

ARTICLE 14: Definitions

14-10 Introduction

For the purpose of this Ordinance, certain words and terms are used in a limited or special sense as defined herein. Words used in the present tense include the future; the singular number includes plural and the plural singular; the word "structure" includes "building"; the word "used" includes arranges, designed, constructed, altered, converted, rented, leased, or intended to be used; and the word "shall" is mandatory and directory. Any word, term or phrase used in this ordinance not defined below shall have the meaning ascribed to the word in the most recent edition of Webster's Unabridged Dictionary, unless in the opinion of the Zoning Administrator, established customs or practices of the Town of Orange justify a different or additional meaning.

14-20 Definitions of Terms

- 14-20.1** **Abutting.** Having a common border with or being separated from a common border by a right-of-way, alley, or easement.

- 14-20.2** **Accessory Dwelling Unit.** A dwelling or apartment detached from the principal dwelling, the use of which is associated with and subordinate to the principal dwelling and which is located upon the same lot as the principal dwelling. An accessory dwelling unit shall be considered an accessory structure.

- 14-20.3** **Accessory Structure or Building.** A structure detached from the principal structure and customarily incidental to and located upon the same lot occupied by such principal use or structure, including, but not limited to private garages, carports, storage and utility buildings.

- 14-20.4** **Accessory Structure or Building, Non-Dwelling.** An accessory structure not designed or used for dwelling purposes.

- 14-20.5** **Accessory Use.** A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

- 14-20.6** **Acre.** A unit of land measure containing 43,560 square feet.

- 14-20.7** **Adult-Oriented Business.** Any business where the majority of the gross income is derived from display or sale of merchandise, viewing or photographs or motion pictures, performance of dance or dramas, or participation in activities which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas (as defined below).

For the purposes of this definition, specified sexual activities are defined as:

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

For the purpose of this definition, specified anatomical areas are defined as:

- (1) Less than completely and opaquely covered:
 - a. Human genitals, pubic region;
 - b. Buttock;
 - c. Female breast below a point immediately above the top of the areola;
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Nothing in this definition shall be construed in any way to limit the application of any state statute relating to obscenity or relating to the distribution of materials to juveniles.

- 14-20.8 Agriculture.** The tilling of the soil, the raising of crops, non-intensive livestock, horticulture, and forestry, but not including any agricultural industry or business, such as packing plants, dairies, mills, kennels, commercial stables, or similar uses.
- 14-20.9 Aisle, Drive or Parking.** An area within a parking facility intended to provide ingress and egress to parking spaces and in which parking is prohibited.
- 14-20.10 Alley.** An unnamed permanent right-of-way providing a secondary means of vehicular or pedestrian access to the rear or side of more than one abutting property whose principal frontage is on some other street, and which may also be used for public vehicular, utility, and/or service access.
- 14-20.11 Amusement Arcade or Game Room.** A building or part of a building in which five or more pinball machines, videogames, or other similar player-operated amusement devices are maintained.
- 14-20.12 Animal Hospital or Clinic.** Establishment where household pets or agricultural livestock receive medical treatment and the boarding of animals is limited to short-term care incidental to the medical use, and no other activity is conducted outside the main building. Kennels by definition are not included.
- 14-20.13 Animal Kennel.** Any building, buildings, or land designed or arranged for the care, boarding, breeding, raising, grooming, training, or selling of four (4) or more dogs, cats, or other household pets of any age, whether for show, hunting, personal enjoyment of the owner or occupants of the property, or commercial gain.
- 14-20.14 Antique Store.** A place offering antiques for sale. An antique, for the purposes of this chapter, shall be a work of art, piece of furniture, decorative or collectable

object of or belonging to the past, and which is sold or exchanged because of value derived or because of oldness as respects the present age, and not simply because the same is not a new object. A “thrift store” or “secondhand store” shall not be considered an antique store.

- 14-20.15 Applicant-Owner.** See Owner-Applicant.
- 14-20.16 Arcade, Building.** An area contiguous to a street or plaza that is supported by piers or columns, which is open and unobstructed to a height of not less than 10 feet and accessible to the public at all times, and which typically supports the upper stories of a building. Arcades may include building columns, landscaping, statuary or other public art displays, or fountains. The term arcade shall not include off-street parking areas, driveways, or open pedestrian walkways.
- 14-20.17 Architect.** A person who is recognized by the Commonwealth of Virginia and who is registered with the State Department of Professional and Occupational Registration, or registered with alike body in another state, as a licensed architect.
- 14-20.18 Area.** Measure of single dimensional space, usually width and length
- 14-20.19 Art Studios and/or Galleries.** An establishment for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items. This definition shall include art studios and art centers engaged in the creation of such art works and/or which offer instruction in their creation.
- 14-20.20 Asphalt Plant.** An industrial facility used for the production of asphalt, or asphalt products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises, and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt products.
- 14-20.21 Assisted Living Facility.** A place, establishment, or institution, operated for the maintenance or care of four or more adults who are aged, infirm, or disabled and who are cared for in a primarily residential setting, in accord with § 63.2-100 of the Code of Virginia, as amended. The level of service provided for these adults shall include at least moderate assistance with the activities of daily living such as bathing, dressing, preparing meals, and distribution of medications.
- 14-20.22 Atrium House.** A one-story, single-family, attached dwelling shaped to surround or partly surround a private open space called an atrium, it being a type of townhouse unit (See Townhouse).

- 14-20.23 Auction.** Any place or a sale where tangible personal property is sold to the highest bidder by an auctioneer who is either the agent for the owner of such property or is in fact the owner thereof.
- 14-20.24 Automotive Body Repair Shop.** A business limited to the repair and reconstruction of the exterior shells of automobiles and light trucks, including sanding, painting, and refinishing; but may also include frame, engine and other mechanical work in the repair of a vehicle.
- 14-20.25 Automobile Dealership.** Any business establishment that sells, rents or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, or motorcycles or other similar motorized transportation vehicles, but not heavy trucks or equipment. Secondary supporting uses may also exist upon the same site, such as maintenance, repair and service areas, parts storage areas, and financial service areas.
- 14-20.26 Automobile Graveyard.** Any lot or place which is exposed to the weather upon which more than five (5) inoperable motor vehicles, as defined in Chapter 70 of the Town Code, are placed, or upon which more than five (5) motor vehicles of any kind, incapable of being operated, and which it would not be economically practical to make operative, are placed, located, or found. An automobile graveyard shall be considered a “junkyard” or “salvage yard” for the purposes of administering this Ordinance.
- 14-20.27 Awning.** See Canopy.
- 14-20.28 Bakery, Retail.** An establishment primarily engaged in the retail sale of baked products for consumption off-site. The products may either on or off site. Such use may include incidental food service. A retail bakery shall be considered a general retail establishment.
- 14-20.29 Bakery, Wholesale.** An establishment primarily engaged in the production or preparation of baked goods or other similar packaged food items intended for off-premises distribution and/or sale to retailers.
- 14-20.30 Balustrade.** A row of repeating balusters – small posts that support the upper rail of a railing – on a canopy, balcony, staircase or porch.
- 14-20.31 Bank or Financial Institution.** Any establishment, including an unmanned bank teller machine(s), wherein the primary occupation is concerned with such state regulated businesses as banking, savings and loans, loan companies and investment companies. Any drive-in automatic teller machine(s) not ancillary to a bank or any bank having a drive-in window(s) or drive-in automatic bank teller machine(s) shall be deemed a drive-in facility as defined herein.

- 14-20.32 Barbershop.** Any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.
- 14-20.33 Beauty Parlors and Nail Salons.** Any commercial establishment where cosmetology is offered or practiced on a regular basis for compensation, including hair care, nail care, tanning and skin care.
- 14-20.34 Bed and Breakfast.** A private residence or group of attached or detached accessory buildings on the same property, where, for compensation, temporary lodging is provided to transient persons, with twelve (12) or fewer guest rooms or suites with meals, if any, served only to persons lodging at the bed and breakfast. The owner or operator of the facility shall live on the premises or in an adjacent premises on the same lot.
- 14-20.35 Berm.** A continuous bank or mound of earth designed and placed, often in combination with shrubs and trees, to block or partially obscure elements of a site or of a building, reduce noise, provide visual interest, and/or control the direction of surface water flow.
- 14-20.36 Block.** An area of land entirely bounded by streets or other transportation or utility rights-of-way; exterior boundaries of a subdivision; corporate boundaries; physical barriers such as waterways, bodies of water and open spaces; or any other such barrier to the continuity of development as determined by the Zoning Administrator.
- 14-20.37 Block Length.** The distance of the block as measured along the centerline of the street between street intersections, such measurement to be made beginning and ending at the centerlines of the intersecting streets.
- 14-20.38 Block Perimeter.** The perimeter of the block as measured along the centerlines of the streets or other natural or man-made features representing the boundary of the block (See Block).
- 14-20.39 Boarding House.** A building other than a hotel, motel, group home, bed and breakfast, or inn that is the primary residence of the owner and where more than two, but fewer than six rooms are provided for lodging, for compensation, for definite periods of time for up to six (6) individuals not related to the owner by blood, marriage, or adoption, and which is not open to transient persons. Meals may or may not be provided, but individuals lodging at a boarding house share a common kitchen facility or facilities, and no provision is made for cooking in any of the rooms occupied by paying guests.
- 14-20.40 Brewery.** A facility or establishment that brews ales, beers, meads, and/or similar fermented malt beverages on-site.

- 14-20.41 Buffer.** A strip or area of land with natural or planted vegetation located between a land use or structure and a front, side or rear property line, and intended to separate and partially obstruct the view of two adjacent land uses or properties from one another, or separate and partially obstruct the view of any building or land use from the roadway, in order to mitigate the impacts of noise, odor, dust, glare, light, or other nuisance, or to mitigate conflicts between two adjacent land uses. The term shall be inclusive of the terms “buffer yard” and “buffer area” and may include any required screening for the site.
- 14-20.42 Building.** A structure having one or more stories and a roof, designed primarily for shelter of persons, animals, or property of any kind.
- 14-20.43 Building Code.** The code or codes governing the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and all other functions which pertain to the installation of systems vital to all existing and proposed buildings and their service equipment within the Town of Orange, as adopted and established by the Town Code.
- 14-20.44 Building Depth.** The average horizontal distance between the front of the building and the rear of the building.
- 14-20.45 Building Footprint.** The horizontal land area occupied by a building at finished grade including projections and overhangs (“floorplate”).
- 14-20.46 Building Frontage.** See Frontage, Building.
- 14-20.47 Building Height.** The vertical distance measured from the level of the curb or the established curb grade opposite the middle of the front of the structure to the highest point of the roof if a flat roof; to the deck line of a mansard roof; or to the ridge or peak of a gable, hip, or gambrel roof. For buildings set back more than ten (10) feet from the street line, the height shall be measured from the average elevation of the ground surface along the front of the building.
- 14-20.48 Building Line.** The line which establishes the distance of a structure from any lot boundary line.
- 14-20.49 Building, Mixed-Use.** A building containing residential in addition to non-residential uses permitted in the zoning district.
- 14-20.50 Building Official.** The official recognized and/or designated by Town Council to administer and enforce the Building Code(s) in the Town of Orange.
- 14-20.51 Building Permit.** A permit which is issued by the Building Official, or his designee, before a building or structure is started, improved, enlarged or altered as proof that such action is in compliance with the Building Code.

- 14-20.52 Building, Principal or Main.** A building in which is conducted the principal use of the lot on which it is situated. In any residential zone, any dwelling shall be deemed to be a main building on the lot on which the same is located if the lot is used primarily for residential purposes.
- 14-20.53 Building Width.** The width of the main portion of the building.
- 14-20.54 Bulk Fuel Storage and Distribution.** An establishment where fuel commodities, including both liquids and solids, are received by pipelines, tank car, tank vehicle, or other container, and are stored or blended in bulk for the purpose of distribution by pipeline, tank car, tank vehicle, or container.
- 14-20.55 Caliper.** The American Association of Nurserymen standard for trunk measurement of trees, as measured at six (6) inches above the ground for trees up to and including four-inch caliper size, and as measured at twelve (12) inches above the ground for larger-sized trees.
- 14-20.56 Canopy.** With reference to structures, a roof structure, including an awning, that covers an open-air space and projects from the wall of a building over a door, entrance, or window; or a freestanding or projecting cover above an outdoor service area, such a fuel pump island. A marquee shall not be considered a canopy. With reference to landscaping or vegetation, a landscape element that functions as an overhead cover or “ceiling” used in single or multiple plantings to create shade.
- 14-20.57 Capital Improvement Plan.** A plan outlining the nature, location, costs, funding, and timing of future capital expenditures for community facilities such as streets, sidewalks, drainage facilities, water and wastewater lines and treatment facilities, parks, public buildings, and required property.
- 14-20.58 Carport.** A structure attached to a dwelling unit, open on at least one (1) side, designed for the parking and storage of vehicles by the residents of the dwelling and their guests.
- 14-20.59 Car Wash.** A structure, or portion thereof, containing facilities for cleaning and washing motor vehicles by hand or by using production-line, automated or semi-automated methods for washing, whether or not employing a chain conveyor, blower, steam-cleaning or similar mechanical devices.
- 14-20.60 Centerline.** The midpoint of the width of a street, highway or other right-of-way.
- 14-20.61 Child.** Any person under eighteen (18) years of age.
- 14-20.62 Childcare Center.** An establishment which is regulated as a child day center or certified preschool in the Commonwealth of Virginia and for whose care tuition, fees or other forms of compensation are charged. A child care center may include

nursery schools, preschools, kindergartens or other facilities for which the purpose is primarily educational, recreational, or medical treatments.

- 14-20.63 Church.** A place of religious worship or assembly, the primary use of which is for the assembly of people to participate in or hold religious services or other related religious activities, and which may include subordinate uses such as administrative offices, classrooms for religious instruction and meeting halls. The term "church" shall not carry a secular connotation and shall include any building used for religious services by any denomination.
- 14-20.64 Civic Organization or Group.** A non-profit group or organization which meets regularly in the Town or which has "Orange" or a Town location in its name, and which has demonstrated service to the Town or the public, in the determination of the Zoning Administrator. (See also "non-profit organization").
- 14-20.65 Club.** A facility where the principal purpose is for members of associations or organizations, such as but not limited to fraternal organizations, to meet 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 by-laws. "Club" shall not include night clubs or other institutions operated as a business.
- 14-20.66 Cluster Development.** A residential 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, and preservation of environmentally sensitive areas or historic and cultural resources.
- 14-20.67 Commercial Use.** An occupation, employment, or enterprise that is carried on for profit.
- 14-20.68 Commercial Vehicle.** Heavy machinery equipment, dump trucks, tow trucks, , commercial hauling trucks, construction vehicles, tractor and trailer rigs, either as one unit or separately, vehicles having more than two axles on the road, and similar vehicles not ordinarily used for personal transportation or designed for transportation of commodities, merchandise, produce, freight, animals, or passengers..
- 14-20.69 Commission, The.** The Planning Commission of the Town of Orange, Virginia.
- 14-20.70 Communication and Broadcasting Studio.** An establishment containing one or more broadcasting studios for over-the-air, cable or satellite delivery of radio, television and/or public communications or programs, or studios for the audio or video recording or filming of musical performances, radio or television programs or motion pictures. This term does not include a communication tower, antennae, or device.

- 14-20.71 Communication Antennae or Device.** Any exterior apparatus or apparatuses designed for telephonic, radio, data, Internet, or television communications through the sending or receiving of electromagnetic waves including equipment attached to a tower or building for the purpose of providing personal wireless services including, for example, cellular, enhanced specialized mobile radio and personal communications services, telecommunications services, and its attendant base station. This term shall not include an exterior antenna or satellite dish used for the private or non-commercial reception of television or radio signals.
- 14-20.72 Communication Tower.** Any structure used for the purpose of supporting one (1) or more communication antennas or microwave dishes, including self-supporting lattice towers, guy towers, or pole towers. The term includes radio, television and telephone transmission towers; alternative antenna support structures such as water tanks, electrical transmission poles and towers, buildings and rooftops; and other existing or proposed support structures, including monopoles.
- 14-20.73 Comprehensive Plan.** The most recently adopted (by the Town Council) version of the Comprehensive Plan of the Town of Orange, including all adopted additions, deletions, or amendments, and including any plan or document incorporated by reference therein.
- 14-20.74 Concrete Plant.** An industrial facility used for the production of concrete, or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises, and the storage and maintenance of required equipment, but does not include the retail sale of finished concrete products.
- 14-20.75 Condominium.** A building or group of buildings in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by an owner or all the owners on a proportional, undivided basis. An owners association is organized for the purpose of maintaining, administering and operating the common areas and facilities.
- 14-20.76 Conference Center.** A facility to accommodate conventions, large meetings, trade shows and similar events. There may be accommodations for sleeping, food preparation and eating, entertainment, social and charitable events, and recreation as part of the facility.
- 14-20.77 Convenience Store.** A small-scale food store offering for sale a limited line of groceries and household items intended for the convenience of shoppers, including prepackaged food products, tobacco, periodicals, medicines, cosmetics, and limited beer and wine items. Such stores may have on-site service of food or drink for immediate consumption and may include the dispensing of fuel for sale on the premises.

- 14-20.78 Council, The.** The Town Council of the Town of Orange, Virginia.
- 14-20.79 Country Inn.** A building, or group of attached or detached buildings, where, for compensation, temporary lodging is provided to transient persons, with twelve (12) or fewer guest rooms or suites and with meals served to walk-in customers in addition to persons lodging at the inn.
- 14-20.80 Covenant.** A formal agreement of legal validity between two (2) or more parties outlining restrictions, rights, or responsibilities concerning the use of property or structures.
- 14-20.81 Crematorium.** A building containing a furnace for reducing dead bodies, either animal or human, to ashes by burning.
- 14-20.82 Crop Growing and Storage.** The growing of crops such as grain, vegetables, and fruits for commercial production and/or the packaging or storage of such products in bulk on the premises.
- 14-20.83 Cul-de-sac.** A turnaround at the closed end of a dead-end street providing special enlarged circular turning and maneuvering space for vehicular traffic.
- 14-20.84 Data Center.** A facility where electronic data is processed by employees, including, without limitation, data entry, storage, conversion or analysis, subscription and credit card transaction processing, telephone sales and order collection, mail order and catalog sales, and mailing list preparation.
- 14-20.85 Density.** The number of dwelling units per acre of land. Unless specified otherwise, whenever the term “density” is used in this Ordinance, it shall mean the gross density of the lot, parcel, or site.
- 14-20.86 Density, Gross.** The number of dwelling units per gross acre of land on the lot, parcel, or site.
- 14-20.87 Developer or Subdivider.** See Owner-Applicant.
- 14-20.88 Development.** The physical extension of and/or construction of urban land uses. Development activities include but are not limited to the following: the subdivision of land, construction or alteration of structures, roads, utilities, and other facilities; installation of septic systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetative cover (with the exception of bona fide agricultural or silvicultural activities). Routine repair and maintenance activities are exempted.
- 14-20.89 District, Zoning.** A primary zoning classification corresponding to a geographic area of the town within which certain zoning or development regulations apply, in accord with Code of Virginia § 15.2-2280-81, as amended. The Town’s

“Traditional Character” zoning districts shall be the T-4, T-4.5, and T-5 transect zones within the Traditional Town Center District; the Town Activity Center, Rural Commercial, and Traditional Industrial districts; and the Traditional Residential-High Density, Traditional Residential-Low Density, and the Rural Residential districts.

- 14-20.90 Drive Aisle.** See Aisle, Drive or Parking.
- 14-20.91 Drive-In Facility.** A building, structure, and/or adjoining parking area, or any portion thereof, used for the purpose of furnishing food, soft drinks, ice cream and similar confections to the public normally for consumption outside the confines of the principal permitted building, or for the viewing of motion pictures, photographs, drama, or similar forms of entertainment, in vehicles parked upon the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside for the patrons. Services are effected principally while patrons remain in their vehicles.
- 14-20.92 Drive-Through Facility.** A building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service.
- 14-20.93 Driveway.** That space specifically designated and reserved on a site for movement of vehicles from one location to another on site or from the site to a public street.
- 14-20.94 Dust-Free or Dustless Surface.** A surface adequately covered in accordance with good construction practice, with a minimum of either two (2) applications of bituminous surface treatment concrete, or bituminous concrete approved by the Town, and to be maintained in good condition at all times.
- 14-20.95 Dwelling.** See Dwelling Unit.
- 14-20.96 Dwelling, Accessory.** See Accessory Dwelling Unit.
- 14-20.97 Dwelling, Duplex.** The use of a single lot for two (2) dwelling units that are contained within a single building.
- 14-20.98 Dwelling, Mixed Commercial Use.** A dwelling unit in a structure that is also designed and used for commercial purposes. The dwelling unit and access thereto shall be separate from access to areas used for commercial purposes and the unit is typically located in basements or upper stories with commercial uses occurring at the street level of the structure.
- 14-20.99 Dwelling, Manufactured Home.** Manufactured homes are also commonly referred to as “mobile homes” and differ from Modular Homes as defined herein,

in that they do not necessarily comply with BOCA or Virginia Uniform Statewide Building Code standards. Three types are defined herein as follows:

Manufactured Home, Type A: A multi-sectional manufactured home (“doublewide”) constructed after July 1, 1976, that meets or exceeds the Manufactured Home Construction and Safety Standards, promulgated by the U.S. Department of Housing and Urban Development.

Manufactured Home, Type B: A traditional single manufactured home (“singlewide”) constructed after July 1, 1976, that meets or exceeds the Manufactured Home Construction and Safety Standards, promulgated by the U.S. Department of Housing and Urban Development.

Manufactured Home, Type C: Any manufactured home (“mobile home”) constructed before July 1, 1976 and which consequently does not meet the criteria of a Type A or Type B manufactured home as defined herein.

- 14-20.100 Dwelling, Modular Home.** A dwelling unit constructed through use of large, prefabricated, mass-produced, partially pre-assembled sections or modules which are subsequently put together on-site on a permanent foundation, and which meets the BOCA and Virginia Uniform Statewide Building Code standards.
- 14-20.101 Dwelling, Multi-Family.** A building containing three (3) or more dwellings units located on a single lot or parcel of ground where each unit access the outside via a common hallway, stairs or elevators. Such units are located back-to-back, adjacent or stacked on top of each other. Multi-family dwellings shall include apartments, triplex dwellings, quadruplex dwellings, and condominiums if located in a building containing three (3) or more such dwelling units.
- 14-20.102 Dwelling, Single-Family (Detached).** The use of a single lot for a dwelling that is not attached to any other dwelling by any means. The terms “single-family dwelling” and “single-family detached dwelling” shall be considered interchangeable for the purpose of administering this Ordinance.
- 14-20.103 Dwelling, Townhouse.** A dwelling unit, occupying one (1) lot, attached by means of a common vertical wall or walls, extending from the floor of the basement to the roof, to a series of similar dwelling units, each of which has individual access from the outdoors and each of which normally consists of two (2) or three (3) stories. The term "townhouse" is inclusive of the terms “patio home”, “atrium house” and “single-family attached dwelling”.
- 14-20.104 Dwelling Unit.** One (1) or more rooms connected together in a structure designed for occupancy as a separate living quarters, for owner occupancy, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, sleeping, and sanitary facilities within the unit. In no case

shall a motor home, trailer coach, automobile or vehicle chassis, tent, or portable building be considered a dwelling unit.

- 14-20.105 Easement.** A right created by an express or implied agreement of one owner of land to make lawful and beneficial use of the land of another for a special purpose not inconsistent with any other uses already being made of the land.
- 14-20.106 Electrical Substation.** An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of voltage transformation, voltage control, or switching or modifying its characteristics to meet the needs of the general public.
- 14-20.107 Engineer, Professional.** A person who is recognized by the Commonwealth of Virginia and who is registered with the State Department of Professional and Occupational Registration, or registered with a like body in another state, as a "professional engineer."
- 14-20.108 Facade.** That portion of any exterior elevation on a building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation, or the area corresponding thereto.
- 14-20.109 Façade, Front.** Those portions of a façade which face and are most closely parallel to the front lot line.
- 14-20.110 Family.** One (1) or more persons occupying a dwelling unit and living and cooking together as a single, nonprofit, housekeeping unit, provided that not more than four (4) persons not related by blood, marriage, adoption, or guardianship shall constitute a family unless such group is composed of handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 and all subsequent amendments. Such unrelated handicapped individuals shall have the right to occupy a dwelling unit in the same manner and extent as any family unit established through kinship as defined above.
- 14-20.111 Family Day Care.** A private residence regulated as a family day home or family day system in the Commonwealth of Virginia, or any such place where care is provided for up to twelve (12) children in the home of the provider, and for whose care fees or other forms of compensation are charged and are received, except children who are related by blood or marriage to the person who maintains the home. For the purposes of administering Article 5 of this Ordinance, a family day care shall be considered distinct and separate from a home occupation; elsewhere in the Ordinance, a family day care shall be considered a home occupation and shall be subject to all requirements pertaining thereto.
- 14-20.112 Farm and Garden Supply Store.** An establishment selling, renting or repairing machinery, equipment and supplies for use in soil preparation and maintenance,

the planting and harvesting of plants and crops, and/or other operations pertaining to farming, ranching, or gardening.

- 14-20.113 Farmers' Market.** A building, stalls, stands or place which is open to the general public for the sale of horticultural or agricultural products.
- 14-20.114 Fence.** Any artificially constructed barrier of any material or combination of materials erected to enclose, partition, or screen areas of land.
- 14-20.115 Fenestration.** The design and/or disposition of windows, doors, and other types of exterior openings in a building façade or wall.
- 14-20.116 Fire or Rescue Squad Station.** A facility including the storage of fire and/or rescue equipment which provides for the protection of life and property from the hazards of fire or explosions wherever located.
- 14-20.117 Flag.** Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device for the purposes of displaying a symbol or message.
- 14-20.118 Floor Area.** The sum of the total horizontal areas of each floor of a building, measured from the interior faces of exterior walls and from the centerline of walls separating two or more buildings.
- 14-20.119 Floor Area, Gross.** The sum of the total horizontal areas of all floors of a structure, measured from the interior faces of exterior walls, including basements, elevator shafts, stairwells at each story, enclosed porches or atriums, interior balconies or mezzanines, and attics with headroom of six (6) feet, six (6) inches or greater. This definition does not include floor space not used for human habitation or suitable for temporary storage of merchandise or equipment such as areas designed for heating and ventilating equipment, cellars or outside balconies which do not project more than six (6) feet from the exterior wall, off-street parking structure, rooftop mechanical structures or penthouses, or areas with less than six (6) feet, six (6) inches or more of structural headroom. The term "floor area" shall include basements, elevator shafts and stairwells at each story, floor space for mechanical equipment with headroom of seven feet or more, attic space, interior balconies and mezzanines. The term gross floor area shall not include cellars or outside balconies which do not exceed a projection of six feet beyond the exterior walls of the building.

Parking structures and rooftop mechanical structures are excluded from gross floor area. The gross floor area of structures devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks, shall be computed by counting each ten feet of height or fraction thereof as being equal to one floor.

- 14-20.120 Floor Area, Gross Leasable.** The total area designated for tenant occupancy and exclusive use in a shopping center or commercial building, including storage, retail area, offices, shipping, basements, mezzanines and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.
- 14-20.121 Floodplain.** A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation, or an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.
- 14-20.122 Footprint, Building.** See Building Footprint.
- 14-20.123 Foundry.** A factory or other facility that produces metal castings by melting metals into a liquid, pouring the liquid metal into a mold, and removing the mold material or casting after the metal has cooled and solidified.
- 14-20.124 Frontage.** See Frontage, Building; Frontage, Lot; and Frontage Type.
- 14-20.125 Frontage, Building.** The side of a building or store, or the width of that side of the building or store whether expressed as a linear distance or percentage of the lot frontage, which fronts upon: (1) a public street; (2) a customer parking area located between the front of the building and the public street; or (3) a sidewalk or other pedestrian way, and which has one or more entrance to the main part of the building or store.
- 14-20.126 Frontage, Lot.** The side of the lot that abuts a public or private street, provided on a corner lot, all sides of a lot adjacent to a street shall be considered frontage.
- 14-20.127 Frontage Type.** An architectural feature or element, or combination of such features or elements, which defines how the building frontage relates to the public realm, including but not limited to stoops, porches, porticos, awnings, arcades, colonnades, marquees and similar features.
- 14-20.128 Funeral Home.** A building or part thereof used for human funeral services. Such building may contain space and facilities for the following: embalming and the performance of other services used in the preparation of the dead for burial; the performance of autopsies and other surgical procedures; the storage of caskets, funeral urns, and other related funeral supplies; and, the storage of funeral vehicles, but not including facilities for cremation (see “Crematorium”).
- 14-20.129 Furniture and Appliance Store, Retail.** A store or shop specializing in the sale of furniture and/or appliances directly to end consumers for household or domestic use.

- 14-20.130 Furniture or Cabinet-Making Shop.** A store or shop engaged in the small-scale production of hand-crafted furniture or cabinets or specializing in the sale of such furniture or cabinetry.
- 14-20.131 Game Room.** See Amusement Arcade or Game Room.
- 14-20.132 Garage.** A building or structure, or part thereof, used or designed to be used for the parking or storage of vehicles.
- 14-20.133 Garage, Private.** Accessory building or part of a principal building designed or used for the private storage of passenger vehicles as an accessory use of the residing occupant or guests, and having no provisions for repairing or servicing such vehicles for profit. A garage which is attached to the main dwelling structure shall be considered part of that structure for purposes of setback and height regulations.
- 14-20.134 Golf Course.** Any area of land, publicly or privately owned, on which the game of golf is played, including accessory uses and buildings customary thereto, but excluding lighted golf driving ranges and miniature golf courses as defined herein.
- 14-20.135 Golf Course, Miniature.** An establishment where a novelty version of golf is played with a putter and golf ball in an outdoor setting, typically comprised of nine or eighteen putting greens having an artificial playing surface, each with a “cup” or “hole” where patrons pay a fee to move in consecutive order from the first hole to the last.
- 14-20.136 Golf Driving Range.** A limited area on which golf players do not walk, but onto which they drive golf balls from a central driving tee.
- 14-20.137 Governing Body.** The Town Council of the Town of Orange, Virginia.
- 14-20.138 Government Building.** A building or structure owned, operated, or occupied by governmental agency to provide a governmental service to the public.
- 14-20.139 Grade.** The average elevation of the finished surface of the ground adjacent to the exterior walls of the building.
- 14-20.140 Grocery Store.** See Supermarket or Grocery Store.
- 14-20.141 Groundcover.** Any evergreen or broadleaf evergreen plant that does not attain a mature height of more than one foot. Such plants shall be characterized by a growth habit in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground. Sod and seed shall also be considered as qualifying groundcover.

- 14-20.142 Group Home.** A residential facility in which no more than eight (8) mentally ill, mentally retarded, developmentally disabled, aged, infirmed or disabled persons reside, with one or more resident counselors or other staff persons. Such a residential facility shall be considered occupancy by a single family. A residential facility shall be deemed a group home when the Department of Mental Health, Mental Retardation and Substance Abuse Service is the licensing authority.
- 14-20.143 Health Official.** The Director of the Orange County Health Department or his designee.
- 14-20.144 Health and Fitness Center.** An indoor establishment, which may include saunas and steambaths, offering or providing facilities for and instruction in general health, physical fitness, and controlled exercises such as weight lifting, calisthenics, and aerobic dancing.
- 14-20.145 Heavy Manufacturing.** See Manufacturing, Heavy.
- 14-20.146 Hedge.** A row of closely planted shrubs, bushes, or any kind of plant forming a boundary or compact, dense, living barrier that protects, shields, separates, or demarcates an area.
- 14-20.147 Heliport.** Any landing area used exclusively for the landing and taking off of helicopters for the purpose of picking up or discharging of passengers or cargo, including fueling and emergency service facilities, as approved by FAA and other governmental authorities.
- 14-20.148 Home Occupation.** A business, profession, occupation or trade conducted for gain or support within a residential building or its accessory buildings by a resident of the dwelling which use is incidental and secondary to the use of the buildings for dwelling purposes and which does not change the residential character of such buildings. For the purposes of administering this Ordinance, a nonresident employee shall be an employee who works either full time or part time for the home occupation, either on the premises or off the premises, but does not reside in the residential dwelling where the home occupation is being conducted.
- 14-20.149 Homeowners' Association.** A private non-profit corporation of homeowners organized in accordance with the provisions of the Code of Virginia, as amended who own, operate, develop, and maintain commonly held properties and facilities.
- 14-20.150 Hospital.** An institution primarily for human in-patient care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities, and staff offices that are an integral part of the facilities, rendering medical, surgical, obstetrical, or convalescent care.

- 14-20.151 Hotel.** Any building containing more than twelve (12) guest rooms where, for compensation, temporary lodging is provided to transient persons, with access to guest rooms or suites primarily from interior lobbies, courts, or halls. Additional services such as restaurants, meeting rooms, entertainment, and indoor commercial recreational facilities may be provided.
- 14-20.152 Impervious Surface or Area.** A surface on previously undeveloped land that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water, including gravel driveways and parking areas.
- 14-20.153 Improvements.** All utilities, facilities, buildings, and structures including but not limited to streets, cul-de-sacs, storm and sanitary sewers, water lines, curb and gutter, and landscaping required or placed upon the land pursuant to the terms of the Ordinances of the Town of Orange, Virginia.
- 14-20.154 Improved Recreation Space or Area.** A recreational facility or area intended for use by the residents and guests of a particular residential development, traditional neighborhood development, planned unit development, or residential neighborhood, including indoor and outdoor facilities. These facilities are usually proposed and planned in association with development and are usually located within or adjacent to such development, and may include playgrounds, tot lots, tennis courts, clubhouses, etc. An improved recreation area shall be considered a private park.
- 14-20.155 Indoor and Outdoor Theatre.** An outdoor or indoor area, building, part of a building, structure, or defined area utilized primarily for rehearsal and/or presentation of film, television, multimedia, plays, acts, dances, drama, musical productions or other related activities, provided that a drive-in movie theatre shall be considered a “drive-in facility” and not an indoor and outdoor theatre.
- 14-20.156 Indoor Recreation Facility.** An indoor facility, with or without seating for spectators, and providing accommodations for a variety of individual, organized, or franchised sports, including but not limited to basketball, ice hockey, wrestling, soccer, tennis, volleyball, racquetball, or handball. Such facility may also provide other regular organized or franchised events, health and fitness facilities, swimming pool, snack bar, restaurant, retail sales of related sports, health or fitness items, and other support facilities.
- 14-20.157 Inn.** See Country Inn.
- 14-20.158 Junk or Salvage Yard.** The use of any area of land exposed to the weather and lying within one hundred (100) feet of a public street, or the use of more than two hundred (200) square feet of land area exposed to the weather in any location for the collecting, keeping, dismantling, storage, salvaging or abandonment of junk including wastepaper, rags, scrap metals or other scrap or discarded materials. The term "junk yard" shall include the term "automobile graveyard" as defined herein,

but shall not include any of the aforementioned activities where they are secondary or incidental to an approved use.

- 14-20.159 Jurisdiction.** Any governmental unit or political division or subdivision including but not limited to the government of the Town, County, Commonwealth, or United States, or any such territory over which the governmental unit exercises power and authority.
- 14-20.160 Landscaping.** The modification of existing site conditions by earthwork, planting, and/or structural installation to complete a desired landscape scheme.
- 14-20.161 Laundry, Laundromat, or Dry Cleaners.** A commercial establishment that provides washing, drying, ironing, and/or dry cleaning services to customers, and which may or may not include self-service machines on the premises.
- 14-20.162 Library.** Structure, either publicly or privately owned, used for collection and storage of books, periodicals, and similar materials, and providing facilities for reading, research and/or borrowing of the collected materials.
- 14.20.163 Light Manufacturing.** See Manufacturing, Light.
- 14-20.164 Lighting:** Definitions for lighting regulations:

Footcandle. Unit of luminance. One lumen per square foot. It is the luminous flux per unit area in the Imperial system. One footcandle equals approximately 0.1 (0.093) lux.

Floodlight. A specific form of lamp designed to direct its output in a specific direction (a beam) but with a diffusing glass envelope: Such lamps are so designated by the manufacturers and are typically used in residential outdoor area lighting.

Full Cutoff Light Fixture or Luminaire; Fully Shielded Light Fixture. A lighting fixture from which no light output, either directly from the lamp or a diffusing element, is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's light intensity is emitted at an angle 10 degrees below that horizontal plane, at all lateral angles around the fixture. Implicit in the definition is a fixture that is aimed straight down and has a flat lens. Any structural part of the light fixture providing this shielding must be permanently affixed

Glare. The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility. The magnitude of glare depends on such factors as the size, position, brightness of the

source, and on the brightness level to which the eyes are adapted. Also, light falling where it is not wanted or needed, typically across property boundaries.

High intensity discharge lamp. A mercury vapor, metal halide, or high or low pressure sodium lamp.

IESNA. Illuminating Engineering Society of North America Illuminance,

Luminance. The intensity of incident light at a point, measured with a light meter in footcandles or lux.

Initial lumens. The lumens emitted from a lamp, as specified by the manufacturer of the lamp.

Lamp. The component of a luminaire that produces light. A lamp is also commonly referred to as a bulb.

Light pollution. Any adverse effect of manmade light.

Lumen. Unit of luminous flux; used to measure the amount of light emitted by lamps.

Luminaire. The term "luminaire" means a complete lighting unit, less the support assembly, consisting of a lamp or lamps together with the components designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. A luminaire is also commonly referred to as a fixture.

Lux. Unit of luminance. One lumen per square meter. It is the luminous flux per unit area in the metric system. One lux equals approximately 10 (10.8) footcandles.

Installed. The attachment, or assembly fixed in place, whether or not connected to a power source, of any outdoor light fixture.

Outdoor light fixture or luminaire. An outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed or portable, used for illumination or advertisement.

14-20.165 Live-Work Unit. A building or space therein used jointly for commercial and residential purposes, which contains cooking, sleeping and sanitary facilities for inhabitants and adequate work space, which is regularly used by one or more persons residing therein, accessible from the living area. The commercial use of the building shall be limited to those uses permitted in the zoning district in which the unit is located.

- 14-20.166 Loading Space.** A space within the main building or on the same lot providing for the standing, loading, or unloading of trucks and other carriers.
- 14-20.167 Lot.** A designated parcel tract or area of land established by plat, subdivision or otherwise permitted by law, and occupied or intended to be occupied by a principal building or use and its accessory buildings and uses.
- 14-20.168 Lot Area.** The total area within the boundary lines of a lot excluding any public land.
- 14-20.169 Lot, Corner.** A lot located at the intersection of two or more streets, which streets have an angle of intersection of not more than 135 degrees.
- 14-20.170 Lot, Coverage.** The portion of the lot that is covered by buildings or structures, including accessory buildings or structures.
- 14-20.171 Lot Depth.** The average horizontal distance between the front lot line and the rear lot line.
- 14-20.172 Lot, Interior.** A lot bounded by a street on only one (1) side, and a lot other than a corner lot.
- 14-20.173 Lot Frontage.** See Frontage, Lot.
- 14-20.174 Lot Line.** A property boundary line of any lot, except that, in the case of any lot abutting a street, the lot line for such portion of the lot as abuts the street shall be deemed to be the same as the street line, and not be the center line of the street, or an other line within the street even though such may be the property boundary line.
- 14-20.175 Lot Line, Front.** In the case of an interior lot, a line separating the lot from the street or right-of-way providing the principal means of access; in the case of a corner lot, a line separating the narrowest frontage of the lot from a street or right-of-way providing the principal means of access, and in the case of a flag lot, the lot line closest to and most nearly parallel with the street which serves the lot.
- 14-20.176 Lot Line, Rear.** The boundary of a lot which is opposite the front lot line. If the rear lot line is less than 10 feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line 10 feet in length within the lot, parallel to and the maximum distance from the front lot line.
- 14-20.177 Lot Line, Side.** Any boundary of a lot that is neither a front lot line nor a rear lot line.
- 14-20.178 Lot of Record.** A lot which has been recorded in the Office of the Clerk of the Circuit Court of Orange County, Virginia.

- 14-20.179 Lot, Width.** The horizontal distance between side lot lines measured at the required minimum front setback line.
- 14-20.180 Machine or Equipment Sales, Service, and/or Rental.** Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, or similar industrial equipment, including recreational equipment such as inflatable bouncers and slides, tents, and similar party or event equipment. Included in this use type is the incidental storage, maintenance, and servicing of such equipment.
- 14-20.181 Manufactured Home.** See Dwelling, Manufactured Home.
- 14-20.182 Manufacturing and Assembly.** The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials including but not limited to oils, plastics, resins, etc.
- 14-20.183 Manufacturing, Heavy.** An establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce smoke, noise, dust, glare, noxious fumes, odors, or vibration beyond its property line.
- 14-20.184 Manufacturing, Light.** An establishment engaged in indoor manufacturing, assembly, fabrication, packaging, distribution or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are no detrimental effects across property lines, or where such effects are minor in the opinion of the Zoning Administrator. This term includes but is not limited to a business engaged in the processing, fabrication, assembly, treatment, or packaging of food, textile, leather, wood, paper, chemical, plastic, or metal products, but does not include basic industrial processing from raw materials.
- 14-20.185 Marquee, Building.** A permanent, roofed structure, not constructed of fabric or other flexible material, projecting from and wholly supported by a building and extending beyond the building wall at an entrance to the building, and which is generally designed and constructed to provide protection from the weather.
- 14-20.186 Medical Clinics and Offices.** Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing health services to people on an out-patient basis.
- 14-20.187 Mini-Warehouses and Self-Storage Units.** A structure containing separate storage spaces of varying sizes leased or owned on an individual basis for self-storage of business, household, or contractors supplies.

- 14-20.188 Mixed-Use.** A lot, parcel or structure which contains residential uses as well as commercial uses. This term shall be inclusive of the term “Mixed Commercial Use Dwelling,” provided that the terms “Home Occupation” and “Live-Work Unit” as herein defined shall be considered distinct and separate uses for the purposes of administering this Ordinance.
- 14-20.189 Monument Manufacturing and Sales.** An establishment engaged in the manufacture and/or sale of headstones, plaques and similar elements for memorials.
- 14-20.190 Motel.** Any building containing more than twelve (12) guest rooms where, for compensation, temporary lodging is provided to transient persons, and which is distinguished from a hotel primarily by reason of providing direct independent access to, and adjoining parking spaces for, each guest room.
- 14-20.191 Movie Theatre.** See Indoor and Outdoor Theatre.
- 14-20.192 Multi-Use Trail or Path.** A multi-use path or shared use trail is a paved facility with minimal cross flow by motor vehicles that is intended to be used by pedestrians, skaters (inline or roller), and bicyclists. It is generally designed for two-way travel, may be separated from and aligned with the street, and located within the street right of way. It may also be independent of the street and located within a separate right of way or easement.
- 14-20.193 Museum.** A building which provides educational or aesthetic opportunities for the visiting public on a regular schedule. Artifacts, artwork, historical documents, photographs, costumes, and other objects are exhibited and cared for by a professional staff. The facility may include accessory meeting rooms and lecture halls.
- 14-20.194 New Urbanism.** A pattern of urban design which incorporates various traditional town planning principles, including narrow streets, on-street parking, interconnected streets, alleys, small front setbacks, mixed-uses and similar features in an effort to reintegrate the components of modern life into compact, pedestrian-friendly, mixed-use neighborhoods linked by transit and set in a larger regional open space framework.
- 14-20.195 Nonconforming Building or Structure.** An otherwise legal building or structure that does not conform with the lot area, yard, height, lot coverage, or other area regulations of this Ordinance for the district in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.
- 14-20.196 Nonconforming Lot.** An otherwise legally platted lot that does not conform to the minimum area or width requirements of this Ordinance for the district in

which it is located either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.

- 14-20.197 Nonconforming Sign.** An otherwise legal sign that does not conform with the regulations of this Ordinance for the district in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.
- 14-20.198 Nonconforming Use.** The otherwise legal use of a building or structure or a tract of land, other than a sign, that does not conform with the regulations of this Ordinance for the district in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.
- 14-20.199 Non-Profit Organization.** A non-profit organization incorporated under the provisions of section 501 [c] 3 of the federal code.
- 14-20.200 Nursery and Greenhouse, Retail.** An establishment for the growth, display, and/or sale of plants, flowers, shrubs, trees, and other nursery items used in indoor or outdoor planting directly to consumers, and for related accessory sales and uses, provided the definition shall not include a tree farm or arboretum.
- 14-20.201 Nursing Home.** An extended or intermediate care facility licensed or approved by the Commonwealth of Virginia to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness, or infirmity are unable to care for themselves.
- 14-20.202 Occupancy Load.** The maximum number of persons permitted to occupy a building or portion thereof as determined by the Building Code and Fire Prevention Code.
- 14-20.203 Off-Site.** Area outside the boundary of the lot or parcel of land to be developed or planned for development.
- 14-20.204 On-Site.** Area within the boundary of the lot or parcel of land to be developed or planned for development.
- 14-20.205 Open Space.** An area that is intended to provide natural light and natural air, and is designed for either environmental, scenic, or recreational purposes, or any combination thereof. Open space may include, but is not limited to, lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, undisturbed natural areas, wooded areas, water bodies and those areas where landscaping and screening are required by provisions of this Zoning Ordinance. Open space shall not include driveways, parking lots or other vehicular surfaces; any area occupied by a building, nor areas so located or of such size or shape as to have no substantial aesthetic or recreational value and any area within individual residential lots. Open space parcels shall not be required to

meet the minimum lot size, lot width or yard area requirements of the district regulations.

- 14-20.206 Open Space, Common.** Open space within or related to a development, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of a development.
- 14-20.207 Open Space, Public or Civic.** Open space maintained for the use and enjoyment of the general public.
- 14-20.208 Orchard or Vineyard.** A collection of fruit trees or vines on any parcel of land which are planted, managed, and cultivated for commercial gain.
- 14-20.209 Outdoor Recreation Facility.** A recreational land use conducted outside of a building in open or partially enclosed or screened facilities, characterized by active recreational activities that require substantial modification to the existing setting, including athletic fields, skateboard parks; swimming, bathing, wading and other recreation or therapeutic facilities; tennis, handball and basketball courts; and batting cages, but excluding those uses classified more specifically by definition. Any such non-commercial or not-for-profit facility constructed within a park or playground; or upon any property where a public school or religious institution is located; or within any improved recreational space in any residential development; shall not be considered an outdoor recreation facility for the purposes of administering this Ordinance.
- 14-20.210 Outdoor Sales Display.** The area used for the display and sale of merchandise located outdoors and typically facing a street or off-street parking area.
- 14-20.211 Outdoor Storage Area.** The storage, collection, stockpiling, or safekeeping of materials, products, vehicles, equipment, trailers and the like outside of the confines of an enclosed building or within an unenclosed, uncovered area, but not for the purposes of outdoor sales display.
- 14-20.212 Owner-Applicant.** An individual, corporation, proprietor, trust, trustee, joint venture, partnership, or other entity having legal interest in a tract or parcel of land, or another individual or entity to act on their behalf in planning, negotiation, or in representing or executing the requirements of the ordinances of the Town, as to which an application is being made to the Town or Zoning Administrator, so long as any applicant who is not the owner of the legal title to the land that is the subject of the application provides and files with the Zoning Administrator a consent to the application signed by such owner.
- 14-20.213 Parapet Wall.** The extension of the main walls of a building above the roof level.
- 14-20.214 Parcel.** A continuous quantity of land, as shown on the official parcel maps of the County Commissioner of the Revenue and/or an approved record plat, in the

possession of, owned by, or recorded as the property of the same person or persons.

- 14-20.215 Park or Playground.** A non-commercial, not-for-profit outdoor area open to the general public designed to serve the recreation needs of the residents of the community. Such facilities include improved recreation space within residential developments and neighborhoods (i.e. neighborhood parks); pocket parks and plazas; tot lots and playground facilities; and school and religious institution ball fields, football fields, and soccer fields, provided they meet the above definition. Commercial amusement facilities and outdoor recreation facilities as defined in this Ordinance shall not be considered parks.
- 14-20.216 Park, Neighborhood.** A public park that is less than fifteen acres in size, located in the central area of a neighborhood and intended to serve the needs of people living or working within one-half mile radius of the park. Neighborhood parks are generally accessible to the neighborhood population by bicycle and pedestrian ways and may include passive recreation areas and such active areas as jogging and bicycle paths, picnic pavilions and tables, playgrounds, and small athletic facilities.
- 14-20.217 Park, Pocket.** A small neighborhood park that is one acre or less in size.
- 14-20.218 Parking Aisle.** See Aisle, Drive or Parking.
- 14-20.219 Parking Bay.** Rows of parking separated by an aisle. A parking bay may be single-loaded (parking on one side only) or double-loaded (on both sides).
- 14-20.220 Parking Garage.** A deck, building or structure or part thereof used for the parking of vehicles, but not for the storage of such vehicles, available to the public with or without compensation, or used to accommodate clients, customers or employees.
- 14-20.221 Parking Lot or Parking Area.** An authorized area not within a building where motor vehicles or other passenger vehicles or trucks are stored for the purpose of temporary, day, or overnight off-street parking.
- 14-20.222 Parking, Off-Street.** Parking in spaces designated outside of the street right-of-way.
- 14-20.223 Parking, On-Street.** Parking in spaces designated within the street right-of-way.
- 14-20.224 Parking Space.** Usable space within a public or private parking area, or a building of sufficient size and area, exclusive of access drives, aisles or ramps, for the storage of one properly spaced passenger automobile or commercial vehicle.
- 14-20.225 Parking, Street.** See Parking, On-Street.

- 14-20.226 Patio Home.** For purposes herein, same as atrium house (See Atrium House, Townhouse Dwelling).
- 14-20.227 Performance Bond or Payment.** A bond of surety, and/or cash deposit equal to the full cost of improvements required by these regulations and providing for completion of said improvements within a definite term, including the payment of any subcontractors.
- 14-20.228 Pet.** Small, domestic animals that are customarily kept in the house or residential yard for the company or enjoyment of the owner, such as but not limited to dogs, cats, rabbits, birds, rodents, fish and other such animals that pose no threat, harm or disturbance to neighboring residents or properties.
- 14-20.229 Pet Grooming.** A commercial business limited to the routine grooming of household pets, as defined herein, including bathing, hair cutting and similar functions.
- 14-20.230 Pet Store.** Any business establishment or premises or part thereof primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals and farm animals such as horses, goats, sheep, and poultry; but shall not include the Humane Society, animal shelters, animal research facilities, zoos, veterinarians duly licensed under the law, breeders, and commercial breeding kennels.
- 14-20.231 Pharmacy.** An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, medical appliances, cosmetics, and related supplies, and which may or may not offer for sale a limited line of groceries and household items.
- 14-20.232 Placard.** A public notification sign displayed by the Town of Orange on a lot or parcel which is the subject of a pending zoning case or upcoming public hearing.
- 14-20.233 Planning Commission.** The Planning Commission of the Town of Orange, Virginia.
- 14-20.234 Plat.** A diagram or map, prepared by a person licensed to prepare plats in the Commonwealth of Virginia, drawn to scale showing tracts, parcels, lots, subdivisions, land boundaries, legally recordable in the clerk's office; together with all data essential to the description and identification of the elements shown thereon, and including one or more certificates indicating approval. A plat differs from a plan in that it does not necessarily show additional cultural, drainage, and relief features. When used as a verb, "to plat" shall mean the act or process of creating such a diagram or map.
- 14-20.235 Plaza.** A public open space at ground level wholly or partly enclosed by a building or buildings. Plazas are paved areas typically provided with amenities

such as seating, drinking and ornamental fountains, art, trees, and landscaping, for use by pedestrians.

- 14-20.236 Porch.** A structure attached to a building to shelter an entrance or to serve as a semi-enclosed space, usually roofed and generally open-sided, but it may be screened or glass enclosed.
- 14-20.237 Pre-School.** See Child Care Center.
- 14-20.238 Printing and Photo Processing, Retail and Wholesale.** An establishment specializing in the custom printing, imprinting, reproduction or duplication of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, photographic processing, blueprinting, facsimile sending and receiving, publishing, binding, and engraving, and including offset printing, lithography, web offset, flexographic, and screen process printing.
- 14-20.239 Professional Office.** A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations, including business offices and establishments providing direct administrative services to consumers, such as attorneys, insurance agencies, advertising agencies, title insurance companies, real estate offices, travel agencies, tax preparation companies, stockbrokers, and the like, but excluding medical offices or offices that are incidental and accessory to another business or sales activity that is the principal use.
- 14-20.240 Property.** Any tract, lot, or parcel, or several of the same collected together for the purpose of subdividing, preparing a site development plan, and/or developing.
- 14-20.241 Public Facilities Manual.** The Town of Orange Public Facilities Manual. This manual provides standards and specifications for the construction of public facilities and utilities within the Town.
- 14-20.242 Public Transportation Facility.** Without limitation, a combination of real and personal property, structures, improvements, buildings, equipment, vehicle parking, or other facilities, and rights-of-way, or any combination thereof, used or useful for the purposes of public transportation.
- 14-20.243 Public Water and Sewer System.** A water or sewer system owned and operated by a municipality or county, or owned and operated by a private individual or a corporation approved by the Governing Body and properly licensed by the State Corporation Commission.
- 14-20.244 Recycling Center.** A facility that is not a junk yard and in which recoverable resources, such as newspapers, magazines, books, and other paper products, glassware, metal cans, and other products are collected, sorted, stored, flattened,

crushed, shredded or bundled, either by machine or by hand, within a completely enclosed building, in preparation for shipment to another facility for further processing or remanufacture into new materials or products.

- 14-20.245 Recycling Collection Point.** An incidental use that serves as a neighborhood drop-off point for recoverable resources, for temporary storage in containers, or small structures, not including processing of such items.
- 14-20.246 Repair Garage.** The use of a site for the repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. This use includes muffler shops, tire sales and installation, wheel and brake shops, transmission or engine overhauling and/or repair, auto parts stores, towing services, and similar repair and service activities, provided that automotive body repair shops and automotive service stations shall be considered separate uses, and provided further that this use shall not include the dismantling or salvage of any such vehicle.
- 14-20.247 Repair Garage, Commercial Vehicle.** A repair garage which engages in the repair of commercial vehicles in addition to or instead of those vehicle types listed in Section 14-20.244.
- 14-20.248 Restaurant.** An establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, and including facilities where the customer consumes these foods while seated at tables or counters, whether these facilities are located within the building or directly adjacent to the building in an outdoor eating area. This definition also includes cafes, cafeterias, sit-down restaurants, fast food restaurants, tea rooms, confectionery shops, coffee shops, refreshment stands, and outdoor cafes, provided that any restaurant which includes drive-in and/or drive-through facilities shall also be subject to the requirements for such uses.
- 14-20.249 Retail Establishment.** A commercial enterprise that provides goods and/or service directly to the end consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser, but excluding those uses classified more specifically by definition.
- 14-20.250 Right-of-Way.** A strip of land occupied or intended to be occupied by a street, sidewalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. May include a fee simple or easement ownership.
- 14-20.251 Right-of-Way Line.** The lines that form the boundaries of a right-of-way.
- 14-20.252 Road.** See Street.
- 14-20.253 Road, Service.** See Street, Service.

- 14-20.254 School.** Any public, parochial, or private place of instruction that provides a curriculum of elementary or secondary academic instruction, including pre-kindergartens, kindergartens, elementary schools, middle schools, junior high schools, vocational schools, and high schools, meeting all the licensing requirements of the Commonwealth of Virginia.
- 14-20.255 Screen or Screening.** A method of visually shielding or obscuring an abutting or nearby property, use or structure from another by fencing, walls, earthen berms, or densely planted vegetation, or any combination of such elements which creates a visual or noise barrier.
- 14-20.256 Self-Service Storage Units.** See Mini-Warehouse.
- 14-20.257 Service Station.** Buildings and premises in which the primary use is the supply and dispensing at retail sales of one or more of the following: motor fuels, lubricants, batteries, tires, motor vehicle accessories; and wherein additional mechanical services may be rendered and sales made, but only as accessory and incidental to the primary occupation. Uses permissible at a service station shall not include body work, straightening of body parts, painting, welding, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations. Snack foods, tobacco, hot and cold drinks, newspapers and similar convenience goods may be sold as accessory to the principal use.
- 14-20.258 Setback.** The minimum or maximum distance by which any building or structure must be separated from the front, side, or rear lot line, excluding projections such as roof overhangs, gutters and downspouts, and balconies that do not attach to the ground and do not extend more than five (5) feet from any exterior building wall. With reference to a parking area, the minimum or maximum distance such parking area must be separated from the front, side, or rear lot line.
- 14-20.259 Setback Line.** The line which establishes the required setback. The same as the required building line.
- 14-20.260 Shopping Center.** A group of five (5) or more retail and/or other commercial establishments that is planned, owned, and managed as a single property with common, shared parking facilities and combined access points to the public road system.
- 14-20.261 Shrub.** A low-growing, usually multi-stemmed, woody plant.
- 14-20.262 Sidewalk.** A paved surface or leveled area separated from the street and used as a pedestrian walkway.
- 14-20.263 Sign.** Any display of any letters, words, numerals, figures, devices, emblems, pictures, structural forms, corporate logos (including symbols, color patterns or

other features that communicate brand identity) or any parts or combinations thereof, by any means whereby the same are made visible for the purpose of making anything known, whether such display be made on, attached to, or as a part of a structure, surface or any other thing, including, but not limited to, the ground, any rock, tree, or other natural object, which display is visible on or beyond the boundaries of the parcel of land on which the same is made. A display of less than two (2) square feet in area is excluded from this definition. For the purposes of this chapter, the term “sign” shall include all structural members or support apparatus.

- 14-20.264 Sign, Abandoned or Obsolete.** Any sign that identifies or advertises a business, lessor, owner, product, service, or activity that is no longer located on the premises where the sign is displayed and has vacated the premises for a period of time exceeding that which is established by this Ordinance.
- 14-20.265 Sign, Affixed to a Tree.** Any sign nailed, tethered, or attached to any part of a tree or other vegetation.
- 14-20.266 Sign, Animated or Moving.** Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement. Such signs shall include but not be limited to pennants, propellers, inflatable figures, balloons, discs and any sign with moving parts.
- 14-20.267 Sign, Balustrade.** Any sign or sign support attached to a balustrade.
- 14-20.268 Sign, Banner.** A sign made of flexible materials such as cloth, vinyl, paper, flexible plastic, or fabric of any kind, provided that this definition shall not include flags, pennants, or public banner signs. All such banner signs shall be considered temporary signs.
- 14-20.269 Sign, Billboard.** An off-premises sign, located outdoors, which is designed, intended, or used to advertise goods, merchandise, services, or entertainment to the traveling public, and/or to give distances and directions to the same, and which is visible from any public right-of-way or street.
- 14-20.270 Sign, Bulletin Board.** An outdoor message board typically enclosed within a cabinet having a glass door, for the posting of messages to pedestrians and the general public, including but not limited to news bulletins, maps, event information, and rules and regulations.
- 14-20.271 Sign, Canopy or Awning.** A sign painted or attached to an awning or other covered area or structure, other than a marquee, which extends from the wall of a building or which is freestanding, such as the structure that covers a gasoline pump island.
- 14-20.272 Sign, Changeable Message or Copy.** A sign, or part of a sign, that is designed so that characters, letters or illustrations can be changed or rearranged through

manual or mechanical means without altering the face or surface of the sign. Electronic message board signs and time and temperature signs shall not be considered a changeable message sign for the purposes of administering this Ordinance.

- 14-20.273 Sign, Commemorative.** A sign, tablet, or plaque commemorating or memorializing a person, event, structure, or site.
- 14-20.274 Sign, Commercial.** A sign promoting, advertising, or directing attention to, in whole or in part, a business, commercial enterprise, commodity, service, or entertainment conducted, sold or offered on the same premises upon which the sign is displayed.
- 14-20.275 Sign, Construction.** A temporary sign erected on the premises where construction is taking place, during the period of the construction. The sign may indicate the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financiers, sponsors and similar individuals or firms having a role or interest with respect to the structure or project.
- 14-20.276 Sign Copy or Message.** Any letter, word, numeral, figure, symbol, logo, insignia, emblem, graphic, device or combination thereof which is primarily intended to advertise, identify, or notify.
- 14-20.277 Sign, Directional.** An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "entrance", "exit", "parking", "one way", or similar directional instruction, but not including any advertising message.
- 14-20.278 Sign, Directory.** A sign or group of signs attached to a building or freestanding which identifies a business, owner, occupant, location or occupation of a group of businesses, but contains no advertising. A shopping center sign, industrial park sign or office park sign shall not be considered a directory sign for the purposes of administering this Ordinance.
- 14-20.279 Sign, Double-Sided or Double-Faced.** A sign with two (2) display areas against each other, where one face is designed to be seen from one direction and the other side from another direction.
- 14-20.280 Sign, Electronic Message Board.** A sign that uses a series of lights, such as light-emitting diodes (LEDs), to form a message or messages that may be programmed or modified through electronic means. An electronic time and/or temperature sign and an electronic fuel price sign shall not be considered electronic message board signs for the purposes of administering this Ordinance if the same are in accord with the definitional requirements for such signs.
- 14-20.281 Sign, Face.** The area or display surface used for the copy or message, not including the support structure.

- 14-20.282 Sign, Flashing.** A sign used for identification, direction, advertising or promotion that includes lights which flash, blink, turn on and off intermittently, or which are not constant in intensity or color at all times when a message is being displayed.
- 14-20.283 Sign, Freestanding.** See Sign, Ground-Mounted.
- 14-20.284 Sign, Fuel Price.** A changeable copy sign advertising the current price of fuel sold on the premises.
- 14-20.285 Sign, Fuel Pump.** A sign affixed to or mounted on a fuel pump.
- 14-20.286 Sign, Glaring.** A sign with a light source of such brightness as to constitute a hazard or nuisance to vehicle operators, pedestrians, or adjoining properties or uses.
- 14-20.287 Sign, Ground-Mounted.** A sign which is supported by structures or supports in or upon the ground and independent of any support from any building. A monument sign shall be considered a type of ground-mounted sign, provided, however, that monument signs shall be subject to the requirements applicable to monument signs and not ground-mounted signs.
- 14-20.288 Sign, Handicapped Parking.** A sign which reserves a space for parking and/or unloading for disabled customers, employees, or visitors, and which is in compliance with the Americans with Disabilities Act (ADA) and the Building Code.
- 14-20.289 Sign, Historical.** A sign older than fifty (50) years, which has not been modified from its original function or appearance except by normal wear.
- 14-20.290 Sign, Home Occupation.** A sign containing only the name and occupation of a permitted home occupation.
- 14-20.291 Sign, Illuminated.** A sign illuminated in any manner by an artificial light source, whether internal or external, which is part of the sign proper.
- 14-20.292 Sign, Indirectly Illuminated.** A sign illuminated by a source such as spotlight, floodlight, or gooseneck lamp which is separate from the sign and casts its light onto the sign from some distance.
- 14-20.293 Sign, Industrial or Office Park.** A sign which, by means of symbol or name, identifies a commercial, industrial, or office park, or other development that may contain a mixture of residential, commercial, or industrial uses, and may list the names of each company located within such park in accord with the limitations of this Ordinance .

- 14-20.294 Sign, Informational.** An on-premises sign conveying instructions with respect to the premises on which it is displayed, or giving directions, or providing information to the public at large by official notices, place names, tourist information, and the like.
- 14-20.295 Sign, In or Over a Public Right-of-Way.** Any sign, other than a projecting sign or wall sign, which is erected within or over a public right-of-way by a private (i.e. non-public) person or entity.
- 14-20.296 Sign, Marquee.** A sign painted on or attached to a building marquee.
- 14-20.297 Sign, Monument.** A type of ground-mounted sign in which the sign and structure are an integral part of one another, and which is affixed to a solid base that is over half the width of the sign, built on grade, and typically constructed of brick, stone, or other masonry.
- 14-20.298 Sign, Non-Commercial.** A sign that does not direct attention to a business, service or commodity for sale.
- 14-20.299 Sign Not Visible Beyond the Property.** A sign that is not visible beyond the boundaries of the lot or parcel upon which it is located or from any public right-of-way.
- 14-20.300 Sign Obstructing Visibility or Access.** Any sign that obstructs the visibility of motorists at intersections, driveways or outlets or blocks any door, fire escape, stairway, or any opening intended for access to or from any building, or that completely covers or blocks any window or any opening intended for light or air within any building.
- 14-20.301 Sign, Off-Premises.** A sign which directs attention to a use, business, commodity, activity, service or establishment conducted, sold or offered at a location other than the premises on which the sign is located.
- 14-20.302 Sign, On-Premises.** Any sign identifying or advertising a use, business, commodity, activity, service, or establishment conducted, sold, offered or located on the premises where the sign is installed and maintained.
- 14-20.303 Sign, Outdoor Neon.** Any outdoor sign that uses neon, argon, or any similar gas to illuminate transparent or translucent tubing or other materials, or any use of neon, argon, or any similar gas lighting on or near the exterior of a building or window.
- 14-20.304 Sign, Painted.** Any sign painted on the exterior surface of a building.

- 14-20.305 Sign, Pennant.** A sign, with or without a logo, imprinted on a tapering piece of cloth or other flexible material suspended from one or two corners and used in combination with other such signs to create the impression of a line.
- 14-20.306 Sign, Permanent.** A sign constructed of durable materials and designed or intended for long-term use.
- 14-20.307 Sign, Placard.** See Placard.
- 14-20.308 Sign, Political.** A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election, campaign, court decision, legislative or executive action, or other political vote.
- 14-20.309 Sign, Portable.** A sign not permanently affixed to the ground or to a building, including any sign attached to or displayed on a vehicle that is used for the expressed purpose of advertising a business establishment, product, or service, or entertainment, when that vehicle is so parked as to attract the attention of the motoring or pedestrian traffic. Examples of such signs include A-frame or “sandwich board” signs.
- 14-20.310 Sign, Portable Changeable Fuel Price.** A portable, changeable message sign advertising the current price of fuel sold on the premises.
- 14-20.311 Sign, Portable Changeable Message.** A portable, changeable message sign.
- 14-20.312 Sign, Private Drive.** A sign erected at the intersection of a private driveway and a public street, with the message content limited to the words “Private Drive” and/or the name of the drive.
- 14-20.313 Sign, Private Yard Sale.** A temporary sign advertising private sales of personal property (such as garage sales or rummage sales).
- 14-20.314 Sign, Projecting.** A sign attached to and projecting out from a building face or wall, generally at right angles to the building.
- 14-20.315 Sign, Public.** Any sign erected and maintained by public officials or public agencies, or approved and authorized for use by federal, state or local government authorities.
- 14-20.316 Sign, Real Estate.** A sign that advertises the property on which it is located for sale, rent, or lease, including banner signs which meet this definition, provided, however, that banner signs displaying such information shall be subject to the limitations on the size, height, and number of banner signs within the various zoning district rather than the same limitations applicable to real estate signs. Such signs shall be removed upon the sale, rental or lease of the property on which it is located.

- 14-20.317 Sign, Roof.** A sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, or the lowest portion of a roof (i.e., eave line) for any building with a pitched, gambrel, gable, hip or mansard roof.
- 14-20.318 Sign, Sandwich Board or A-frame.** A portable ground sign constructed in such a manner as to form an “A” or tent-like shape and hinged or not hinged at the top.
- 14-20.319 Sign, Security or Warning.** A sign posted on private property posting such property for warning or prohibition against parking, trespassing, hunting, fishing, swimming, or other activity; or indicating the danger of a situation that is potentially dangerous; or indicating the presence of a security system or personnel.
- 14-20.320 Sign, Shopping Center.** Any sign designating a group of retail stores laid out and developed or operated as a unit according to an integrated design plan, which states the name of the center and may list individual stores or tenants in accord with the limitations of this Ordinance.
- 14-20.321 Sign, Special Sales or Event.** An on-premises, temporary sign advertising events or promotions such as grand openings, new management, new products, or special sales events including but not limited to holiday, clearance, or going-out-of-business sales; or advertising or announcing a special event or communitywide activity.
- 14-20.322 Sign, Temporary.** A sign or advertising display designed or intended to be displayed for a specified period of time.
- 14-20.323 Sign, Time and Temperature.** A sign integrated as part of a freestanding sign and attached below the primary sign(s) face or copy indicating the name of the business or establishment occupying the premises, which displays only the current time, temperature, and date and which is programmed to change at intervals of five (5) seconds or more.
- 14-20.324 Sign, Wall.** A sign attached to or painted on the exterior wall of a building and which projects away from the wall not more than twelve (12) inches, including a window sign which covers more than fifty (50) percent of a window or wall opening.
- 14-20.325 Sign, Window.** A sign painted, stenciled, or affixed entirely within or upon the flat surface of a window or door, or placed immediately behind the window so as to attract the attention of persons outside the building, but excluding merchandise in a window display.
- 14-20.326 Site Development Plan or Site Plan.** Detailed drawings indicating all building construction and land improvements, including landscape treatments and related information as required by this Ordinance.

- 14-20.326-SSS Social Services Shelter.** A structure other than a single family dwelling, operated by a nonprofit entity, where unrelated persons reside under supervision or 24 hour on site management and may receive special care, treatment and training.
- 14-20.326-SK Soup Kitchen.** A place where food is prepared and/or served without charge by a non-profit entity.
- 14-20.327 Spa.** A commercial establishment which employs professional, licensed therapists whose services include massage and body or facial treatments. Private treatment rooms are provided for clients receiving a personal service. Massage treatments may include are not limited to body pack and wraps, exfoliation, cellulite and hair treatments, electrolysis, body toning, waxing, aromatherapy, cleansing facials, medical facials, nonsurgical face lifts, and electrical toning. Hydrotherapy and steam and sauna facilities, nutrition and weight management, spa cuisine, and exercise facilities and instruction may be provided in addition to the massage and therapeutic treatment services.
- 14-20.328 Special Use Permit.** A permit for a use that, owing to some special characteristics attendant to its operation, installation, or relation to the neighborhood, is permitted in a district, subject to Town Council approval, in accordance with the provisions of Article 3 of this Ordinance. Special Use Permits are subject to special requirements and/or conditions that may be imposed by the Council different from those usual requirements for the district in which the special use is located.
- 14-20.329 Specimen Tree.** Any tree that has been individually designated by the Zoning Administrator to be notable by virtue of its outstanding size and quality for its particular species.
- 14-20.330 Stacking Space.** The space specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-thru or similar establishment. Such space is considered to be located directly alongside a drive-in window, facility, or entrance used by patrons and in lanes leading up to and away from the establishment.
- 14-20.331 Street.** A strip of land subject to vehicular and/or pedestrian traffic providing means of access to property; also designated as road, lane, drive, avenue, right-of-way, highway, boulevard, trail, court, place, terrace, and any other such thoroughfare. (see Street, Public).
- 14-20.332 Street Line.** The line between the street right-of-way and abutting property.
- 14-20.333 Street, Private.** Any right-of-way, easement or area set aside to provide vehicular access within a development that is not dedicated or intended to be dedicated to the Town and that is not maintained by the Town, and which is used

as the principal means of access to an abutting lot or lots. This definition shall not include private driveways.

- 14-20.334 Street, Public.** All public property reserved or dedicated for street traffic, improved to the standards set by the Town of Orange or the Virginia Department of Transportation, and maintained by the Town of Orange.
- 14-20.335 Street, Service.** A public right-of-way generally parallel with and contiguous to a major highway. Primarily designed to promote safety by eliminating pernicious ingress and egress to the major safe and orderly points of access to the major highway.
- 14-20.336 Stoop.** An uncovered, exterior floor typically, but not necessarily, constructed of concrete or masonry, with a finished floor elevation at least six inches higher than the adjacent ground level, and utilized primarily as an access platform to a building.
- 14-20.337 Stormwater Management.** Any system or management technique, or combination of such systems or techniques, designed to treat stormwater, or collect, convey, channel, hold, inhibit, or divert the movement of stormwater on, through, and from a site.
- 14-20.338 Story.** That portion of a building, other than the basement, included between the surface of any floor and the surface of the floor next above it. If there be no floor above it, the space between the floor and the ceiling next above it.
- 14-20.339 Structure.** Anything constructed or built for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water including, among others, buildings, stadiums, platforms, stagings, observation towers, telecommunications towers, radio and TV broadcasting towers, water tanks, trestles, piers, open sheds, coal bins, grain bins, shelters, walls, power line towers, and pipelines.
- 14-20.340 Structure, Principal or Main.** A structure in which is conducted the principal use of the lot on which it is situated.
- 14-20.341 Subdivision.** The division of a parcel of land into two (2) or more lots or parcel for the purpose of transfer of ownership, building development, or, if a new street is involved in such division, any division of a parcel of land, or any such division previously created upon which the construction or alteration of structures, roads, utilities, and other facilities; installation of septic systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetative cover (with the exception of bona fide agricultural or silvicultural activities) has occurred. The term “subdivision” shall include the term “resubdivision”, but shall not apply to a combination or recombination of previously platted lots or portions thereof where the total number of lots is not increased and (1) the resultant lots are equal to or

exceed the minimum standards set forth in this ordinance, or (2) the resultant lots are not more nonconforming with respect to the minimum standards set forth in this ordinance.

- 14-20.342 Supermarket or Grocery Store.** Stores where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.
- 14-20.343 Surveyor, Land.** A person who is recognized by the Commonwealth of Virginia who is registered with the State Department of Professional and Occupational Registration, or registered with a like body in another state, as a licensed surveyor.
- 14-20.344 Tattoo Shop.** An establishment whose principal business is the practice of one or more of the following: (1) placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; (2) creation of an opening in the body of a person for the purposes of inserting jewelry or other decoration.
- 14-20.345 Technology Services.** A retail business establishment which provides sales and/or services pertaining to one or more of the following: personal and business computer hardware or software; personal and business computing or networking; telecommunications devices, equipment, and systems; electronic navigation devices, equipment, and systems; electronic security systems; or any other specialized computer, electronic, or telecommunications equipment for home or business use.
- 14-20.346 Textile Mill.** An industrial establishment that processes fiber into fabric and/or fabric into clothing and other textile products.
- 14-20.347 Theatre.** See Indoor and Outdoor Theatre.
- 14-20.348 Thrift or Secondhand Store.** A shop that engages in or specializes in the sale or resale of previously owned or used goods and merchandise and whose merchandise is donated, principally donated, or consigned, such as clothing, household furniture, appliances, and sporting/recreational equipment. This classification does not include antique stores or secondhand motor vehicles, parts or accessories.
- 14-20.349 Tot Lot.** An improved and equipped play area for small children.
- 14-20.350 Town Council.** The Town Council of the Town of Orange, Virginia.

- 14-20.351 Town Engineer.** The engineer of the Town of Orange, Virginia, or the professional engineering firm contracted by the Town, or the individual(s) designated to serve in this capacity by the Town Manager or Town Council.
- 14-20.352 Townhouse Dwelling.** See Dwelling, Townhouse.
- 14-20.353 Transect Zone.** A zoning subclassification which provides a means of organizing the environment according to its urban form by using a continuum of development intensity ranging from the most rural condition to the most urban, and in which the zoning regulations are uniform.
- 14-20.354 Transient Person.** Any person who, either at his own expense or at the expense of another, obtains lodging or the use of any lodging space for any period of less than 30 consecutive days.
- 14-20.355 Tree, Canopy.** A deciduous tree that normally exceeds thirty (30) feet in height at maturity.
- 14-20.356 Tree Canopy or Coverage.** The outer limit of a tree's foliage shown from directly overhead and measured in square feet.
- 14-20.357 Tree, Ornamental or Understory.** A tree that normally does not exceed thirty (30) feet in height at maturity.
- 14-20.358 Tree Farm or Arboretum.** Any parcel of land used to raise or harvest trees established in the ground for collection purposes, or for wood products such as lumber, posts and poles, fuel wood, and Christmas trees.
- 14-20.359 Tree, Shade.** A woody plant, usually deciduous, that normally grows with one main trunk and has a canopy that screens and filters the sun in the summer and winter, respectively.
- 14-20.360 Tree, Street.** A tree that is currently located or proposed for planting along streets or highways. Such tree can be located on private property or on publicly held land. Street trees are typically planted in a linear fashion and provide spatial enclosure as well as other technical and aesthetic benefits.
- 14-20.361 Truck Terminal.** A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck. Included in the use type would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Post Office.
- 14-20.362 Upholstery Shop, Retail.** A business that repairs and replaces upholstery to household and office furnishings, but does not include motor vehicle upholstering or repair.

- 14-20.363 Use.** Activity proposed for any portion or part of a parcel, tract, or lot.
- 14-20.364 Use, Accessory.** See Accessory Use.
- 14-20.365 Utility.** A system of facilities provided by any agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other similar service; or a closely regulated private enterprise with an exclusive franchise for providing a public service; and the component parts of such facilities, including poles, wires, transformers, underground pipelines or conduits.
- 14-20.366 Variance.** A reasonable deviation from those 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 the ordinance 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 the ordinance, and would result in substantial justice being done.
- 14-20.367 Veterinarian.** See Animal Hospital or Clinic.
- 14-20.368 Wall.** An upright structure of building material, such as masonry, wood, or plaster, serving to enclose, divide, or protect an area, especially a vertical construction forming an inner partition or exterior siding of a building.
- 14-20.369 Warehouse.** A building used primarily for the storage of goods and materials.
- 14-20.370 Water Storage Tank.** An enclosed structure used for the storage of water for distribution, provided any such structure which is owned and/or operated by the Town of Orange shall be considered a utility for the purposes of administering this Ordinance.
- 14-20.371 Wetlands.** Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.
- 14-20.372 Winery.** An agricultural processing plant used for the commercial purpose of processing grapes, other fruit products, or vegetables to produce wine or similar spirits. Processing includes wholesale sales, crushing, fermenting, blending, aging, storage, bottling, administrative office functions for the winery and warehousing. Retail sales and tasting facilities of wine and related promotional items may be permitted as part of the wining operations.

- 14-20.373 Wholesale Establishment.** An establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies, but excluding those uses classified more specifically by definition.
- 14-20.374 Yard.** An open space on a lot other than a court, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.
- 14-20.375 Yard, Front.** An open space on the same lot as a building between the nearest front line of the building (exclusive of steps) and the front lot or street line, and extending across the full width of the lot.
- 14-20.376 Yard, Line.** A line representing the edge of a front, side or rear yard.
- 14-20.377 Yard, Rear.** An open unoccupied space on the same lot as a building between the nearest rear line of the building (exclusive of steps) and the rear line of the lot, and extending the full width of the lot.
- 14-20.378 Yard, Side.** An open unoccupied space on the same lot as a building between the nearest side line of the building (exclusive of steps) and the side line of the lot, and extending from the front yard line to the rear yard line.
- 14-20.379 Yard Sale or Garage Sale.** Use of the premises of a residential dwelling or yard for general sales of a temporary nature, open to the public with the purpose of disposing of personal, family, or household goods or articles. The term yard sale includes but is not limited to activities known as garage sales, porch sales, backyard sales, and moving sales.
- 14-20.380 Zoning Administrator.** An employee designated by the Town Council to administer the provisions of the Town of Orange Zoning Ordinance as provided herein.
- 14-20.381 Zoning District or Zone.** See District, Zoning.
- 14-20.382 Zoning Ordinance.** The most recently adopted Zoning Ordinance of the Town of Orange, including all approved additions, deletions and amendments.