

ARTICLE 2

DEFINITIONS

GENERAL USAGE

For the purpose of this Ordinance, certain words and terms are defined as follows:

Words used in the present tense include the future tense; words in the singular number include the plural number and words in the plural number include the singular number; unless the obvious construction of the wording indicates otherwise.

The word "shall" means mandatory.

Unless otherwise specified, all distances shall be measured horizontally.

The word "building" includes the word "structure"; the word "lot" includes the word "plot" and "parcel".

The word "used" shall be deemed also to include "erected", "reconstructed", "altered", "placed", or "moved".

The terms "land use" and "use of land" shall be deemed also to include, "building use" and "use of a building".

The word "State" means the Commonwealth of Virginia.

The word "Town" means the Town of Round Hill, Commonwealth of Virginia.

The word "County" means the County of Loudoun, Commonwealth of Virginia.

The word "person" includes a firm, associations, organization, partnership, trust, company, or corporation as well as an individual.

The term "Code of Virginia" shall include "as amended".

INTERPRETATION BY THE ZONING ADMINISTRATOR

In case of any dispute over the meaning of a word, phrase or sentence, whether defined or not, the Zoning Administrator is hereby authorized to make a definitive determination thereof, being guided in such determination by the purposes and intent of this Ordinance as set forth in Article 1, provided however that an appeal may be taken from any such determination as provided in Section 15.4 of this Ordinance

ARTICLE 2

DEFINITIONS

ACCESS: A means of approach or admission.

ACCESSORY APARTMENT: See “Interior or Exterior Accessory Apartment”

ACCESSORY DWELLING UNIT: another name for interior or exterior accessory apartment. See “Interior or Exterior Accessory Apartment.”

ACCESSORY HOMESTAY: An accessory use where all or part of a dwelling unit is rented to transient guests as temporary lodging. Transient occupancy is for a period of fewer than thirty (30) consecutive days.

ACCESSORY STRUCTURE: A building or structure subordinate and incidental to, and located on the same lot with a principal building, the use of which is customarily found in association with and is clearly incidental to that of a principal building or to the use of the land, and which is not attached by any part of a common wall or roof to the principal building. Accessory structures shall include exterior accessory apartments, private garage, carport, car cover, storage shed, tool shed, garden shed, private greenhouse, pool house, guest house, gazebo, barns, above ground decks, dog houses, playhouses, and any additional structures the Zoning Administrator finds are similar to those listed in scope, size and impact and which are otherwise in compliance with this Ordinance. At-grade structures such as basketball courts, tennis courts, patios, open dog kennels and swimming pools and surrounding apron/decks shall meet the established accessory structure setbacks; however, these structures are not included in the total allowable accessory structure footprint.

ACCESSORY STRUCTURE FOOTPRINT: See Footprint

ACCESSORY STRUCTURE HEIGHT: The vertical distance from the average finished grade at the lowest point of the building, structure, or wall exposed above the ground's surface to the highest point of the coping on a flat roof, the deck line of a mansard roof, or to the average height between the eaves and ridge for gable, hip, and gambrel roofs.

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 main building and located on the same lot with the principal use.

ACTIVE OPEN SPACE: Space outside of the primary building developed primarily for recreational activities. Active recreational uses of open space land include primarily programmed activities. Examples of Active Use amenities include athletic fields; court sports; fenced dog park, swimming pools; performance space; playgrounds.

ADDITION: any walled and roofed expansion to the perimeter of an existing building in which the addition is connected by a common loadbearing wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by independent perimeter load-bearing walls is new construction.

ARTICLE 2

AGRICULTURAL BUILDING OR STRUCTURE: A structure designed, constructed, and used to house farm implements, livestock or agricultural produce or products grown or raised on the premises by the owner or lessee and shall not include a residential dwelling unit

ALLEY: A right-of-way which provides secondary service access for vehicles to the side or rear of abutting properties.

ASSISTED LIVING FACILITY: A licensed non-medical residential facility that provides or coordinates personal and health care services, 24-hour supervision, and assistance for the care of four or more adults who are aged, infirm or disabled.

AUTOMOBILE GAS STATION: Any place of business with pumps and underground tanks, having as its purpose dispensing fuel to motor vehicles.

AUTOMOBILE SERVICE STATION: Any place of business having its purpose the servicing, at retail of motor vehicles, but not including a point or body shop, or machine shop.

BARREL, MALT BEVERAGE: The barrel used to contain a malt beverage with a volume of 31 gallons

BASEMENT: That portion of a building below the first-floor joists at least half of whose clear ceiling height is above the main level of the adjacent ground.

BED AND BREAKFAST: A single-family dwelling in which the principal use is permanent residential quarters; and in which as an accessory use, no more than three bedrooms are made available for transient occupancy, generally for not more than seven days, by no more than six guests for compensation.

BED AND BREAKFAST FACILITY: a type of guest lodging facility located within one single-family detached dwelling and any accessory apartment or guest house or existing commercial building, rented to transient guests as temporary lodging. The rented guest rooms or suites do not contain kitchens and do not constitute separate dwelling units, except accessory apartments. Transient occupancy is for a period of fewer than thirty (30) consecutive days.

BOUTIQUE HOTEL: a type of guest lodging facility designed as a small hotel, with no more than 100 guest rooms It is a commercial use consisting renting guest rooms to transient guests as temporary lodging nightly for a fee. The rented guest rooms or suites do not contain kitchens and do not constitute as separate dwelling units or accessory apartments. Transient occupancy is for a period of fewer than thirty (30) consecutive days.

BREWERY: A craft beverage establishment licensed in accordance with Title 4.1 of the Code of Virginia used for the annual production, packaging, and distribution of any malt beverage, on or off premise. The annual production, packaging, and distribution of any malt beverage is 500 or fewer barrels, of which at least 25% of the beverage produced on-site shall be consumed or sold at retail on-site. A brewery is not required to have a restaurant license. A brewery may include a tasting room or retail space to sell the

ARTICLE 2

products to patrons for on-site or off-site consumption.

BUFFERING OR SCREENING: For the purpose of this Ordinance, screening or buffering shall be defined as any device or natural growth, or a combination thereof, which shall serve as a barrier to vision or noise between adjoining properties, wherever required by this Ordinance. Whenever used for screening buffering purposes, "natural growth" shall be taken to mean coniferous trees, bushes and shrubbery.

BUILDABLE AREA: The area of the lot remaining after required yards have been provided.

BUILDING: A building in which is conducted the principal use of the lot on which it is located. Where a lot contains residential uses, the principal building on the lot shall mean the largest building that contains any dwelling unit.

BUILDING ATTACHMENT: A structure which is connected to a principal building by a fully enclosed above ground passageway with a common wall of 8' or more in length and having a finished floor, walls, and ceiling shall be deemed to be part of the principal building.

BUILDING COVERAGE; LOT COVERAGE: All areas under roof or projections from buildings on a lot; not to include uncovered decks, stoops or steps to grade.

BUILDING FOOTPRINT: See Footprint

BUILDING HEIGHT: The vertical distance from the average finished grade at the minimum front yard line to the highest point of the coping on a flat roof, the deck line of a mansard roof, or to the average height between the eaves and ridge for gable, hip and gambrel roofs.

BUILDING INSPECTOR: An appointed official responsible for certifying building inspections.

BUILDING, MAIN: A building in which is conducted the principal use of the lot on which it is situated. In any residential lot on which the same is located if the lot is used primarily for residential purposes.

CAREGIVER: An adult who provides care for a mentally or physically impaired person. A caregiver shall be either related by blood, marriage, or adoption to or the legally appointed guardian of the mentally or physically impaired person for whom he/she is caring.

CHILD: Any natural person under 18 years of age

CHILD CARE CENTER: An establishment which is licensed or approved to operate as a child care center in the Commonwealth of Virginia by the Virginia Department of Social Services, that enrolls two or more children under the age of 13 in a facility that is not the residence of the provider, or of any of the children in care, or 13 or more children at any location for whose care tuition, fees or other forms of compensation are charged. A child

ARTICLE 2

care center may include nursery schools or kindergartens.

COMMON OPEN SPACE: An open tract, or parcel of land owned in undivided interest, not devoted to residential uses or structures but directly related, and adjunct to a cluster development or planned development, as herein provided.

COMMUNITY EVENT: A preplanned event or program organized and operated by an entity other than the Town of Round Hill, open to the general public, and which is expected to be attended by more than 25 people.

COMMUNITY FACILITY: see Public Facility

COMMUNITY ROOM: A room within a public facility that can be used as a meeting place for education and/or social activities by the general public on a regular and/or occasional basis.

CONVENIENCE STORE: See Quick-Service Food Store

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

CRAFT BEVERAGE ESTABLISHMENT: A brewery, distillery or winery licensed in accordance with Title 4.1 of the Code of Virginia, as amended, in which beer, cider, mead, wine, distilled spirits, or other similar beverages are brewed, fermented, or distilled in quantities limited by the standards outlined in this Zoning Ordinance.

DEVELOPMENT: The process of erecting or causing to be erected buildings or structure on a lot.

DISTILLERY: A craft beverage establishment licensed in accordance with Title 4.1 of the Code of Virginia used for the production of distilled spirits for distribution, retail, or wholesale, on or off premise. The annual production, packaging, and distribution of distilled spirits is 0 to 5,000 gallons, of which at least 25% of the beverage produced on-site shall be consumed or sold at retail on-site. A distillery does not have a restaurant license. A distillery may include a tasting room or retail space to sell the products to patrons for on-site or off-site consumption.

DRIVEWAY: A space or area specifically designated and reserved on a lot for the movement of vehicles from one lot to another or from a lot to a street or way.

DRIVE-THROUGH FACILITIES: the use of land, buildings or structures to provide or dispense products or services through an attendant, window or automated machine to persons remaining in motorized vehicles that are in a designated stacking lane.

DUSTLESS SURFACE: A surface adequately covered with a minimum of either two applications of bituminous surface treatment, concrete, bituminous concrete, or equivalent paving material approved by the Planning Commission and to be maintained in good condition at all times.

ARTICLE 2

DWELLING: See “dwelling unit.”

DWELLING, SINGLE FAMILY ATTACHED (TOWNHOUSE): One of three or more residential buildings having a common or party wall separating dwelling units.

DWELLING, MULTI-FAMILY: A building containing three or more dwelling units (an apartment house), with the number of families in residence not exceeding the number of dwelling units provided.

DWELLING, SINGLE FAMILY: A residential unit designed for and occupied by one family only.

DWELLING, DUPLEX: A residential building containing not more than two dwelling units, arranged one above the other or side by side, designed for occupancy by not more than two families.

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

EASEMENT: A grant by a property owner of the use of his land by another party for a specific purpose.

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

EXTERIOR ACCESSORY APARTMENT: an independent dwelling unit, the presence and use of which is clearly subordinate to a single-family detached dwelling and in which no more than three (3) persons reside. It does not share a common wall, ceiling or floor with the main house. Examples of this type of apartment include a smaller structure in the rear yard or a unit above a detached garage.

FAMILY: A group of people living together consisting of (i) one or more persons related by blood or marriage together with any number of natural, foster, step or adopted children, domestic servants, nurses and therapists and no more than two roomers or boarders; or (ii) no more than 4 unrelated persons; or (iii) any group identified in Section 15.2-2291 of the Code of Virginia.

FAMILY DAY HOME: A childcare program offered in the residence of the provider, or the home of any of the children in care, when at least one child receives care in exchange for tuition, fees or other forms of compensation.

FAST FOOD ESTABLISHMENT: See "Drive-In Restaurant."

FLOOD PLAIN: Continuous sections of land, adjacent to bodies of water, which are subject to periodic flooding and inundation.

FLOOR AREA RATIO: The total floor area of a building (measured from exterior

ARTICLE 2

wall to exterior wall) divided by the total area of the lot upon which the building is to be constructed. For example, a 43,560-square foot lot (1 acre) with a .25 FAR would allow a maximum building area of 10,890 square feet.

FOOD ESTABLISHMENT: For a list of exclusions and exceptions see the Virginia Department of Health Food Regulations (12VAC5-421). A food establishment is defined by the Virginia Department of Health, as an operation that:

- a. stores, prepares, packages, serves, or sells food directly to the consumer or otherwise provides food to the public for human consumption, such as a restaurant, and
- b. relinquishes possession of food to a consumer directly or indirectly through a delivery service, such as home delivery of orders or restaurant takeout orders, or delivery service that is provided by common carriers, and
- c. conducts in a mobile, stationary, temporary, or permanent facility or location where consumption is on or off the premises and regardless of whether there is a charge for the food.

FOOTPRINT: The outline of the total area covered by a structure, measured from the outside of all exterior walls and columns, not including the area of porches, overhangs, and arbors.

FRONTAGE: Lot width.

GENERAL STORE: A single store, the gross leasable floor area of which is a maximum of 3,000 square feet and which offers a wide variety of everyday merchandise for sale.

GOOSENECK LIGHTING: a form of external illumination of a sign with lamps that hang over a sign, using lamps that are an attractive architectural component of the building.

GROSS FLOOR AREA (GFA): The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

GROSS LEASABLE AREA (GLA): The gross floor area (GFA) less enclosed storage areas, hallways, closets, stairwells, elevators and rest rooms.

GUEST HOUSE: an accessory building with living space that does not include cooking facilities, with no more than two (2) occupants. A guest house does not provide for independent living but is for temporary guests or accessory homestay of the principal residence.

GUEST LODGING FACILITY: a facility that provides transients temporary occupancy in guest rooms for less than thirty (30) consecutive days.

HEALTH OFFICIAL: The Director of the Loudoun County Department of Health or his designated deputy; Health Officer.

ARTICLE 2

HEAVY EQUIPMENT: Any vehicle in excess of 10 tons, commonly used in major earthmoving operations, such as site clearing, road building, or construction of large-scale buildings. Such vehicles include, but are not limited to, the following:

- a. Cranes
- b. Pan-scrapers
- c. Bulldozers
- d. Steamrollers
- e. Backhoes
- f. Graders
- g. Water-drilling rigs
- h. Paving Machines
- i. Loaders
- j. Trenching Machines
- k. Dump Trucks

HOME OCCUPATION: a business, profession or other economic activity conducted full- or part-time in the principal residence of the person conducting the business.

HOMEOWNERS' ASSOCIATION: A non-profit organization operating under recorded land agreements through which:

- a. each lot and/or homeowner in a clustered or planned development is automatically a member, and
- b. each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property, and
- c. the charge if unpaid becomes a lien against the property.

HOSPITAL: Any licensed and State of Virginia accredited institution receiving in-patients and rendering medical and/or surgical care. This shall include general hospitals and institutions in which service is limited to special fields such as cardiac, eye, ear, nose, throat, pediatric, orthopedic, dermatology, cancer, mental, tuberculosis, chronic disease, and obstetrics. The term "hospital" shall also include sanitariums, including institutions wherein mentally handicapped, emotionally disturbed, and drug dependent patients are treated or cared for under the supervision of licensed medical personnel.

INTERIOR ACCESSORY APARTMENT: an independent dwelling unit, the presence and use of which is clearly subordinate to a single-family detached dwelling and in which no more than three (3) persons reside. It is contained within the structure of a single-family dwelling. It will share a common wall, ceiling or floor with the main house. Examples include basement apartments, attic units and apartments within an addition attached to the primary residence.

INTERIOR RECREATION SPACE: a space within the primary structure used for recreational activities for guests or residents such as an arcade, craft room, fitness center,

ARTICLE 2

theater, swimming pool, multi-media room or studio space.

KITCHEN: Room with a sink, a stove, range top or oven; or similar cooking facility or cooking appliance. A kitchen shall not be permitted in a rooming unit. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

LOADING SPACE: Any off-street space available for the loading or unloading of goods, not less than fifteen feet wide, twenty-five feet long and fourteen feet high, and having direct useable access to a street or alley, except that where one such loading space has been provided, any additional loading space lying alongside, contiguous to and not separated from such first loading space need not be wider than twelve feet.

LOT: A parcel of land occupied or to be occupied by a building and its accessory buildings, together with such open spaces as are required under the provisions of this Ordinance, having at least the minimum area required by this Ordinance, having at least the minimum area required by this Ordinance for a lot in the zone in which such lot is situated, and having its principal frontage on an approved public or private access easement. The term "record lot" means the land designated as a separate and distinct parcel of land on a legally recorded subdivision plat filed among the land records of Loudoun County but does not include land identified on any such plat as an outlot.

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

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

LOT, DEPTH OF: The average horizontal distance between the front lot line and the rear lot line, measured along a straight line.

LOT, INTERIOR: Any lot other than a corner lot, but including a through lot.

LOT, THROUGH: An interior lot, fronting on two parallel or approximately parallel streets.

LOT, WIDTH: The horizontal distance between side lot lines measured at the front property line and at the required front yard.

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

MAJOR ROAD: A collector or arterial road.

ARTICLE 2

MENTALLY OR PHYSICALLY IMPAIRED PERSON: A person who is a resident of Virginia and who requires assistance with two or more activities of daily living, as defined in Virginia State Code Section 63.2-2200, as certified in a writing by a physician licensed by the Commonwealth.

MOBILE FOOD UNIT: a food establishment mounted on wheels (excluding boats in the water) readily moveable from place to place and shall include, but not be limited to, pushcarts, trailers, trucks, or vans. The unit, all operations, and all equipment must be integral to and be within or attached to the unit. The unit shall have all required permits by the Town, County and State.

MOTEL: Guest rooms can be accessed from the parking lot. Guest rooms have the option of exterior or interior hallways. It is a commercial use with no more than twelve (12) bedrooms or suites, rented to transient guests as temporary lodging for a fee. The rented guest rooms do not constitute separate dwelling units or accessory apartments. Transient occupancy is for a period of fewer than thirty (30) consecutive days.

NON-PROFIT ORGANIZATION: An incorporated organization or group whose charter prohibits profit-making endeavors, and which enjoys tax exemption privileges.

NURSING HOME: A licensed facility in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of two or more non-related individuals

ON-SITE: On-site shall be construed to be describing location on all, or a portion, of a parcel of land which is the subject of an application for approval by the Town Council, Planning Commission, or Board of Zoning Appeals, and which parcel of land is in single ownership or under unified control.

OFF-SITE: Describing a location on an area of land which is approximate to a parcel of land defined as on-site".

OPEN SPACE: Land area intended to provide light, air and space for aesthetic or recreational purposes. Open space is to be accessible and in reasonable proximity to residents or occupants of the development. Open space shall not include streets, drives, parking and loading areas, and areas of such size and shape or so located as to have no substantial aesthetic or recreational use.

OPEN SPACE, PASSIVE: Areas accessible by residents that feature gardens, forests, wetlands, streams and habitat areas. Passive recreation uses of open space include primarily unprogrammed uses and activities. Passive Use amenities include gardens or garden plots, picnic shelters, natural areas, trails, and unfenced dog parks.

OPEN SPACE, RECREATIONAL: An area designed for active play or athletic activity by either children or adults.

PARKING, OFF-STREET: Any space specifically allotted to the parking of motor vehicles; such space shall not be in a public right-of-way.

ARTICLE 2

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

PERSONAL SERVICES: Establishments primarily engaged in providing services involving the care of a person or his or her apparel. These services usually include, be are not limited to, laundry, cleaning and garment services, garment pressing, linen supply, diaper service, coin operated laundries, carpet and upholstery cleaning, photographic studios, beauty shops, barber shops, shoe repair, and clothing rentals.

PLACE OF WORSHIP: A structure or group of structures that is intended for regular gatherings of people to attend, participate in, or conduct religious services and other related activities and associated accessory uses. These include such uses as church, synagogue, temple or mosque. Associated accessory uses subject to Special Exception approval may include religious instruction classrooms, church offices, counseling programs, youth programs, parking, child and adult day care facilities, summer camps, recreational facilities, caretaker's quarters, food bank, and cemeteries.

PLANNING COMMISSION: The Planning Commission of the Town of Round Hill, Virginia.

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

PRIVATE ACCESS EASEMENT: A strip of privately owned land primarily intended for vehicular traffic and providing the principal means of access to property not fronting on publicly maintained roads. All such easements shall be called Ways.

PRIVATE SCHOOL: Shall include private schools, colleges or universities, private instructional/training institutions.

PROFESSIONAL OFFICES: A structure designed for use by a person or persons in offering a service which requires specialized knowledge such as medicine, law, engineering, dentistry, and other like endeavors.

PROPERTY LINE, FRONT: A line running along the front of a lot, from side lot line to side lot line, separating the lot from any street, right-of-way or street easement.

PUBLIC ACCESS RIGHTS: A legal easement, or series of easements which grant and guarantee the right of access for emergency and public service vehicles to any given area or right-of-way.

PUBLIC FACILITY: A building owned and managed by the town, county, state or federal government for a public use. Public facilities include fire and/or rescue station, police station, library, community center, general office, school, or post office, but not a

ARTICLE 2

town utility facility or a public utility facility.

QUICK-SERVICE FOOD STORE: any building, which contains less than 5000 square feet of net floor area and which is used for the retail sale of food or food and other items. A quick-service food store, also referred to as a convenience store, is characterized by the frequent turnover of customers, and the retail sale of food, beverages, and other frequently needed items for household use or consumption. This definition shall not include an automobile service station; and is not intended to include small grocery, specialty or gourmet food stores, which are deemed retail sales establishments.

RECREATIONAL VEHICLE: A travel trailer, pick-up camper, motor home, tent trailer, or similar device used for temporary housing.

RESIDENT ENGINEER: The Resident Engineer in Loudoun County, Virginia, of the Department of Transportation of Virginia, or his designated deputy.

RESIDENTIAL CARE HOME: An adult and/or child caring facility licensed by the Virginia State Department of Behavioral Health and Developmental Services to provide residential services to individuals who are mentally or physically impaired, or developmentally disabled, or licensed by the Virginia State Department of Social Services to provide residential services to individuals who are aged, infirmed or disabled.

RESTAURANT, CARRYOUT: Any food establishment that provides, as a principal use, the preparation and sale of food and/or beverages in a ready-to-consume state, primarily for consumption off the premises. A carryout restaurant shall not include drive-through facilities. A carryout restaurant may have up to eight (8) seats for on-site consumption and/or customer waiting.

RESTAURANT, DRIVE-THROUGH: any establishment that provides, as a principal use, the preparation and sale of food and/or beverages in a ready-to-consume state for consumption on or off the premises, and which contains a drive-through facility.

RESTAURANT, FULL SERVICE: Any food establishment that provides, as a principal use, the preparation and sale of food and/or beverages in a ready-to-consume state for consumption primarily on the premises. A full-service restaurant shall not include drive-through facilities.

RETAIL SALES ESTABLISHMENT: any establishment wherein the primary occupation is the sale of merchandise for use or consumption by the immediate purchaser; or for the rendering of personal services. This term shall also include establishments such as antique shops, art galleries, bookstores, clothing stores, florist shops, general merchandise stores, gift shops, jewelry shops, small grocery, specialty or gourmet food stores. For the purpose of this ordinance, retail sales establishment shall not be deemed to include quick-service food stores or automobile service establishments.

ROAD: Also called street, avenue, way, court, drive and the like.

ROAD, PUBLIC: Roads which are part of the State maintained highway system at the time of adoption of this Ordinance or roads meeting Virginia Department of Highways'

ARTICLE 2

specifications, and acceptable for maintenance by the State, bonded as provided in the Round Hill Subdivision Ordinance, or accepted in the State maintained highway system after the effective date of this Ordinance.

SIGN: Any device that is sufficiently visible to persons not located on the parcel where such device is located and which is designed to attract the attention of such persons or communicate information to them.

SIGN, FREESTANDING: A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than support of a sign.

SIGN, EXTERNALLY ILLUMINATED: A sign illuminated by a separate light fixture that casts light directly on the face of the sign.

SIGN, INTERNALLY ILLUMINATED: A sign illuminated directly or indirectly by a light fixture located within the sign structure. Internal illumination includes illumination designed to project light against the surface behind the sign lettering or graphic, commonly referred to as backlit channel lettering or halo lighting

SIGN, OFF-PREMISES: A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises where the sign is located.

SIGN, ON-PREMISES: A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

SIGN, TEMPORARY: A sign that (i) is used in conjunction with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (ii) is intended to remain on the location where it is erected or placed only until the occurrence of some event. If a sign display area is permanent but the message displayed is subject to periodic changes, such a sign shall not be regarded as temporary.

SPOT OR GROUND EXTERNAL LIGHTING: a form of external illumination of a sign where the source is shielded from public view and are not an architectural component of the building or sign.

STREET, CENTER LINE OF: A line established as a center line of a street by any State, County, or other official agency or governing body having jurisdiction thereof and shown as such on an officially adopted or legally recorded map, or, if there be no official center line of a street, the center line shall be a line lying midway between the street or right-of-way lines thereof. Where street lines are indeterminate and a pavement or traveled way exists, the center line shall be established by the Planning Commission, or in the

ARTICLE 2

absence of a determination by the Planning Commission, shall be assumed to be a line midway between the edges of such pavement or traveled way.

STRUCTURE: An assembly of materials forming a construction for occupancy or use including, among others, buildings, platforms, stagings, observation towers, radio and TV broadcasting towers, water tanks, trestles, open sheds, coal bins, shelters, walls, power line towers, pipelines, and swimming pools.

STRUCTURAL ALTERATION: Any change, modification, addition or deletion to an existing structure.

TASTING ROOM: An accessory use to a craft beverage establishment licensed by Virginia Alcohol Beverage Control and operated by an alcohol beverage manufacturer wherein alcoholic drinks (made on-site) are provided to customers to sample on-site. Such facilities may include an option for customers to purchase closed containers of alcohol for off-site consumption. Limited food service operations in tasting rooms are permitted in compliance with Virginia Department of Health (VDH) and Virginia Department of Agriculture and Consumer Services (VDACS) regulations.

TEMPORARY FAMILY HEALTHCARE STRUCTURE: A transportable residential structure, providing an environment facilitating a Caregiver's provision of care for a mentally or physically impaired person.

TOWN SPONSORED EVENT: A preplanned event or program that is fully coordinated with and approved by the Town Council or designated committee. The Town sponsored events can be partially funded or funded in full using Town funds. All revenues generated from such events/programs shall be used to fund the event or returned to the Town of Round Hill's General Fund. Town sponsored events include, but are not limited to, the Round Hill Hometown Festival and the Holiday Tree Lighting Festival.

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

TRANSITIONAL USE: Permissible uses, regulated herein, which by their level and scale of activity, serve as a transition between two or more types or densities of land uses.

USE: The principal purpose for which a lot or the main building thereon is designed, arranged, or intended and for which it is or may be used, occupied, or maintained.

UNDISTURBED GRADE: The grade and elevation of land prior to excavation, filling or grading.

WINERY: A craft beverage establishment licensed in accordance with Title 4.1 of the Code of Virginia used for the production and packaging of wine, cider or mead for distribution, retail or wholesale, on or off premise. The annual production, packaging, and distribution of distilled spirits is 0 to 5,000 gallons, of which at least 25% of the beverage produced on-site shall be consumed or sold at retail on-site. A winery does not have a

ARTICLE 2

restaurant license. A winery may include a tasting room or retail space to sell the products to patrons for on-site or off-site consumption.

YARD: An area on the same lot with a building or building group lying between the building or building group and the nearest lot line, unobstructed from the ground upward and unoccupied except by specific uses and structures allowed in such area by the provisions of this. Ordinance.

YARD, FRONT: A yard extending across the full width of the lot measured from and perpendicular to the front lot line.

YARD, REAR: A yard extending across the full width of the lot measured from and perpendicular to the rear lot line. On corner lots which abut two streets with lot lines of unequal length, the rear yard shall be opposite and parallel to the shortest lot line.

YARD, SIDE: A yard extending from the front yard to the rear yard measured from and perpendicular to the side lot line.

[This article Amended October 27, 2021]