

ARTICLE I. TERMS DEFINED

PART 100. DEFINITIONS

The Zoning Administrator shall strictly construe the following terms and definitions. In the event a term is not defined in this section, the Administrator shall refer to other chapters of the Prince William County Code and to the Building Code for guidance. If ambiguity remains, the Zoning Administrator shall then rely upon the conventional, recognized meaning of the word or phrase (e.g., current edition, Merriam-Webster's Dictionary). In determining what activities comprise components of any use defined herein, the Zoning Administrator may consult the current edition of the North American Industrial Classification Standards. The definitions provided herein shall not be deemed, nor shall they be construed to be, a listing of the uses permitted in the zoning districts created by this Chapter.

Abandonment: 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: Having a common point or border with; having property or district lines in common. See "adjoining", also.

Accessory building: A subordinate building located on the same lot as the principal building, and the use of which is customarily associated with and incidental to the use of the principal building. An accessory building shall not dominate a principal building in area, extent or purpose. An accessory building that is attached to and is an integrated part of (by location, materials and architectural design) a principal building shall be governed by the regulations of this Chapter for principal buildings.

Accessory structure: A subordinate structure located on the same lot as the principal use, and the use of which is customarily associated with and incidental to the principal use.

Accessory use: A use incidental to, and customarily associated with, the principal use of the lot.

Adjacent: Nearby; being separated only by street, railroad right-of-way or other like feature. Property touching at a common point or border shall be deemed to "abut" or "adjoin".

Adult business: Any adult bookstore, adult video store, adult model studio, adult motel, adult movie theater, adult nightclub, adult store, business providing adult entertainment, or any other establishment that regularly exploits an interest in matter relating to specified sexual activities or specified anatomical areas or regularly features live entertainment intended for the sexual stimulation or titillation of patrons.

Adult day-care facility: A facility operated for the purpose of providing care, protection and guidance to adults during normal business hours. No overnight facilities permitted.

Adult entertainment: Dancing, modeling or other live entertainment if the entertainment is characterized by an emphasis on specified sexual activities or specified anatomical areas or is intended for the sexual stimulation or titillation of patrons; or the showing of films, motion pictures, videotapes, slides, photographs, CD-ROMs, DVD-ROMs, streaming video, or other media that are characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

Adult merchandise: Magazines, books, other periodicals, videotapes, films, motion pictures, photographs, slides, CD-ROMs, DVD-ROMs, virtual reality devices, or other similar media that are characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas; instruments, devices or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs; or, lingerie or leather goods marketed or presented in a context to suggest their use for sadomasochistic practices.

Adult model studio: A commercial establishment, including a lingerie store or novelty store, in which a person performs or simulates specified sexual activities, exposes specified anatomical areas, or engages in other performances intended for the sexual stimulation or titillation of patrons.

Adult motel: A motel, hotel, or similar commercial establishment that: (i) provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of specified sexual activities or specified anatomical areas and advertises the availability of this sexually-oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising, including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or (ii) offers a sleeping room for rent for a time period less than ten (10) hours; or (iii) allows a tenant or occupant to subrent the sleeping room for a time period of less than ten hours.

Adult movie theater: An enclosed building regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons, excluding movies that have been rated “G,” “PG,” “PG-13,” “R”, or “NC-17” by the Motion Picture Association of America.

Adult nightclub: A restaurant, bar, club, or similar establishment that regularly features adult entertainment.

Adult store: An establishment dealing in adult merchandise as a principal portion of its business.

Advanced Density/Intensity Credit: Recognition for donated property that can be used at a later date when calculating maximum density or intensity for the residual lot or parcel.

Agriculture: The tilling of soil, fish hatcheries and production facilities, raising for production and sale of crops, plants, shrubs and trees, such as fruit and nut trees, ornamental landscape trees, Christmas trees and nursery stock, wholesale horticulture operations, wholesale greenhouse operations, sod farms, keeping, raising, grazing and selling of livestock, including but not limited to, horses, beef or dairy cattle, pigs, goats, or poultry, including secondary agricultural industry or nonretail business uses necessary for the production or sale of the crops, plants, trees or livestock raised on the premises. Tree farms for the purpose of selling standing timber, forestry or silvicultural operations are excluded from this definition. Timbering, as defined in this Chapter, is excluded from this definition.

Airstrip: An area designated to accommodate the landing and take off of aircraft. May include facilities for the storage and maintenance of aircraft if located in a nonresidential zoning district.

Alarm system: Electronic security services for on or off-site locations, to include offices, dispatcher or other personnel employed as part of the service.

Alley: A travelway located to the sides or rears of lots allowing for vehicular ingress, egress, service access, and the placement and maintenance of utilities.

Alteration: An addition, expansion, or change or modification of a building, sign or structure, or the accessory equipment thereof, that is not classified as ordinary repair. The moving of a building or structure from one location to another shall be deemed an alteration.

Alteration, structural: Any change or rearrangement in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders; provided, however, that the application of any exterior material to an existing building for the purpose of changing its appearance shall not be considered a structural alteration. Structural alteration shall include any enlargement or diminution of a building or structure or the usable space therein.

Amateur radio service: A radio communication service for the purpose of self-training, intercommunication, and technical investigations carried out by amateurs licensed by the federal government, that is, duly authorized persons interested in radio technique solely with a personal aim and without financial interest.

Ambulance service: Transportation service for patients, by licensed personnel; this is not an emergency response service.

Ambulatory care facility: Facility providing nonemergency medical care, including surgery, to patients on an outpatient basis.

Amusement park: See “Theme park”.

Antenna: Any device used to collect or radiate electromagnetic waves, including both directional antennas, such as yagi, panel parabolic, and omnidirectional antennas, such as wire, whip, and dipole. An "antenna" does not include any structure to which it is affixed.

Apartment: A dwelling unit in a multifamily dwelling.

Applicant: A person seeking any determination, approval, or permit required by this Chapter.

Arcade, amusement: A building or part of a building containing four (4) or more video, pinball, or other similar player-operated amusement devices, in any combination, for commercial use.

Architect, registered: A person who is registered with the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects as an architect.

Area, gross: A measure equating to the entire area of a property or structure.

Area, net: 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, net area shall be as defined in the Building Code.

Art gallery (private): A place for display or retail facility for finished art materials, including paintings, statues, tapestries, ceramics, or other art objects.

Assembly: The piecing together of various, separate, manufactured components and mechanical parts to construct a finished product.

Automobile: See "Motor vehicle".

Automobile graveyard: Any lot, place, or parcel, except lawful motor vehicle repair or service facility, upon which five (5) or more inoperative motor vehicles of any kind are found.

B-districts: Those zoning districts which are designated by the letter "B" and which primarily permit general business and commercial uses.

Bank: See "Financial institution".

Basic Landscaping: The introduction or selective retention of flourishing trees and shrubs carefully selected and arranged to perform a design purpose or environmental function, such as controlling visual direction, providing definition to architecture, modifying climate, filtering air pollution, controlling storm water runoff and soil erosion, and establishing wildlife habitat.

Bed and breakfast inn: An owner or operator-occupied single-family detached dwelling unit which contains no more than one (1) kitchen, unless otherwise approved pursuant to section 32-300.02.17 and ten (10) or fewer guest rooms which are occupied for sleeping purposes by guests, other than temporary personal guests of a family in a dwelling unit, for compensation with or without meals. The term “Bed and Breakfast” shall not be deemed to include the term “Lodging House” and may be used for transient occupancy.

Bedroom: A private room planned and intended for sleeping, separated from other rooms by a door, as defined by the Building Code.

Big box retail: See “Retail Use, Large”.

Block: A lot or a combination of lots which may be serviced by an alley and where the perimeter is served by public access, i.e., public right-of-way, private right-of-way, parks, plazas or squares or easements.

Boat sales: See “Motor vehicle sales (recreational)”.

Boat slip: A berth in the water for a single boat.

Brewery and bottling facility: An industrial operation involving the brewing and bottling of beverages for local, regional, or national distribution and which may involve routine truck traffic. Brewery and bottling operations may be permitted in restaurants as an accessory use when integrated into the restaurant operations, with limited distribution and wholesaling permitted.

Buffer area: 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, between a storm water management facility and buildings, along the edge of a street in a Highway Corridor Overlay District, or where proffered.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building Code: The Virginia Uniform Statewide Building Code.

Building height: See “Height, building”.

Building official: The person so designated by the County Executive.

Building restriction line (BRL): The line established by this Chapter, beyond which a building shall not extend, except as specifically provided by this Chapter. For purposes of this Chapter, building restriction lines and setback lines applicable to buildings are not interchangeable.

Business school: A noncollege degree-granting school offering courses in office machine operation, computers, data processing, software, secretarial, and related skills, schools,

including educational correspondence courses, tutoring, and continuing education; offices and classroom facilities are permitted by right, however, laboratory or other specialized training facilities are to be evaluated based upon the zoning district in which the school is located.

By right use: A use that is permitted in a zoning district upon approval of a site or subdivision plan, without special conditions approved by the Board of County Supervisors.

Cafeteria/lunchroom /snack bar/automat: An institutional food service facility primarily devoted to providing for the needs of on-site employees; the general public need not be specifically excluded; public cafeterias are included in the definition of “Restaurants”.

Carnival: A traveling enterprise offering amusements.

Carpet or flooring retail sales: Retail sales of carpet and other floor covering, in which less than fifty (50) percent of the facility is storage area or installation work area that is not open to the general public.

Carport: A roofed structure providing space for the parking of vehicles, enclosed on not more than two (2) sides.

Car wash, self-service: A cleaning facility for motor vehicles where the cleaning is physically performed by someone other than an employee, using supplies and water from the facility, and including coin-operated facilities.

Car wash, not self-service: Any staffed cleaning facility for motor vehicles, in which the cleaning is performed by employees.

Catalog sales, contractor’s, tradesman’s or industrial equipment: A facility where contractor’s, tradesman’s or industrial equipment is sold from a catalog; may include showroom where specifically permitted.

Catalog sales (with showroom): A store where a customer may purchase goods from the display floor or a catalog book, in which the goods may be picked up immediately, at some future time, or delivered; provided that no more than fifty (50) percent of gross floor area may be devoted to storage.

Catalog sales (without showroom): Store where a customer may only purchase goods from a catalog book, in which the goods may be picked up at some future time, or delivered; only incidental storage of retail merchandise is allowed.

Catering, commercial: Preparation of food and related materials for a special event, occasion, or other temporary contract, which may be consumed on site or delivered to a location other than where prepared.

Catering, institutional: See “Institutional food service”.

Cemetery: Property used for the interring of the dead, in which columbariums, and mausoleums may be utilized.

Certificate of use and occupancy: The certificate issued by the Building Official which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of this Chapter and the building codes for the use and occupancy of the building in its several parts together with any special stipulations or conditions of zoning approval and/or the building permit.

Chesapeake Bay Preservation Act: Chapter 21 of Title 10.1, sections 10.1-2100, *et seq.*, VA Code Ann. See also Part 504 of this Chapter.

Child-care facility: A child-caring institution, a day-care center, or a kindergarten/nursery school.

Child-caring institution: Any facility (other than a facility operated by the state, a county or city or other governmental body) maintained for the purpose of receiving children for full-time care, maintenance, protection and guidance, separated from their parents or guardians, except:

1. A bona fide education institution, authorized under the provisions of this Chapter, whose pupils, in the ordinary course of events, return annually to the homes of their parents or guardians for not less than two (2) months of summer vacation.

2. An establishment required to be licensed under Title 35.1, Chapter 3, VA Code Ann., as a summer camp, and authorized for such use under the provisions of this Chapter.

3. A bona fide hospital legally maintained as such, and authorized for such use under the provisions of this Chapter.

-- *Day-care center:* Any facility operated for the purpose of providing care, protection and guidance to ten (10) or more children separated from their parents or guardian during a part of the day only, except:

1. An establishment required to be licensed under Title 35.1, Chapter 3, VA Code Ann., as a summer camp, and authorized for such use under the provisions of this Chapter.

2. A public school.

3. A private school.

4. A kindergarten/nursery school.

5. A Sunday school conducted by a religious institution or a facility operated by a religious institution where children are cared for during short periods of time when persons responsible for such children are attending religious services.

-- *Family day-care home:* The secondary use of a dwelling unit as set forth in subsections 32-300.02.15(a) through (e) to provide care, protection and guidance for one (1) or more children during only a part of the twenty-four (24) hour day, excluding the provider's own children, meaning those related by blood, adoption or marriage to the provider who maintains the home, and those in foster care with the provider, or in the provider's permanent custody or already residing in the provider's dwelling, and which may employ at any one time not more than one (1) person not residing in the home, provided that such person shall be at least fourteen (14) years of age and shall be certified or otherwise meet the appropriate social service regulatory agency's approval. The term "family day-care home" is not intended to include baby sitting services of a casual, irregular nature in or outside of the child's own home. It is also not intended to include cooperative, reciprocal child care by a group of parents in their respective residences.

-- *Kindergarten/nursery school:* Any facility operated primarily for the educational instruction of children from two (2) to five (5) years of age, which children two (2) through four (4) years of age do not attend in excess of six and one-half (6.5) hours per day.

Circus: An arena usually covered by a tent and enclosed by tiers of seats on three (3) or all four (4) sides and used for variety shows usually including feats of physical skill, animal acts and performances by clowns and other entertainers.

Civic building: Any permitted civic use building. Includes, but is not limited to, governmental administrative offices, college or university, cultural arts center, post office, public and private schools, religious institutions.

Civic club: A facility used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and bylaws. These clubs and organizations may engage in any activity that is consistent with their nonprofit status.

Clearing: 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.

Clinic: A facility for the medical, dental or similar examination, diagnosis and treatment of persons as outpatients. See “Medical or dental office or clinic”.

Cluster: 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.

Cold storage facility (general public use): A facility primarily engaged in renting refrigerated locker space to individuals for storage purposes.

Cold storage facility (industrial): A facility primarily engaged in the warehousing and storage of goods under refrigeration; may include incidental processing, preparing or packaging of items for storage.

College, university or seminary: An institution of higher education, including teaching and research, and offering a course of general studies leading to advanced academic degrees; which may include related facilities such as, but not limited to, classroom buildings; libraries; laboratories (functioning within zoning district limits); dormitories (except when specifically prohibited); administration; physical plant; dining hall; campus center; theater; student gymnasium, stadium, fieldhouse.

Commercial artist or photographer’s studio: Facility primarily engaged in painting, photographic, graphic art and other art forms or video services. Film development facilities shall occupy twenty-five (25) percent or less of the gross floor area of the principal use.

Commercial bus station: Facility for the pick up and discharge of passengers and freight for buses; includes ticket sales and may include administrative offices.

Commercial bus terminal: A facility which includes equipment and garage for the maintenance, storage, and refueling of buses.

Commercial parking: An off-street parking lot or structure, available to the public for compensation, but may also be used to accommodate employees, customers and clients.

Commercial use: An occupation, employment, enterprise or activity that is carried on for profit or not for profit by the owner, lessee or licensee.

Commercial vehicle: Any vehicle with a gross vehicle weight registered with the Virginia Department of Motor Vehicles or any other state or government agency as ten thousand, one hundred (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.

Company vehicle: Passenger motor vehicles or light duty trucks (motor vehicles less than seven thousand five hundred (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.

Company vehicle service facility: A nonretail motor vehicle service facility for fleet vehicles, accessory to the principal business of the facility operator.

Comprehensive plan: The Comprehensive Plan of Prince William County, Virginia, including those maps, plats, charts, and descriptive matter that have been formally adopted by the Board of County Supervisors, pursuant to the provisions of the Code of Virginia.

Conditional zoning: As part of classifying land within the County into areas and districts by legislative action, 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. See sections 15.2-2201, 15.2-2286, and 15.2-2296, *et seq.*, VA Code Ann.

Condominium: Real property, or any incidents thereto or interests therein, lawfully submitted for approval as a condominium pursuant to the provisions of the Code of Virginia.

Conference center: See “Trade, convention or conference center”.

Conservation area: An area designated for permanent preservation.

Conservation easement: 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 equipment: Heavy equipment or vehicles of a type used primarily by the construction industries. Such equipment may include, but is not limited to, bulldozers, backhoes, cement trucks, concrete mixers, construction tractors, cranes, derricks, dredging machinery, dump trucks, excavators, graders, hoists, pavers, power shovels, road construction and maintenance machinery, scaffolds, tank trucks, trenching machines, and water well drilling machinery.

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

Contiguous: Abutting, adjoining, or touching and having a boundary, or portion thereof, which is coterminous.

Contractor or tradesman: Building or service industry contractors, including but not limited to plumbing, heating, air conditioning, carpentry, electrical, masonry, and metal working.

Contractor or tradesman's shop (limited): A shop that does not involve millwork, operation of heavy equipment, furnaces or heating pots, or the dipping of furniture. Cabinetmaking, floor work, duct work, framing and other similar light work on or off-site is permitted.

Contractor or tradesman's shop (unlimited): Contracting or trade operations involving millwork with industrial lathe, heavy equipment, furnaces or heating pots, automated tools, or the dipping or refinishing of furniture, or similar processes.

Convention center: See "Trade, convention or conference center".

Copy shop: A retail establishment that provides duplicating services using photocopying, blueprint, and offset printing equipment, and may include the collating and binding of booklets and reports.

Corner lot: See "Lot".

Country club: A land area and buildings containing recreational facilities, club house and usual accessory uses, primarily open to members and their guests for a membership fee; may include but are not limited to swimming pools, tennis courts, squash courts, golf courses, stables and riding facilities, polo and equestrian events but not racetracks, and if a golf course with at least eighteen (18) holes is part of the facility, overnight lodging accommodations shall be allowed with a maximum of twelve (12) guest rooms and dining facilities with a maximum of eighty (80) seats, which may also include a lounge, a conference room, and a bar all of which may be for use by members, guests, and the general public.

Coverage: The area of a lot occupied by structures, off-street parking, driveways, outside storage, or any other improvements not considered open space.

Crematory, crematorium: An establishment containing a furnace for the purpose of reducing dead bodies to ashes by burning.

Cul-de-sac: A circular turnaround at the end of a dead end street.

Cultural arts center: Establishment for the presentation of art, scientific, cultural or historical materials, music, or live theatrical or musical productions, but not including dinner theaters; this includes, but is not limited to, museums, noncommercial art galleries, arboreta, aquariums, botanical or zoological gardens, auditoriums, and music conservatories, to include amphitheaters when accessory to such establishments.

Data and Computer Services: A use involving a building and premises in which the majority of the space is occupied by computers and/or telecommunications and related

equipment and where information is processed, transferred and/or stored. May include data centers, data technology centers, internet service providers, network operations centers, web hosting facilities and other similar establishments primarily engaged in providing direct access through telecommunications networks to computer-held information.

Day-care center: See “Child-caring institution”.

Density: The number of dwelling units per acre, except in the RPC, Residential Planned Community, zoning district where it shall mean the number of persons per acre.

Department store: A store selling a wide variety of retail goods arranged in general departments.

Development: The division of land or construction, or substantial alteration of residential, commercial, industrial, institutional, recreational, transportation, or utility facilities or structures.

District: A geographic area of the County within which certain zoning or development regulations apply.

Dormitory: A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, orphanage, convent, monastery, or other similar institutional use; group kitchen facilities only are permitted.

Drive-in facility: An establishment that, by design, physical facilities, or by service or packaging procedures, encourages or permits customers to receive services, obtain goods, or be entertained while remaining in motor vehicles.

Dry cleaning/garment processing facility, retail: A commercial facility serving the general public which utilizes chemical solvents to clean and process garments and household fabrics on the premises, where garments and household fabrics are received and returned directly to the general public only, and not as a wholesale facility used by other dry cleaning shops. The processing area which is used for the actual cleaning/treatment of garments and household fabrics shall not exceed forty (40) percent of the gross floor area, and the remainder shall include the public lobby garment and household fabrics storage area, and accessory uses as a tailor or shoe repair. Such establishment may not serve as a wholesale facility for any garments other than those left directly by the general public and may not be over three thousand (3,000) square feet in size unless located within an industrial zone.

Dry cleaning/garment processing plant, wholesale facility: An industrial processing facility which utilizes chemical solvents to process and clean garments and household fabrics for distribution to retail outlets, such as dry cleaning pick-up facilities, or dry cleaning/garment processing retail establishment. Such facility is at least three thousand (3,000) square feet in size and is not principally available to the general public.

Dry cleaning pick-up facility: A commercial establishment that serves only as a drop-off/pick-up station by the general public for garments and household fabrics to be processed by a dry cleaning/garment processing plant located elsewhere.

Dry dock: A hauling out area or facility, as part of a marina or maritime use, where the water can be drained from around the vessel, or where the vessel can be removed from the water, so it can be repaired or cleaned.

Dry rack: An area of a marina or maritime use, where vessels are stored out of the water in a stacked manner in a structure, enclosed or unenclosed.

Dump heap: Any lot on which trash, debris, garbage or other waste, junk or scrap material is dumped or deposited, and which has not been approved as either a debris landfill or a sanitary landfill.

Duplex: A building containing two (2) dwelling units with not more than one (1) family occupying each dwelling unit.

Dwelling unit: A single unit providing complete, independent living facilities for one (1) family, including permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit shall have no more than one (1) kitchen.

Engineer, registered: A person who is registered with the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects as a professional engineer.

Exhibition dancing: Dancing done in the nude as nudity is defined in section 15-16 of the County Code, or topless or bottomless; done seminude, to wit; in briefs or underwear, or a garment commonly known as a “G” string, or bathing suit.

Fabrication: See “Assembly”.

Fairgrounds: An area where outdoor fairs, circuses, exhibitions, and similar gatherings are held.

Family: A group of people living together as a single housekeeping unit and consisting of:

1. One (1) person; or
2. Two (2) or more persons related by blood, adoption, or marriage, together with any number of offspring, foster, step or adopted children; or
3. A group of three (3) unrelated persons living and cooking together as a single housekeeping unit though not related by blood, marriage, adoption or guardianship, provided that the limitation on the number of unrelated persons shall not apply to residents in a

housekeeping unit by persons having handicaps within the meaning of section 3602(f) of the Fair Housing Act (42 USC 3601, *et seq.*, as amended); or

4. Those groups identified in section 15.2-2291, VA Code Ann., or like groups licensed by the Virginia Department of Social Services which otherwise meet the criteria of section 15.2-2291, VA Code Ann.

Farm winery: An establishment 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 and has obtained a farm winery license from the State Alcohol Beverage Control Board.

Farmer's market: Retail sale of fresh fruits and vegetables, and other food and related items, at a facility with spaces occupied by several different temporary tenants on a short term or daily basis; may be indoor or outdoor; this term does not include roadside stands.

Fence: A freestanding structure of metal, masonry, composition, vinyl or wood or any combination, resting on or partially buried in the ground and rising above ground level, with posts at regular intervals, and used for confinement, screening, or partition purposes.

Ferry: A water going vessel which transports passengers, and may transport their motor vehicles, and which runs on a regular schedule. See "Water transportation facility".

Ferry stop: Area designated for the pick up and discharge of passengers by ferries.

Financial institution: Any establishment, the primary business of which is concerned with such state regulated activities as banking, savings and loans, and consumer loan companies.

Flea market: An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.

Flood fringe: That portion of the 100-year floodplain outside the floodway, and as further defined in sections 32-501.02 and 32-504.03.

Flood hazard area: Any normally dry area that is susceptible to being inundated by water. The flood hazard areas include, but are not limited to, lands subject to the 100-year flood and shall include both floodway and flood fringe. See also section 32-501.02.

Floodplain: All lands that would be inundated by flood water as a result of a storm event of a 100 year return interval. The limits of the floodplain shall be established in accordance with the Design and Construction Standards Manual. See also sections 32-501.02 and 32-504.03.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. See also section 32-501.02.

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 “gross floor area” shall include basements; elevator shafts; stairwells at each story; stairs, closets, thickness of interior walls, columns, or similar features, floor space used for mechanical equipment with structural headroom of six (6) feet, six (6) inches or more; penthouses, unless enclosing only mechanical equipment; attic space, whether or not a floor has actually been laid, interior balconies; and mezzanines. Gross floor area shall not include parking structures below or above ground, or open roof top areas, provided these areas are not converted to usable or finished space or any other space demonstrated to the satisfaction of the Zoning Administrator as incapable of being finished.

Floor area, net: For the purposes of this Chapter, seventy-five (75) percent of the gross floor area.

Floor area ratio (FAR): The ratio yielded by dividing the gross floor area of all buildings on a lot by the total area of the lot.

Food preparation area, secondary: Areas such as wet bars or warming kitchens that are secondary to a main kitchen area located within a single-family detached dwelling. Such areas shall be so located for the convenience and use by all residents of a dwelling and shall not create separate or private living areas. See also section 32-300.02.17.

Food stand, wayside: Any land or structure used for the sale of agricultural produce, all of which produce has been raised on the same parcel.

Food store: A retail facility of ten thousand (10,000) square feet or more, primarily engaged in the sale of food stuffs and related materials.

Foot-candles: A quantitative unit of measure used to measure the brightness of light falling on a surface. One (1) foot-candle is equal to the amount of light falling on a surface of one foot square from a standard candle located one (1) foot away. Foot-candle measurements shall be made with a photometric light meter at grade. One (1) foot-candle is equal to ten (10) lux or one (1) lumen per square foot.

Fraternal organization: A group formally organized for a common interest usually cultural, religious or entertainment, with regular meetings, rituals and formal written membership requirements. See “Civic club”.

Frontage: Any property line that is coterminous with public right-of-way.

Front yard: See “Yard, front”.

Funeral home: A facility used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation, and may include storage of caskets, funeral urns, and other related funeral supplies and the storage of funeral vehicles.

Garage, private: An enclosed accessory residential structure principally intended for the storage of motor vehicles. When attached to the principal dwelling building, the garage shall be included in calculating gross floor area.

Garden center: A facility engaged in the retail sale of plants, supplies and equipment employed in connection with the raising and cultivation of house plants, herbs, flowers, vegetables, trees, shrubs or other indoor or outdoor plants.

Golf course: Any property publicly or privately owned on which the game of golf is played, together with accessory uses and buildings customary thereto.

Grade: This term shall mean a reference plane representing the average elevation of finished ground level adjoining the building or structure at all exterior walls or surfaces.

Grading: Any stripping, cutting, filling, stockpiling of earth or land, including the land in its cut or filled condition.

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

Gross vehicle weight: The aggregate weight of a vehicle and its allowable carrying capacity.

Group home, as defined by section 15.2-2291, VA Code Ann. (formerly residential human care facility): A group home, appropriately licensed and approved by the Commonwealth of Virginia and Prince William County, providing a residence consistent with section 15.2-2291, VA Code Ann.; provided that such group home is not for alcohol and/or substance abusers and not for persons committed to custody by any court upon conviction of any crime. The term shall also include group residences for ambulatory elderly persons, whether or not special accommodations are required.

Gun shop: Retail sales of firearms.

Gunsmith: A facility for sale, service and repair or refurbishing of firearms.

Hardware store: A facility of thirty thousand (30,000) or fewer square feet gross floor area, primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies and cutlery; if greater than thirty thousand (30,000) square feet, such a facility is a "Home Improvement Center".

Hazardous material or process (HAZMAT): 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.

Height (other than “building height”): The vertical distance from the lowest exposed point of the structure being measured to its highest point, but not including accessory fixtures part of the structure being measured.

Height, building: The vertical distance from average grade to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between the eaves and the ridge for gable, hip, or gambrel roofs.

Height, monopole/tower: The total distance measured from the finished grade to the highest point on the monopole or tower, including antennas and all other appurtenances.

Heliport: An area designed to accommodate all phases of operation of helicopters with suitable space and facilities for a terminal, loading, unloading, service and storage of such aircraft, to include facilities for such accessory uses as are commonly associated with an airport terminal.

Helistop or helipad: An area designated 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.

Historic resources, area of: An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

Home business: Any commercial activity conducted entirely within a dwelling unit as an accessory use to the principal residential use. A home business is not a home occupation or home employment use and is subject to conditions imposed by the Board of County Supervisors as part of a Special Use Permit.

Home business, rural: Any business not otherwise permitted in A-districts conducted as an accessory use primarily in the dwelling unit, but which may involve outside storage or storage in an accessory building of equipment and materials necessary to the business in accordance with section 32-300.14.

Home employment: A business activity conducted entirely within a single-family detached dwelling unit by residents of that unit which is clearly incidental and secondary to its principal use as a dwelling unit. Home employment is more intense than home occupation

and allows customers to come to the house. Home employment uses may be permitted in accordance with the provisions of section 32-300.16. The following uses, and no others, are home employment uses:

1. Administrative offices of business and/or trade.
2. Arts and crafts activities.
3. Baking/catering (off-premise service).
4. Beauty salon (no tanning or toning equipment).
5. Clerical/secretarial activities.
6. Day-time adult care (no more than five (5) adults not residing in the home).
7. Diaper/laundry service.
8. Floral design.
9. Interior design/decorating.
10. Jewelry, watch, clock repair; engraving; locksmith; eyeglass; framing; dentures.
11. Maid service (off premise).
12. Mail order.
13. Nail sculpture, manicurist.
14. Offices of a physician, therapist (including psychological, physical, and/or massage), dentist, lawyer, accountant, engineer, architect, desktop publishing, or similar professional.
15. Pet grooming.
16. Photography.
17. Picture framing.
18. Scissors, saw, blade sharpening.
19. Seamstress, tailoring, upholstery activities.
20. Small electronics repair.
21. Tutoring, education or training (no more than five (5) children or two (2) adults at any one time).

Home improvement center: A facility of more than thirty thousand (30,000) square feet gross floor area, engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, paint and glass, housewares and household appliances, garden supplies, and cutlery.

Home occupation: A business activity conducted entirely within a dwelling unit by residents of that unit which is clearly incidental and secondary to the principal use as a dwelling unit. Employees of the business, other than the residents, are not allowed to work at the home where the business is conducted. Home occupation is less intense than home employment and does not have customers coming to the home. Such use shall not change the character of the dwelling unit nor have any exterior evidence. Such uses shall meet the standards of section 32-300.07.

Home sales office: The use of not more than one house per platted section of a subdivision as an office for the sale of new homes in that subdivision. If more than one (1) company is building homes in a section of a subdivision, each builder may have one (1) home sales office.

Homeless shelter: A facility providing temporary housing primarily to indigent, needy, homeless or transient persons; may also provide secondary services such as counseling, vocational training, etc.

Homeowners association, owners association, condominium owners association: A community association which is organized in a development in which individual owners share common interests in open space or facilities.

Hospital: An establishment primarily engaged in providing diagnostic services, extensive medical treatment including surgical services, and other services, as well as continuous nursing services. The establishment has an organized medical staff on duty twenty-four (24) hours a day, inpatient beds, and equipment and facilities to provide complete health care; may also provide emergency room care and less intensive medical uses by right, such as nursing homes, sanitariums, convalescent care, ambulatory care facilities, and homes for the aged.

Hotel or motel: A facility offering transient lodging accommodations to the general public which may provide additional services such as restaurants, meeting rooms, and recreation facilities.

Industrial park: See “Office or industrial park”.

Inoperative vehicle: See “Motor vehicle, inoperative”.

Institute for special education and training: A facility primarily engaged in the provision of training and vocational rehabilitation and habilitation services for the physically, mentally, or emotionally handicapped; includes offices for counseling and teaching specialists; other training facilities or equipment as permitted in the underlying zoning district; overnight or institutional care is prohibited.

Institutional food service (formerly “Catering, institutional”): An establishment engaged in large scale meal preparation and related materials on a contractual basis to industry or institutions. On-site service of food is prohibited.

Interior lot: See “Lot”.

Janitorial service: An establishment primarily engaged in furnishing building cleaning and maintenance services, such as restaurant or laboratory hood cleaning, window cleaning, floor waxing, and office cleaning.

Junk: 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.

Junk yard: Any land or structure used for the storage, keeping, collection, salvage, sale, disassembling, wrecking, baling, maintenance, or abandonment of junk or other discarded material. “Junk yard” may include “motor vehicle graveyard”.

Kennel: A structure, lot or other facility where more than four (4) dogs and other small animals normally kept as pets (excluding farm animals) which are six (6) months of age or older are kept for any purpose.

-- *Commercial kennel:* Any kennel except a noncommercial kennel. This may include commercial breeding, boarding, training and selling of animals. This includes facilities for the breeding, training and sale (or contract service) for guard and security dogs.

-- *Noncommercial kennel:* A kennel maintained for noncommercial purposes as an accessory use to an agricultural or residential use and where all of the dogs or other animals are owned by the owner or tenant of the property on which the kennel is located except for an occasional dog temporarily kept. See section 32-300.02.9.

Kindergarten: See “Child care facility”.

Laboratory: A place providing the opportunity for experimentation, observation or practice in a field of study.

Land Bay: An area containing specified uses consistent with a designation.

Land disturbing activity shall mean any land change which may result in soil erosion from water or wind and the movement of sediment into state waters or other property. This term includes, but is not limited to, clearing, grading, excavating, transporting, and filling of land. The terms shall not include any activity exempted by state law as defined in the Design and Construction Standards Manual.

Landfill: A land depository, excavation or area operated in a controlled manner by a person for the dumping of debris or inert material; or a disposal site operated by means of compacting and covering solid waste at least once each day with an approved material. The only landfills permitted by this Chapter are sanitary or debris landfills, and only in accordance with federal, state or local regulations, and only as public uses in accordance with the provisions of Part 201 of this Chapter.

Landfill, debris: A landfill used to dispose of only the following materials when expressly permitted by the Board of County Supervisors: Tree stumps, brush, logs, limbs, and root material; construction and/or demolition rubble; excavation material; major household appliances; ash (thoroughly quenched); machinery and metals. Ash ponds shall be deemed debris landfills.

Landfill, sanitary: A landfill accepting nonhazardous debris, trash or waste, which is covered with clean fill after each day's operation, and which meets all standards of (and is, or will be, properly licensed by) the Virginia State Department of Health.

Landscaping service: An operation where equipment and materials are kept, and which provides yard and garden maintenance service. This may include an office or other buildings and structures to house inventory, equipment, and vehicles, but not a dump heap or landfill.

Launch ramps: An area from which a boat may be put into or taken out of the water by means of a ramp.

Life care facility: See “Retirement/life care center”.

Lighting fixture, full cut-off: A lighting fixture from which zero (0) percent of its light output is emitted at or above ninety (90) degrees from horizontal (a horizontal plane drawn through the bottom of the light fixture) and no more than ten (10) percent above eighty (80) degrees from the horizontal.

Lighting fixture, recessed canopy: an outdoor lighting fixture recessed into a canopy ceiling so that the bottom of the fixture protrudes no more than two (2) inches from the ceiling.

Live entertainment, dancing: The provision of music, either live or recorded, or live performances for the dancing and entertainment of patrons, secondary to the operation of a restaurant; provided that when no dance area is provided, the music or performance shall be included within this definition only when it constitutes the primary reason for the congregation by the patrons.

Livestock market: A commercial establishment wherein livestock are collected for sale or auction.

Loading space: An off-street area reserved on a lot and intended for the temporary parking of motor vehicles for the loading or unloading of goods.

Local planning commission or local commission: The Prince William County Planning Commission.

Lodging house: An owner or operator-occupied single-family detached dwelling unit and five (5) or fewer guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests, other than temporary personal guests of a family in a dwelling unit, for compensation with or without meals. The term “lodging house” shall be deemed to include the term “rooming house,” but not motel or other accommodations used for transient occupancy (occupancy of less than thirty (30) consecutive days).

Lot: A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon as a unit. The grant of an interest, for security or other purpose, in less than an entire lot, or the foreclosure or sale of such interest, shall not be deemed to create a lot.

-- *Corner lot:* A lot with two (2) abutting sides each abutting a street.

-- *Interior lot:* A lot which faces on one street or with opposite sides on two (2) streets.

Lot coverage: See "Coverage".

Lot depth: The average lot depth measured along the frontage at intervals not more than ten (10) feet.

Lot line: A line dividing one lot from another, or from a dedicated public street or any public place.

-- *Party lot line:* A line separating two (2) attached single-family dwelling units. Side setback regulations for principal buildings shall not apply to party lot lines.

Lot of record: A lot appearing upon a plat lawfully recorded in the office of the Clerk of the Circuit Court, which plat has been approved by the County in accordance with this Chapter and the County subdivision regulations; or a lot recorded in the office of the Clerk of the Circuit Court by plat or by written deed description, which lot meets the requirements of this Chapter and is not required by County subdivision regulations to be approved by the County as a subdivision.

Lot width: The distance measured from one (1) side lot line to the other along the front setback line, parallel to the right-of-way.

M-districts: Those zoning districts which are designated by the letter "M" and which primarily permit industrial uses.

Maid service: The provision of residential cleaning services.

Maintained lighting level, average: A level of illumination, measured at grade, which results when the initial output of a lamp is reduced by certain light loss factors, such as lamp depreciation and dirt accumulation.

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

Manufactured home: A structure subject to federal regulation, which is transportable in one or more sections; is eight (8) body feet or more in width and forty (40) body feet or more in length in the traveling mode, or is three hundred and twenty (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.

Manufacturing Plant Reuse: Any plant conversion or retooling causing a change in production process from one involving non-hazardous material/waste to one involving hazardous material/waste or a change from one use permitted in the zoning district to a different use.

Marina: A facility located along the waterfront for the principal purpose of docking, storage and launching of pleasure boats, including slips and moorings located within a waterway or channel. Secondary Uses such as dry storage areas or docks, boat storage buildings, incidental retail sales of boats, food, fuel and equipment; services limited to minor boat repairs shall be permitted.

Medical care facility, specialized: A facility primarily engaged in the in and outpatient treatment of abused, alcoholic, narcotic, psychiatric, and other nonsurgical patients.

Medical or dental laboratory: Establishment engaged in providing professional analytic or diagnostic services to the medical, dental, or other health service professions, or to the patient on a prescription basis; includes denture laboratories and prosthetic facilities. Eyeglass and contact lens and denture manufacturing is permitted; all other manufacturing prohibited.

Medical or dental office or clinic: A facility engaged in the examination, diagnosis and treatment of medical chiropractic, ophthalmologic, dental, podiatric or other health care patients; includes administrative and clerical operations of the practice; does not include overnight facilities for patients.

Mobile home: 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.

Mobile home lot: A lot within a mobile home park, designed for the accommodation of one mobile home.

Mobile home park: Any site, lot, field or tract of land, upon which is located or intended to be located two (2) or more occupied mobile homes, and which may include other vehicles or enclosures for use as a part of the equipment for such park.

Mobile home and office sales: A facility engaged in the retail sale, leasing, renting, or rehabilitation or new or used mobile homes or offices and related parts and equipment, as defined elsewhere in this Chapter.

Mobile office: A unit of vehicular, portable design built on a chassis and designed to be moved from one (1) site to another and to be used without a permanent foundation. Mobile offices 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 office”.

Modular office: A unit of portable design which is not built on a chassis and is designed to be moved from site to site and to be used without permanent foundation. Modular offices shall be subject to all regulations in this Chapter for buildings but shall be permitted only where authorized by use of the term “modular office”.

Modular unit: 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.

Monopole: A single, self-supporting pole-type structure, tapering from base to top and supporting a fixture designed to hold one (1) or more antennas.

Mooring: A semipermanent or permanent installation, consisting of a heavy anchorage installation either in place or attached to a mooring buoy or dock which moves with the tide.

Mortuary: A place for the storage of dead human bodies prior to their burial or cremation.

Motel: See “Hotel or motel”.

Motor vehicle: 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 auction, wholesale: A facility used for sale of motor vehicles by auction, primarily to dealers.

Motor vehicle fuel station: A structure, building or premise or any portion thereof where a flammable fluid is stored, housed and sold for supply to motor vehicles; and may include accessory motor vehicle servicing within the principal building.

Motor vehicle, inoperative: Any motor vehicle, trailer or semitrailer which is not in operating condition; or which for a period of sixty (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 impoundment yard: A facility for storage of licensed motor vehicles in a secured area.

Motor vehicle parts: A facility engaged in retail sales of motor vehicle parts.

Motor vehicle repair: Any servicing, modification, reconditioning, restructuring, rebuilding of a motor vehicle or a motor vehicle component.

Motor vehicle repair shop: A building, structure, enclosure or premise in or on which the general business of servicing or repairing motor vehicles is conducted, including, but not limited to, body shop, engine rebuilding or reconditioning, upholstery, radiator reconditioning and repair, and similar industrial processes. Incidental servicing of motor vehicles, such as tires and audio installation is permitted.

Motor vehicle sales (limited): Establishment primarily engaged in the retail sale of new or used automobiles and light duty trucks, as defined by section 46.2-100, VA Code Ann., (7500 pounds gross vehicle weight); includes repair department, with parts inventory and sales, body and upholstery shop, tires, etc. Secondary sales of larger on-road vehicles permitted.

Motor vehicle sales (recreational): The retail sale of new or used motor homes, travel trailers, recreational trailers, and camper coaches for trucks, as defined by section 46.2-100, VA Code Ann.. This includes storage, repair shop, or service department with parts inventory and sales. Pleasure boats and other small craft may also be sold, stored, serviced, or repaired.

Motor vehicle sales (unlimited): Establishment for the sale, repair or servicing of new and used vehicles, of unlimited size or weight; also, off-road or on-road construction equipment, cranes, tractor-trailer rigs, static machinery, as well as any type motor vehicle is permitted.

Motor vehicle service: A facility providing for minor motor vehicle maintenance services such as tune ups, brakes, air conditioning, transmission, mufflers, glass replacement, and similar services.

Motor vehicle service (limited): A use which is part of a principal use providing for minor motor vehicle maintenance services such as tires, audio installation, and similar services.

Motor vehicle storage yard: A facility for wholesale storage of motor vehicles.

Motor vehicle towing: A principal use or accessory to another use with more than two (2) salvaging vehicles such as tow trucks, cranes, and flatbed trucks used to tow or haul motor vehicles.

Multifamily dwelling: A building or portion thereof containing more than two (2) dwelling units and not classified as a single-family attached dwelling with not more than one (1) family occupying each dwelling unit.

Music store: An establishment primarily engaged in the retail sale of instruments, recordings, sheet music and literature; lessons are permitted accessory uses.

Non-HAZMAT: See “Hazardous material or process (HAZMAT)”.

Nonprofit organization: An entity that exists solely for religious, charitable, educational, political or civic purposes and is not in business to make a profit.

Nursery: An area where plants (as trees or shrubs) are grown for transplanting, for use as stocks for budding and grafting or for sale.

Nursery school: See “Child-care facility”.

Nursing or convalescent care facility: A facility providing inpatient nursing and rehabilitative services to patients who require continuous health care or monitoring, but not to the level of hospital services; care must be ordered by or under the care of a physician.

O-districts: Those zoning districts which are designated by the letter “O” and which primarily permit office uses.

Office: 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: A group of five (5) 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 (1) 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: Any area lying outside the boundary of a lot.

Off-site parking: 1) 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; or 2) a parking area serving a nonresidential principal use which is located on the same lot as the principal use, but is located in a different zoning district. Off-site parking is permitted only within nonresidential zoning districts or within nonresidential areas of planned districts or residential planned community districts. Off-site parking is not commercial parking as defined in this Chapter.

Off street parking area: The area located outside of dedicated rights-of-way providing for on-site vehicular parking, including designated parking spaces and travelways providing access to parking, but excluding loading areas.

One-family dwelling, detached: See “Single-family detached dwelling”.

On-site: The area which is within the boundary of a lot.

Open space: 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 storm water management; storm water management dry ponds which are landscaped or contain existing trees; and areas where buffering, landscaping or screening are required by this Chapter.

-- "*Natural open space*": Open space with natural resource benefits within the boundaries of a development such as native forests; topographic features; critical habitats for threatened and endangered species and species of special concern; natural creeks, streams and lakes; and natural wetlands that are set aside as an area to remain undisturbed during development and in perpetuity for the preservation of the natural resources contained therein and for the passive use and enjoyment of the residents of the development and/or the public at large. This definition is not to be construed to prohibit non-destructive activities, such as reforestation and stream restoration, specifically designed to improve the quality of the existing resource contained therein. This definition is intended to exclude areas where activities have destroyed any natural habitat in an attempt to create a man-made habitat (e.g., removal of tree cover to create a wetland). To be considered as natural open space the open space so considered must be conveyed, with appropriate restrictions as to use, to a bona fide homeowners association or other entity that would maintain the natural open space in perpetuity.

Outside storage: The keeping of goods or materials, excluding junk, outside of a 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).

Owner: The owner of record of fee simple interest.

Package, telecommunications, and courier service: Retail service facility for the dispatching, coordination, preparation and routing of package pick-up and delivery (items weighing under one hundred (100) pounds), or telephone message system.

Parcel: See "Lot".

Parking deck or garage: An off-grade structure primarily for the parking of motor vehicles (other than a carport or garage in an R or A district). When located above grade, two (2) or more sides of such structure shall be not less than fifty (50) percent open on each floor or

level for fifty (50) percent of the distance from the floor to the ceiling. Repair of motor vehicles shall be prohibited.

Parking lot (also surface parking): An off-street, ground level area, usually surfaced and improved, for temporary parking of motor vehicles.

Parking lot, satellite: A lot or parcel used for parking for a principal use that is not located on the same lot or parcel, or on a parcel adjoining or abutting to the subject lot or parcel; does not include commercial parking lots or structures operating independently of other uses.

Parking space: A designated off-street area which is available and usable for the parking of one (1) motor vehicle.

Passenger bus: A public or private vehicle, thirty (30) feet in length or larger, excluding school buses, with seating capacity of more than sixteen (16) persons, including the driver.

Person: 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: 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.

Pet grooming service: A facility engaged in the manicuring, bathing, clipping and styling of pets.

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

Petroleum product storage facility: A facility principally engaged in the storage of petroleum products except facilities used in conjunction with a gasoline service station, for storage as part of an agricultural use, or private vehicle fuel station.

Pharmaceutical product manufacturing: Establishments primarily engaged in manufacturing, packaging or finishing pharmaceutical products intended for internal and external consumption in dose forms, such as ampoules, tablets, capsules, vials, ointments, powders, solutions and suspensions.

Pier: A structure extending into a body of water for use as a landing place or promenade.

Pipestem lot: 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: 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: 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: A structure in which the principal use of the lot on which the building is located is conducted.

Principal use: The primary activity or structure for which a lot is used, as permitted by this Chapter.

Private school: A bona fide educational institution other than a public school that provides instruction which is equivalent to public school education to public school-age children, and which may involve the boarding of pupils who, in the ordinary course of events, return annually to the homes of their parents or guardian for not less than two (2) months of summer vacation.

Proffer: 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.

Propane fuel sales: An accessory use where propane fuel is dispensed or sold in containers on a retail basis. Tank capacity at any lot shall not exceed five thousand (5,000) gallons if propane fuel is dispensed.

Public school: A bona fide educational institution operated by a duly constituted governmental entity.

Public sewer system: A sanitary sewer system owned and operated by a municipality or the County, the Dale Service Corporation, or the Prince William County Service Authority, or owned and operated by a corporation approved by the Board of County Supervisors and properly licensed by the Commonwealth of Virginia, which is engaged in regularly supplying the general public with a sanitary sewer system service.

Public use: Any use for exclusively public purposes without reference to the ownership of the building or structures or the realty upon which it is situated by any department or branch of the federal government, Commonwealth of Virginia, or Prince William County government under the direct authority of the Board of County Supervisors; or the Prince William County School Board, the Prince William County Service Authority, Prince William County Park Authority, the Social Services Board, the Prince William Jail Board, Prince William County Library Board of Trustees, and the Community Services Board when such uses are implemented under the direct authority of the Board of County Supervisors through the capital improvements program, or any licensed public utility. Any exclusion

from zoning compliance under this definition shall not affect any requirement for compliance with section 15.2-2232, VA Code Ann., or section 32-201.01 of this Chapter.

Public water system: A water system owned and operated by a municipality or the County, the Virginia-American Water Company, or the Prince William County Service Authority, or owned and operated by a corporation approved by the Board of County Supervisors and properly licensed by the Commonwealth of Virginia, which is engaged in regularly supplying the general public with a potable water service system.

Quick service food store: Any building that contains ten thousand (10,000) square feet or less of net floor area, or any portion of such a building, and which is used principally for the retail sale of food and other items; provided that this definition shall not be deemed to include such retail sale of food and other items in any building that contains more than ten thousand (10,000) square feet of net floor area, or any portion of such a building; and provided further that this definition shall not include restaurants, drive-in restaurants, carry-out restaurants or food delivery service businesses, or specialty food stores.

Racetracks (equestrian): A facility for horse racing.

Racetracks (motorized vehicle): A facility for the racing of motorized vehicles, but does not include go-carts, kiddie rides, and/or amusement rides.

Railroad freight depot: A facility, heavy rail, for freight pick-up and distribution; may include intermodal distribution facilities for truck or shipping transport.

Railroad passenger station: A facility, either light or heavy rail, for the boarding of passengers, and related ticketing sales and offices.

Railroad yard: An area for the storing and switching of freight and passenger rolling stock.

Range, shooting: A place where shooting is practiced, and including the following: rifle, pistol, skeet, trap, archery (including crossbows) and any other projectile weaponry ranges.

R-districts: Those zoning districts which are designated by the letter “R” or “SR”, and which primarily permit residential uses.

Rear yard: See “Yard, rear”.

Recovery home: The use of a single-family dwelling to provide a group residence to persons requiring special accommodations, such as battered spouses and “children in need of services,” but not including group homes as defined by section 15.2-2291, VA Code Ann. When publicly funded, such facilities may require approval in accordance with the procedures set forth in Part 201 of this Chapter and section 15.2-2232, VA Code Ann.

Recreation facility, commercial: A sports or activity facility either open to the general public for a fee or for members and their guests. These include, but are not limited to, the following:

-- *Indoor:* Roller or ice skating rink, bowling alley, billiard hall, dart pavilion, amusement arcade (video, pinball or other), bingo parlors, swimming pools, slot cars, hard and soft courts, miniature golf, squash, racquetball or tennis courts, health spa or club, weightlifting, exercise.

-- *Outdoor:* Driving range, golf course, miniature golf, batting and pitching cages; hard and soft courts; facilities for radio controlled vehicle or airplanes, go-carts, pony rides; kiddie parks; swimming pools, water slides; ice skating rink; equestrian facilities; and paintball, but not including amusement or theme parks.

Recreation facility for employees: A recreation facility restricted to employees and their families, which may be indoor or outdoor, permitting passive or active recreation.

Recyclable materials separation facility: A facility for the collection, separation, compaction, sorting, temporary storage and transfer for reprocessing of residentially and commercially generated recyclable materials, including but not limited to glass, paper, plastic and polystyrene. Separation may include both hand and mechanized sorting with all activities other than unloading and loading to occur inside an enclosed building.

Recycling collection point: A facility that serves as a neighborhood drop-off point for temporary storage of recoverable resources such as bottles, newspapers, glass and cans. No processing of such items is permitted.

Recycling plant: A facility that is not a junkyard and in which recoverable resources, such as newspapers, magazines, books, and other paper products; glass; metal cans; and other products, are located, reprocessed, and treated to return such products to a condition in which they may again be used for production. All activities except loading or unloading shall be conducted inside a building.

Refuse: Waste materials including ashes, garbage, rubbish, junk, industrial waste, dead animals, and other solid waste materials, including salvable waste.

Religious institution: A place of worship or religious assembly with related facilities such as, but not limited to, the following in any combination: rectory or convent; private school; meeting hall; offices for administration of the institution; licensed child or adult day care; playground; cemetery, or any other facility as may be identified with a Special Use Permit.

Research and development: A facility primarily used for the administration and conduct of investigation, examination, prototype production, experimentation, testing, and/or training aimed at the discovery and interpretation of facts, theories, and/or the practical application of the above to products or processes. Prototype manufacturing shall be permitted as an accessory use.

Restaurant: A retail food service establishment with table service (order placement and delivery) provided to patrons; also including cafeterias with table attendants; carry-out trade, if any, shall be a limited portion of the facility; traditional sit-down dinner establishments with waiter/waitress service.

Restaurant, carry-out: A retail food service establishment without table service (order placement and delivery) provided to patrons; walk-up counter, and carry-out trade is a primary portion of the facility; includes fast-food, food delivery, carryout, public snack bars, and delicatessens.

Restaurant, drive-in/drive-up or drive-through: A restaurant or carry-out restaurant dispensing prepared food or drinks ready for consumption at the time of sale where the customers are either served in, or have product delivered to, their vehicles, or at a drive-through window.

Retail store: Any establishment where the primary activity is the sale of merchandise in small quantities, in broken lots or parcels, not in bulk, or for the rendering of personal services, for use or consumption by the immediate purchaser. This term shall also include establishments such as television rental establishments and photographic and portrait studios. However, retail store shall not include *Motor vehicle uses, Heavy equipment and specialized vehicle sale, rental and service establishments, Quick service food stores, Motor vehicle service or repair establishments, Motor vehicle sale, rental, and service establishments, or Retail use, Large.*

Retail Use, Large: Any large single occupant building or unit used for retail purposes exceeding eighty thousand (80,000) square feet of gross floor area either located in a freestanding building or in a building group connected by party walls, partitions, canopies and similar features and may be included or be part of a shopping center, possibly sharing parking areas and vehicular travel ways with other buildings or uses and which may be connected by walkways and access ways to other buildings or uses.

Retirement life care center: A facility providing a graduated range of services to elderly and handicapped persons, from independent living facilities to congregate housing facilities within which are available meal preparation, laundry and cleaning services; providing common recreation and service facilities for the exclusive use of all residents of the center; may include nursing home and other medical facilities.

Road, private: See “Street, private”.

Road, public: See “Street, public”.

Roadside stand: Any land or structure used for the sale of seasonal goods. The term “seasonal” as it pertains to roadside stand operations and the issuance of temporary activity permits in accordance with the provisions of section 32-210.01, shall be applicable to items harvested and/or sold on a seasonal basis. That consists of seasonal sales items, such as, but

not limited to, Christmas trees, pumpkins, summer vegetables and produce, fresh seafood, potted Easter plants (lilies, hyacinth, tulips) as well as fireworks during the 4th of July and New Year's holidays. Items sold for other traditional holidays or special events, such as Valentine's Day, St. Patrick's Day, Memorial Day, President's Day, etc. are not considered "seasonal."

School of special instruction: A facility for the private instruction of skills or activities not directly related to employment. These may include the following: dance studio, music studio (not a conservatory), martial arts, gymnastics instruction, exercise studio (not having a locker room and shower facilities and not required to comply with the Virginia Health Spa Act).

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School, private: See “Private school”.

School, public: See “Public school”.

Screening: A completely opaque visual barrier for loading areas, trash receptacles, maintenance and storage areas, mechanical equipment, and other similar features.

Secondary use: 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 twenty-five (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.

Self-storage center: A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers and other residential uses; and may include refrigerated facilities. See also “Cold storage facility”.

Semi-trailer: Any vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

Setback: The minimum distance by which any building or structure must be separated from a lot line or other feature.

Shopping center: A group of five (5) or more retail/commercial uses, located in a zoning district where retailing is permitted as a principal use and having any or all of the following characteristics:

1. The uses are connected by party walls, partitions, canopies, and, similar features, or
2. Some or all of the uses are located in separate buildings which are designed as a single commercial group sharing common parking areas and vehicular travelways and are connected by walkways and accessways designed to encourage customer interchange between uses, and otherwise present the appearance of a continuous commercial area without regard to ownership, or
3. The uses are under the same management or association for the purpose of enforcing reciprocal agreements controlling management, parking, site coverage, advertising and similar agreements.

Shopping centers shall be grouped according to size, as follows:

- Shopping center--A (less than 50,000 gross square feet);
- Shopping center--B (from 50,000 gross square feet up to 120,000 square feet);

-- Shopping center--C (from 120,000 gross square feet up to and including 400,000 gross square feet);

-- Shopping center--D (over 400,000 gross square feet).

Shopping mall: A facility with five (5) or more stores for retail goods and services, which are structurally designed in an integrated fashion around or along both sides of a promenade, walkway, concourse, or courtyard; primary individual store entrances front onto this promenade; may include offices; includes satellite or unattached structures that are served by mall site road network. For purposes of this Chapter, this definition shall only apply to a facility in which eighty-five (85) percent or more of the gross floor area is accessed from enclosed promenades, walkways, concourses or courtyard.

Short-term lodging: Units defined as time share units by the Virginia Real Estate Time-Share Act.

Side yard: See “Yard, side”.

Sign: Any display, visible beyond the boundaries of the parcel of land on which the display is made, of letters, words, numerals, figures, logos, devices, emblems, pictures, in any combination, by any means for the purpose of attracting attention or making anything known. Every such display shall be deemed a sign whether made on, attached to, or as a part of a structure, surface, or any other thing, including, but not limited to, the window (inside or outside), wall, ground, any rock, tree or other natural object. See sections 32-250.20, *et seq.*

Sign area: The rectangular area enclosing all advertising elements of a sign. See also sections 32-250.22, *et seq.*

Sign, awning: A facade sign painted, stamped, perforated, or stitched, or otherwise applied on the valance of an awning. Notwithstanding the provisions of section 32-400.05 of this Chapter, the location of awning signs shall be governed by the requirements for facade signs.

Sign face: The area or display surface used for the message.

Sign, monument: A freestanding sign that is either: 1) a solid structure made of brick, stone, concrete or similar type of material; or 2) constructed on or connected directly to a solid supporting foundation, with no separations between the sign and the base, made of brick, stone, concrete or similar type of material.

Sign structure: The supports, uprights, bracings and framework of any structure, be it single-faced, double-faced, V-type or otherwise, exhibiting a sign.

Single-family attached dwelling: A group of two (2) or more interrelated single-family dwelling units which are generally joined to one another by a common party wall, a common floor-ceiling or 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 (1) 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 outside entrance and not be occupied by more than one (1) family.

Single-family detached dwelling. A residential building entirely surrounded by open space or yards on the same lot, containing one (1) dwelling unit and occupied by not more than one (1) family.

Single-family dwelling: A residential building containing only one (1) dwelling unit. See also “One-family dwelling”.

Site plan: A required submission, prepared and approved in accordance with the provisions of Part 800 of this Chapter which is a detailed engineering drawing of the proposed improvements required in the development of a given lot.

Site plan, final: 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 800 of this Chapter.

Site plan, preliminary: 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 800 of this Chapter.

Slaughterhouse: An establishment where animals are killed or butchered for any reason.

Small Wind-Driven Energy System: A wind-driven energy conversion system consisting of a blade assembly, wind-driven turbine, a tower, and associated control or conversion electronics that has a maximum power of 50kW, which will be used primarily to reduce on-site consumption of utility power.

Special use: 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. 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: 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.

Stable: An activity or use where horses are sheltered; may be accessory to a residential or other use or a freestanding principal use, where otherwise permitted by this Chapter.

Stadium, arena, or amphitheater: A large open or enclosed space used for games or major events and partly or completely surrounded by tiers of seats for spectators.

Storage building: Any structure used to shelter equipment, vehicles, implements or materials incidental to the use of the principal structure.

Story: The vertical distance from top to top of two (2) successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists, or, where there is not a ceiling, to the top of the roof rafters.

Street, private: Where permitted, a privately maintained thoroughfare designed to provide access to private property, which may be constructed in accordance with the Design and Construction Standards Manual or other standards as permitted.

Street, public: 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 the requirements of the Design and Construction Standards Manual.

Streetscape: An area which may either abut or be contained within a public or private street right-of-way or accessway that may contain sidewalks, street furniture, street lighting trees or other landscaping, and similar features.

Structure: Any assembly of materials forming a construction or fixture for occupancy or use on, under, or over (or any combination thereof) land or water, including (but not limited to) stadiums, tents, reviewing stands, platforms, stagings, observation towers, telecommunications towers, solar energy devices, water tanks, trestles, piers, wharfs, swimming pools, storage bins, fences, private or public utility lines and other facilities, signs, buildings, parking lots, driveways, patios, gasoline pumps and pump islands, underground storage tanks, storm water management and retention facilities. The word “structure” shall be construed as though followed by the words “or parts thereof” unless the context clearly requires a different meaning. The word “structure” shall include the word “building”.

Surveyor, registered: A person who is registered with the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape architects as a land surveyor.

Swimming pool: A manmade structure constructed from material other than natural earth or soil designed or used to hold water for the purpose of providing a swimming or bathing place; or any such structure for the purposes of impounding water therein to a depth of more than four (4) feet.

Taxi or limousine dispatching service: A facility engaged in the dispatching of passenger vehicle transportation for hire, including business offices and the parking of vehicles; no servicing of vehicles permitted.

Taxi or limousine operations and service: The provision of passenger vehicle transportation for hire; including business offices and dispatching; service of fleet permitted in accordance with limitations in the definition of “Motor vehicle service”.

Telecommunications: A process that permits the passage of information from a sender to one or more receivers in a usable form, such as printed copy, fixed or moving pictures, and/or visible or audible signals, by means of any electromagnetic system, such as electrical transmission by wire or radio. This includes such uses as telegraph and telephone.

Telecommunications facilities, mobile and land-based: Any land area, structure, and equipment affixed to land or structures (singly or in any combination) used in telephone, broadcast, cable television, microwave relay, two-way radio, and private amateur radio, or other operations involving the transmitting, receiving or exchanging of information over wires, cables, fibers, light beams or by electromagnetic energy through the atmosphere.

Telecommunications facilities, temporary: See also “Telecommunications facilities”. A temporary telecommunications facility is erected for a limited period of time by a licensed telecommunications enterprise for the purpose of testing the location of a possible permanent telecommunications facility.

Telecommunications tower: A structure used to support one or more antennas. Such a structure is typically of skeletal lattice-type framework or solid construction. Guy wires, framework, or other stabilizing devices are considered part of the structure of the tower.

Temporary sawmill: A portable sawmill located on private property for the processing of timber cut from the property or from property immediately contiguous and adjacent thereto.

Testing and experimental laboratories (HAZMAT): Testing and production facilities, including storage, (not specifically mentioned elsewhere) involving significant amounts of hazardous materials or operations. See “Hazardous material or process”.

Theme park: A large-scale commercial establishment designed for amusement, entertainment, and recreational purposes. A theme park shall be open to the general public for a fee and contain a combination of three (3) or more activities from each of the following categories: Amusement rides, displays, live entertainment, concession stands, and passive recreational facilities (such as picnic areas and trails).

Timbering: The harvesting of trees for commercial products or for farm use, including but not limited to saw timber, pulpwood, posts, and firewood.

Tool and equipment rental (minor): A facility engaged in rental of tools or minor equipment to general public; maintenance, and repair of equipment; minor equipment shall be limited to hand held tools or equipment or such tools or equipment as are transportable in a passenger car or truck less than seven thousand five hundred (7,500) [pounds] gross vehicle weight; outside storage equivalent to not more than ten (10) percent gross floor area shall be permitted.

Tool and equipment rental (heavy): Rental of minor and heavy equipment to public or to contractors; on-site maintenance, and repair of equipment is permitted; no limitation on outside storage.

Townhouse: See “Single-family attached dwelling”.

Trade or convention or conference center: A facility used for business or professional conferences and seminars, often with accommodations for sleeping, eating and recreation.

Trade, technical, and vocational school: A school providing specialized vocational education courses; offices and classroom facilities are by right; however, laboratory or other specialized training facilities are required to be located, and permitted in accordance with restrictions, in zoning districts in which the underlying activities may be conducted.

Tradesman's shop: Facility for building or service industry contractors. See “Contractor or tradesman’s shop”.

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

Trash: See “Refuse”.

Trash and refuse removal service: Establishment engaged in the collection of refuse for disposal at an approved processing, recycling, or destruction plant, such as incinerators, waste treatment plant, landfills, or other locations approved by the County; on-site storage of refuse is prohibited.

Travel trailer: A vehicular, portable structure built on a chassis and designed to be used for temporary occupancy for travel, recreational or vacation use; with the manufacturer's permanent identification “Travel Trailer” thereon; and when factory equipped for the road, being of any length provided its gross weight does not exceed forty-five hundred (4,500) pounds, or being of any weight provided its overall length does not exceed twenty-eight (28) feet.

Travel trailer and camp park (campground): Any site, lot, field or tract of land, upon which more than one (1) travel trailer spaces or camp sites are occupied or intended to be occupied by travel trailers, tents or similar units for transient dwelling purposes or temporary dwelling during travel, recreational or vacation uses.

Truck stop with related facilities: A facility where a range of services and goods to professional drivers and the general public are congregated, such as fuel sales, vehicle service, overnight accommodations and restaurants.

Truck terminal: Any structure or land devoted principally to the servicing, fueling, repair, storage, sales and leasing of trucks as defined in section 46.2-100, VA Code Ann., or any of

the above; or any structure or land devoted principally to any activity involving a substantial and routine traffic consisting of trucks or passenger buses, such as a gasoline or fuel oil distributor, a freight or shipping business, a bus depot, a moving business, or similar activities, but not including other principal uses specified in the zoning district(s) where a truck terminal is allowed.

Underground storage tank: See section 32-250.92 of this Chapter.

Use: Any activity, fixture or structure to which land or water is devoted or which occupies land or water.

Utilities: 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.

Utility distribution structure: A ground mounted self-supporting vertical structure used to elevate electrical and communication distribution lines to a suitable height, whose primary function is to support wires, conductors, and associated equipment used for distribution of electrical energy and/or land-line communication signals.

Utility distribution structure, Replacement: Same as a utility distribution structure, however, it is a new structure built in the same location or in conjunction with an existing structure used for all of the same functions, except it allows antennas, support structures, and equipment to be mounted on the structure for use in mobile and land-based telecommunications services.

Variance: A reasonable deviation from 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 when the strict application of this Chapter would result in unnecessary or unreasonable hardship to the property owner, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the intended spirit and purpose of this Chapter, and would result in substantial justice being done. The term “variance” shall not include a change in use which change shall be accomplished by a rezoning or a conditional zoning. Variances may only be granted by the Board of Zoning Appeals.

Veterinary hospital: A facility for the prevention, cure or alleviation of disease and injury in animals, including surgery.

Video rental store: Establishment primarily engaged in the retail rental or lease of video tapes, DVDs, films, CD-ROMs, laser discs, electronic games, cassettes or other electronic media. Sales of film, video tapes, DVDs, laser discs, CD-ROMs and electronic merchandise associated with VCRs, DVD players, video cameras and electronic games are permitted accessory uses.

Warehousing: An operation from a structure, or part of a structure, for storing goods, wares, commodities and merchandise, whether for the owner thereof or for others, and whether it is a public or private warehousing operation, but excluding self-storage centers.

Water dependent uses: Any water dependent use, besides recreation or passenger transportation, which may include activities directly related to marine cargo handling, including inter-modal operation; also includes commercial fishing docks. See Part 504.

Water transportation facility: Passenger transportation facility and incidental miscellaneous services, not a marina; includes lighterage, ferry service, charter and hiring of boats, sightseeing, water taxis.

Wedding chapel: A facility primarily used for the conduct of wedding ceremonies.

Wholesaling: The business of selling merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers.

Wild or exotic animal: 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: An open space on a lot other than an interior court, unoccupied and unobstructed from the ground upward, except as otherwise provided in this Chapter.

Yard, front: An open space on the same lot as a principal building between the front line of the principal building and the front lot or street line, 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 rear line of the lot, and extending across the full width of the lot.

Yard, side: An open space on the same lot as a principal building between the side line of the principal building and the side line of the lot, and extending from the front yard line to the rear yard line.

Zoning Administrator or Administrator: The official charged with the interpretation, administration and enforcement of this Chapter, and any Assistant Zoning Administrator appointed to assist in administration and enforcement of this Chapter. The Zoning Administrator shall be so designated in writing by such person as may be specified by the County Executive. (No. 92-38, 3-17-92; No. 92-41, 4-7-92; No. 92-46, 4-21-92; No. 92-50, 5-5-92; No. 92-59, 6-16-92; No. 93-28, 6-1-93; No. 94-1, 1-11-94; No. 94-16, 3-15-94; No. 94-41, 7-5-94; No. 94-49, 7-19-94; No. 94-76, 11-1-94; No. 94-84, 11-29-94; No. 95-

6, 1-3-95; No. 95-76, 9-5-95; No. 96-6, 1-16-96; No. 96-14, 2-20-96; No. 96-47, 5-7-96; No. 98-30, 4-21-98; No. 98-62, 7-7-98; No. 98-66, 7-21-98; No. 99-6, 1-19-99; No. 99-27, 4-20-99; No. 99-46, 6-22-99; No. 99-50, 7-6-99; No. 00-10, 1-18-00; No. 00-19, 3-7-00; No. 00-43, 6-27-00; No. 00-77, 10-17-00; No. 02-33, 4-16-02; No. 03-4, 1-7-03; No. 03-52, 7-1-03; No. 03-57, 7-22-03; No. 4-29, 4-20-04; No. 04-78, 12-21-04; No. 05-41, 6-7-05; No. 06-27, 3-7-06; No. 06-77, 9-5-06)