.1 of the Code of Virginia for the purpose of establishing a temporary family health care structure, an adult who provides care for a mentally or physically impaired person, as defined in § 63.2-2200 of the Code of Virginia, and who shall be either related by blood, marriage, or adoption to, or the legally appointed guardian of, the mentally or physically impaired person for whom he is caring.

*Carport* means a roofed structure providing space for the parking of vehicles, enclosed on not more than two sides.

*Clearing* means removing or causing to be removed the vegetation growing in the soil. Such removing or causing to be removed shall include any intentional or negligent act to (1) cut down, (2) remove all or a substantial part of, or (3) damage a tree or other vegetation which will cause the tree or other vegetation to decline and/or die. Such acts shall include but not be limited to damage inflicted upon the root system of the vegetation by the application of toxic substances, by the operation of equipment and vehicles, by storage of material, or by the change of natural grade due to unapproved excavation or filling, or damage caused by the unapproved alteration of natural physical conditions.

*Cluster* means a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, or preservation of environmentally sensitive features.

*Code of Virginia* means the Code of Virginia 1950, as amended.

*Commercial delivery* means the delivery of goods, products, materials or other items associated with a home occupation by any means or frequency other than that which would normally occur in a residential neighborhood.

*Commission* means the Planning Commission of the Town of Strasburg.

*Comprehensive Plan* means the Comprehensive Plan of the Town of Strasburg, Virginia, including those maps, plats, charts, and descriptive matter that have been formally adopted by Town Council pursuant to the provisions of the Code of Virginia.

*Conditional zoning* means the allowing of reasonable conditions governing the use of such property, such conditions being in addition to, or modification of the regulations provided for a particular zoning district or zone by the overall zoning ordinance, as part of classifying land within the Town into areas and districts by legislative action. See Code of Virginia, §§ 15.2-2201, 15.2-2286, and 15.2-2296 et seq

*Condominium* means a building or group of buildings, created pursuant to the Virginia Condominium Act, Code of Virginia, § 55-79.39 et seq., in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

*Conservation area* means an area designated for permanent preservation.

*Conservation easement* means an easement granting a right or interest in real property for retaining land or water areas predominantly in their natural, scenic, open, or wooded condition; retaining such areas as suitable habitat for fish, plants, or wildlife; or maintaining existing land uses.

*Construction operation* means the erection, repair, renovation, demolition or removal of any building or structure, and the excavation, filling, grading and alteration of property in connection therewith.

*Council* means the Town Council of Strasburg, Virginia.

*Coverage* means the area of a lot occupied by structures, off-street parking, driveways, outside storage, or any other improvements not considered open space. For the purposes of this definition, lot shall include contiguous lots of the same ownership within a single zoning district which are to be used, developed or built upon as a unit.

*Deck* means a structure, of any materials, without a roof, directly adjacent to a principal building which has an average elevation of 30 inches or greater from finished grade.

*Dedication* means the transfer of private property to public ownership upon written acceptance.

*Density* means the number of dwelling units permitted per unit of land, commonly expressed as dwelling units per acre.

*Development* means any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging, drilling operations, or storage of equipment or materials.

*District* means a zoning district as described and permitted by Code of Virginia, § 15.2-2280 et seq.

*Driveway* means a private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure.

*Dwelling, Duplex* means a building containing two dwelling units with not more than one family occupying each dwelling unit.

Dwelling, multifamily means a building or portion thereof containing more than two dwelling units, located on a single lot or parcel of ground, with not more than one family occupying each dwelling unit. Multifamily dwelling units are categorized as either traditional or stacked.

*Dwelling, Single-family detached* means a residential building entirely surrounded by open space or yards on the same lot, containing one dwelling unit and occupied by not more than one family.

Single-family dwelling shall mean a residential building containing only one dwelling unit. See also "One-family dwelling".

*Dwelling, Single-family attached (townhouse)* means a group of two or more attached single-family dwelling units which are generally joined to one another by a common party wall, a common garage and/or with connecting permanent and architecturally unified structures such as breezeways, carports, or walls, which structures continue the design, pattern and/or materials of the facade from one dwelling unit to another, whether or not such a group is located on a single parcel or on adjoining individual lots. Connecting structures and outdoor living space may be so designed as to provide access between front and rear yards. Each unit shall have its own ground floor external entrance and not be occupied by more than one family. Single-family attached dwelling includes any unit that does not meet the definition of single-family detached dwelling or multifamily dwelling.

*Dwelling, Tiny House* means a dwelling on a permanent foundation with permanent utility connections that meets the definition and standards of the Virginia Uniform Statewide Building Code for a Tiny House.

*Dwelling unit* means a room or group of rooms connected together containing cooking, bathroom and sleeping facilities constituting a separate, independent housekeeping unit, physically separated from any other dwelling unit in the same structure.

*Easement* means a portion of a lot or acreage reserved for present or future use by a person or entity other than the fee simple owner of the lot or acreage. Easements may exist on the ground, or under or above the lot or acreage.

*Family* means one or more persons related by blood, marriage, or adoption, or under approved foster care, or a group of not more than four persons (including domestic help) living together as a single housekeeping unit. For the purposes of dwelling unit occupancy in a single-family residential zoning district (R1), the term shall include not more than two unrelated persons in addition to the family. For dwelling unit occupancy in all other zoning districts, the term shall include not more than four unrelated persons in addition to the family.

*Fence means a* freestanding structure resting on or partially buried in the ground and rising above ground level, and used for confinement, screening or partition purposes.

*Flood* means general and temporary inundation of normally dry land areas from:

(1) the overflow of inland waters;

(2) the unusual and rapid accumulation or runoff of surface waters from any source;

(3) mudslides (i.e. mudflows), which are approximately caused or precipitated by accumulations of water on or under the ground; or

(4) the collapse or subsidence of land along a body of water as a result of erosion or undermining caused by water or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated form of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding as defined in this section.

*Flood, one hundred-year* means a flood that, on the average, is likely to occur once every 100 years (i.e., that has a one percent chance of occurring each year, although the flood may occur in any year).

*Flood proofing* means any combination of structural and nonstructural additions, changes or adjustments to a structure or property which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodplain means:*

(1) A relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation; or

(2) An area subject to the unusual and rapid accumulation of run-off or surface waters from any source.

*Floodway* means the designated area of the floodplain required to carry and discharge floodwaters of a given magnitude. For the purposes of this article, the floodway shall be capable of accommodating a flood of the 100-year magnitude.

*Floodway fringe* means that area characterized during floods by shallow, slow-moving water and represents a low hazard potential; more specifically, the floodway fringe is that area of the 100-year flood elevations contained in the flood profiles of the flood insurance study adopted by the Town of Altavista and as shown on the flood insurance rate map (FIRM) accompanying that study.

*Floor area, finished* means the sum of the horizontal areas of a building which is intended for human habitation and use and which has a floor to ceiling height of six and one-half feet or greater. Areas excluded from the finished floor area would include unfinished basements and attics, storage and utility rooms, and garages.

*Floor area, gross* means the sum of the horizontal areas of the several stories of a building, measured from the exterior faces of exterior walls, or in the case of a common wall separating two buildings, from the centerline of such common wall. Gross floor area shall exclude interior parking and loading spaces, and airspace above atriums.

*Floor area ratio (FAR)* means the ratio of the total floor area of buildings located on a certain parcel of land to the area of that parcel. [Note: As a formula: Floor area ratio = (total covered area on all floors of all buildings on a parcel) divided by (area of the parcel). Thus, a FAR of 2.0 would indicate that the total floor area of a building is two times the gross area of the parcel on which it is constructed.]

*Foot-candles* means a quantitative unit of measure used to measure the brightness of light falling on a surface. One foot-candle is equal to the amount of light falling on a surface of one foot square from a standard candle located one foot away. Foot-candle measurements shall be made with a photometric light meter at grade. One foot-candle is equal to ten lux or one lumen per square foot.

*Form-based design proffer* means a type of proffer expressly including regulations and standards in both words and clearly drawn diagrams and other visuals that address (i) the relationship between building facades and the public realm (sidewalk, travel lanes, on-street parking, street trees, and street furniture, etc.;) (ii) the form and mass of buildings in relation to one another; and (iii) the scale and types of streets and blocks.

*Frontage* means any property line that is coterminous with a public or private street or road right-of-way.

*Garage, private* means a building for the private use of the owner or occupant of a principal residential building situated on the same lot as the principal building for the storage of motor vehicles.

*Glare* means the effect produced by lighting, with a brightness or intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

*Grade* means a reference plane representing the average elevation of finished ground level adjoining the building or structure at all exterior walls or surfaces.

*Grading* means any stripping, cutting, filling, stockpiling of earth or land, including the land in its cut or filled condition.

*Greenhouse* means a facility employing a glass, plastic or similar enclosure for the cultivation or protection of tender plants, flowers or house plants.

*Gross vehicle weight* shall mean the aggregate weight of a vehicle and its allowable carrying capacity.

*Hardscaping* means the paved areas such as streets, sidewalks, man-made stormwater management or drainage features, retaining walls, or other permanent structures for any permissible use where the soil is no longer exposed to the surface of the earth.

*Hazardous material or process* (HAZMAT) shall mean, for the purposes of this chapter, a hazardous material or process shall be any substance or activity involving any substance listed in 40 CFR Part 355, Appendix A, as an Extremely Hazardous Substance (EHS) when that substance is stored, generated, used or released in quantities equal to or greater than the lowest quantity listed for either the Threshold Planning Quantity (TPQ) or Reporting Quantity (RQ) for the substance.

*Historic structure* means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

a. By an approved state program as determined by the Secretary of the Interior; or

b. Directly by the Secretary of the Interior in states without approved programs.

*Junk* means any scrap, dismantled, inoperable, or dilapidated motor vehicles, including parts; machinery; household furniture and appliances; construction equipment and materials; tanks and drums; tires; pipes; wire; wood; paper; metals; rags; glass; and any other kind of salvage or waste material.

*Land bay* means an area of a planned development, containing specified uses consistent with a designation.

*Land disturbing activity* means any land change which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the commonwealth, including, but not limited to, clearing, grading, excavating, transporting and filling of land.

*Landscaping* means the improvement of the appearance of an area by the planting of trees, grass, shrubs, or other plant materials.

*Loading space, off-street* means space for bulk pick-ups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled.

*Lot* means a parcel of land intended to be separately owned, developed, or otherwise used as a unit, established by plat, subdivision, or as otherwise permitted by law.

*Lot, corner* means a lot abutting on two or more streets at their intersection, or on two parts of the same street forming an interior angle of less than 135 degrees.

*Lot coverage* means a portion of a lot, which when viewed from directly above, would be covered by any building or structure, parking and loading areas and other surface which is impermeable or substantially impervious to storm water. Gravel parking areas shall be considered impervious. For the purposes of this definition, lot shall include contiguous lots of the same ownership within a single zoning district which are to be used, developed or built upon as a unit.

*Lot, double frontage* means an interior lot having frontage on two streets.

*Lot, flag lot* means a panhandle or flag-shaped lot with its widest point (called the "flag") set back from the road at the rear of another lot and having a thin strip of land (called the "stem") connecting to the road to provide legal access and frontage.

*Lot, frontage* means the horizontal distance between the side lot lines measured at the front yard setback line. All sides of a lot which abut a street shall be considered frontage. On curvilinear streets the arc between the side lot lines shall be considered the lot frontage.

*Lot, interior* means a lot, other than a corner lot.

*Lot, irregular* means a lot of such a shape or configuration that technically meets the area, frontage and width to depth requirements of this chapter but meets these requirements by incorporating unusual elongations, angles, curvilinear lines unrelated to topography or other natural land features.

*Lot of record* means a lot which has been recorded in the office of the clerk of the appropriate court.

*Lot, width* of means the mean horizontal distance between the side lot lines. The mean shall consist of the straight-line horizontal distances of the front and rear lot lines and the distance of a line connecting the midpoints of the side lot lines; provided however, that for a flag-lot, no part of the pole shall be considered in calculating such distances. This distance shall be measured from the front setback identified within the zoning district development standards.

*Manufacture, manufacturing* means the processing and converting of raw, unfinished materials or products, into articles or substances of different character, or for a different purpose.

*Manufactured home* means a structure subject to federal regulation, which is transportable in one or more sections; is eight body feet or more in width and 40 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 electronic systems contained in the structure.

*Mixed-use building* means a combination of two or more use types within a single structure.

*Mixed-use development* means two or more types of land uses; typically including residential, commercial, office, and institutional, which may occur in a single integrated structure (horizontal) or a combination of a variety of complementary and integrated uses that are walkable and within a given development project (vertical).

*Mobile home* means a dwelling unit of vehicular, portable design built on a permanent chassis and designed to be moved from one site to another and to be used without a permanent foundation. Mobile homes shall be subject to all regulations in this chapter for buildings but shall only be permitted where authorized by specific use of the term "mobile home". For the purpose of this chapter, a mobile home shall be deemed to be a mobile home regardless of the manner in which it is used, the manner in which it is affixed to realty or otherwise improved.

*Modular unit* means a factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure. A modular unit shall be a finished building located on a permanent lot.

*Motor vehicle* means a device which is self-propelled or designed for self-propulsion, in or upon which any person or property is or may be transported or drawn upon any highway, except devices moved by human power or used exclusively on stationary rails or tracks.

*Motor vehicle, inoperative* means any motor vehicle, trailer or semitrailer which is not in operating condition; or which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for the operation of the vehicle; or on which a valid license plate or a valid inspection decal is not displayed.

*Motor vehicle, commercial* means any vehicle with a gross vehicle weight registered with the Virginia Department of Motor Vehicles or any other state or government agency as 10,100 pounds or more and used for commercial purposes, or any vehicle, regardless of capacity, which displays advertising thereon or which is licensed as a "for hire" vehicle, or any limousine used as a common or contract carrier. For the purpose of this chapter, commercial vehicles shall not be deemed to include any of the following: police vehicle; emergency vehicle, commuter van, farm vehicle or farm equipment located on property used for agricultural purposes; motor home, camping trailer, tent trailer, boat trailer, horse trailer or similar recreational equipment used as personal property and not for hire; school van or bus.

*Motor vehicle, company* means passenger motor vehicles or light duty trucks (motor vehicles less than 7,500 pounds gross vehicle weight exclusively used in a business or commercial activity). "Company vehicle" shall not include contractor's equipment or other heavy equipment.

*Monopole* means a single pole structure, usually self-supporting, used to support antennas.

*Natural watercourse* means any natural stream river, creek, waterway, gully, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banks.

*Nonconforming lot* means a lot, the area, dimensions or location of which was lawful at the time the lot was created, but which fails to conform to the current standards and regulations due to the adoption, revision or amendment of this chapter.

*Nonconforming structure* means any structure the size, dimensions or location of which was lawful when erected or altered, but which fails to conform to the current standards and regulations due to the adoption, revision or amendment of this chapter.

*Nonconforming use* means a use or activity which was lawful when originally established, but which fails to conform to the current standards and regulations due to the adoption, revision or amendment of this chapter.

*Normal repair and routine maintenance* means for the purpose of maintaining the existing condition of the building, structure, site or object, normal repair and routine maintenance involves the repair of existing materials and features with equivalent material through stabilization, consolidation and conservation of historic materials, features and workmanship when the physical condition of these character-defining features has deteriorated.

*Not-for-profit* means an organization or activity which has obtained nontaxable status from the U. S. Internal Revenue Service.

*Office* means the facility in which the administrative activities, recordkeeping, clerical work and other similar affairs of a business, professional service, industry, or government are conducted and, in the case of professions such as dentists, physicians, lawyers or engineers, the facility where such professional services are rendered.

*Office or industrial* park means a group of five or more office and/or industrial sites with or without secondary uses, developed as an integrated project, and either connected contiguously, or directly across a public or private street; and also having at least one of the following characteristics: (a) some or all of the uses share common parking, travelways, or entrances; or (b) the land, uses, or facilities are organized under one management or ownership form for the purpose of enforcing reciprocal covenants.

*Off-site* means any area lying outside the boundary of a lot.

*Off-site parking* means a parking area serving a nonresidential principal use which is located on a lot that is adjacent to or abutting the lot containing the principal use.

*Off-street parking* means space provided for vehicular parking outside the dedicated street right-of-way.

*Open space* means the area within the boundaries of a development that is intended to provide light, air, view and/or a quality or general appearance of openness, and is designed for scenic, recreational, privacy, or environmental purposes. In general, open space shall be available for entry on and use by the residents of the development within which the open space is located, but may include areas designed to enhance aesthetic amenities, maintain property values and buffer incompatible uses by preserving natural features and providing landscaping or screening for the benefit of such residents or residents of neighboring areas. Open space may include, but shall not be limited to, lawns; decorative plantings; walkways and trails; active and passive recreation areas, such as tot lots, including permitted principal and accessory uses; undisturbed natural areas; wooded areas; natural creeks, streams, lakes and similar water features; manmade lakes designed to be an attractive development amenity but which may be used for SWM facilities; wet and dry ponds (including extended detentions) which are landscaped or contain existing trees; and areas where buffering, landscaping or screening are required by this chapter.

*Outdoor display* means the display and sale of products primarily outside of a permanent building or structure, including vehicles, garden supplies, plant materials, tires, oil and other vehicle maintenance supplies, food and beverages, fireworks and holiday decorations.

*Outdoor storage* means the keeping of goods or materials, excluding junk, outside of a fully enclosed building, and which shall be considered as an accessory use, unless specifically enumerated as a principal use (such as a contractor's storage yard or building material sales yard).

*Parking lot* means an off-street, ground level area, usually surfaced and improved, for temporary parking of motor vehicles.

*Patio* means a level surfaced area, constructed of any materials, directly adjacent to a principal building which has an average elevation of not more than 30 inches from finished grade, and without walls or a roof.

*Pedestrian-oriented* means a type of development designed for the maximum utility of the pedestrian access with sidewalks, bike paths, trails, and greenspace.

*Perennial* means occurring or existing on a regular or continual basis.

*Person m*eans any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, County, city, town, or other political subdivision of this state, any interstate body, or any other legal entity.

*Pet* means animals that are customarily kept for personal enjoyment within the home. Household pets shall include, but not be limited to, domestic dogs, domestic cats, domestic tropical birds, domestic rodents, and fish.

*Petroleum product* shall mean liquid petroleum gas, fuel oil, and light fractions of crude oil, including kerosene, naphtha, gasoline, and diesel fuel. See also "Hazardous material or process".

*Pipestem lot* means a lot in a cluster development for which the minimum frontage for the zoning district in which it is located is not required to be met.

*Planned development* means a contiguous land area of a minimum size, as specified by district regulation, to be planned and developed using a common master zoning plan, and containing one or more uses and appurtenant common areas.

*Plat* means a document, prepared by a registered surveyor, which delineates property lines, and shows monuments and other landmarks for the purpose of identifying property.

*Principal building or structure* means a building or structure in which the primary use of the lot on which the building is located is conducted.

*Principal use* means the main use of land or structures as distinguished from a secondary or accessory use.

*Private* means, unless otherwise specifically indicated, private shall mean anything not owned, operated, provided and/or maintained by a local, state, or federal government.

*Projections (into yards)* means the parts of buildings, such as architectural features, which shall be exempted from the yard requirements of this chapter. Thus, bay windows, vestibules, eaves, uncovered porches, and the like may be permitted to project up to three feet into required yards. Ramps providing means of ingress or egress required by law may project into required yards when such ramps cannot be located elsewhere in compliance with applicable yard and ingress or egress requirements.

*Proffer* means a condition voluntarily offered by the applicant, and accepted by the Board of County Supervisors, for a rezoning that limits or qualifies how the property in question will be used or developed.

*Public* means, unless otherwise specifically indicated, public shall mean anything owned, operated, provided and/or maintained by a local, state, or federal government.

*Public water and sewer systems* means a water or sewer system owned and operated by: (1) a municipality, public service authority or county; or (2) a private individual or a corporation approved and properly licensed by the State Corporation Commission prior to the adoption date of this chapter; and meeting the requirements of the State Health Department and/or Virginia Department of Environmental Quality.

*Recreational vehicle* means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light-duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreation camping, travel or seasonal use.

*Replacement cost* means the cost of restoring a damaged building or structure to its original condition. Replacement cost shall include reasonable estimates of the cost of materials and labor and shall be compared with the assessed value as determined by the town to determine the percentage of the cost of improvements.

*Right-of-way* means a legally established area or strip of land, either public or private, on which an irrevocable right of passage has been recorded.

*Screening* means a completely opaque visual barrier for loading areas, trash receptacles, maintenance and storage areas, mechanical equipment, and other similar features. Screening is intended to substantially obscure the visual impacts between adjoining uses.

*Secondary use* means a use permitted only in conjunction with a principal use permitted in the same zoning district. Except where specifically exempted, secondary uses cumulatively cannot exceed 25 percent of the gross floor area of the related principal use and shall be located within and serve the same development as the principal use.

*Setback* means the minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

*Shopping center* means a group of commercial establishments planned, constructed and managed as a total entity with shared access, customer and employee parking provided onsite, provision of goods delivery separated from customer access, aesthetic considerations and protection from the elements.

*Short-term rental owner* means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity, as defined as “operator’ in §15.2-983, as amended, of Virginia State Code.

*Short-term rental not occupied by owner* means any short-term rental where owner does not reside on the property when guests are in residence.

*Short-term, owner-occupied* means any short-term rental where the owner of the property also resides on the same property during such period when guests are in residence.

*Slope, steep* means terrain generally classified as having a 25 percent vertical rise to the horizontal run.

*Single-family attached dwelling* means a group of two or more attached single-family dwelling units which are generally joined to one another by a common party wall, a common garage and/or with connecting permanent and architecturally unified structures such as breezeways, carports, or walls, which structures continue the design, pattern and/or materials of the facade from one dwelling unit to another, whether or not such a group is located on a single parcel or on adjoining individual lots. Connecting structures and outdoor living space may be so designed as to provide access between front and rear yards. Each unit shall have its own ground floor external entrance and not be occupied by more than one family. Single-family attached dwelling includes any unit that does not meet the definition of single-family detached dwelling or multifamily dwelling.

*Single-family detached dwelling* means a residential building entirely surrounded by open space or yards on the same lot, containing one dwelling unit and occupied by not more than one family.

Single-family dwelling shall mean a residential building containing only one dwelling unit. See also "One-family dwelling".

*Site plan* means a plan delineating the overall scheme of development of a tract of land, including but not limited to grading, engineering design, construction details, and survey data for existing and proposed improvements. See Part 1000 of this chapter.

*Site plan, preliminary* means a plan showing the proposed general layout, the general location of the various types of land uses, the proposed densities of population in residential areas, a major thoroughfare plan, a public utility plan, a storm drainage plan, and a plan showing the location of recreation spaces, parks, schools, and other public or community uses where applicable. See Part 1000 of this chapter.

*Special use* means a use that, owing to some special characteristics attendant to its operation or installation, is permitted in a district after site specific review and subject to special conditions approved by the Board of County Supervisors.

*Specified anatomical areas* means less than completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

*Specified sexual activities* means human genitals in a state of sexual stimulation or arousal; sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic region, buttock or female breast, including masturbation.

*Stoop* means a platform, without a roof, located at the entrance of a building with sufficient area to facilitate only the ingress and egress to the building.

*Storage building* means any structure used to shelter equipment, vehicles, implements or materials incidental to the use of the principal structure.

*Stormwater Management Facility (SWM facility)* means any storm drainage facility that is designed or otherwise intended to, or that actually does, detain or retain stormwater or other surface water. When this [term] is used in the text of this chapter, all portions of such a facility shall be considered as included.

*Story* means that portion of a building included between the surface of any floor and the floor next above it, or if there is not a floor above it, then the space between the floor and the ceiling above it.

*Story, above grade* means any story having its finished floor surface entirely above grade except that a basement shall be considered as a story above grade when the distance from grade to the finished surface of the floor above the basement is more than six feet for more than 50 percent of the total perimeter or more than 12 feet at any point.

*Street, private* means, where permitted, a privately maintained thoroughfare designed to provide access to private property, which may be constructed in accordance with the Technical Design Manual.

*Street, public* means a public thoroughfare (street, drive, avenue, boulevard), which has been or is intended to be dedicated for public use, and which has been accepted or is acceptable into the state system and is constructed in accordance with VDOT standards.

*Street, cul-de-sac* means a street with only one outlet and an appropriate turnaround for a safe and convenient reversal of traffic movement.

*Structure* means anything that is constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground, including but not limited to buildings, signs, manufactured homes and above-ground swimming pools. Walls and fences shall not be deemed structures except as otherwise specifically provided in this chapter.

*Substantial alteration* means expansion or modification of a building or site which would result in a disturbance of land exceeding an area of 2,500 square feet.

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed 50 percent of the market value of the structure before such damage occurred.

*Substantial improvement* means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not however, include either any project for improvement for a structure to comply with existing state or county health, sanitary or safety code specifications which are solely necessary to assure safe living condition, or any alteration of a structure listed on the National Register of Historic Places.

*Trailer* means any vehicle without mobile power designed for carrying property or passengers on its own structure and for being drawn by a motor vehicle.

*Transient* means, for purposes of this chapter, transient shall refer to the limited, temporary and/or short-term occupancy, associated with the hotel/motel/motor lodge or extended stay lodging use types. Transient occupants must have, and be able to demonstrate that they maintain, a principal place of permanent residence elsewhere.

*Unit width* means the length of building frontage assigned to an individual tenant within a building that contains more than one tenant space.

*Use* means an activity on a piece of land other than development.

*Utilities* means distribution or service connection facilities and appurtenances thereto, for gas, electricity, water, sanitary sewer, storm sewer, communications, heating or air conditioning, fuel, and other similar consumable public commodities or services.

*Variance* means a reasonable deviation from the provisions regulating the size or area of a lot or parcel of land, or the size, area, bulk or location of a building or structure in accordance with, and as further defined in Code of Virginia, § 15.2-2201.

*Wild or exotic animal* means any animal which is normally found in the wild state, including but not limited to alligators, crocodiles, caimans, gavials, poisonous snakes, tarantulas, nonhuman primate, raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx or any other warm-blooded animal of the wild (domesticated or not). Small nonpoisonous snakes, rabbits and laboratory rats or mice which have been bred in captivity and which never have known the wild shall be excluded from this definition.

*Yard* means a required open space on a lot, unoccupied and unobstructed from the ground upward, unless otherwise provided by this chapter.

*Yard, front* means a yard between the front building line and the street right-of-way extending across the full width of the lot. For the purpose of placement of accessory buildings when the principal building exists on the lot the term front yard shall mean a yard between the front building wall and the street right-of-way extending across the full width of the lot.

*Yard, rear* means a yard between the rear line of the building and the rear line of the lot extending the full width of the lot.

*Yard, side* means a yard between the sideline of the building and the side line of the lot extending from the front lot line to the rear lot line.

*Zoning administrator* means the zoning administrator of the Town of Strasburg, or an authorized agent thereof, also referred to in this chapter as the administrator.