

SECTION 2 - DEFINITIONS (WORDS AND TERMS) – Amended by the Board of Supervisors on January 10, 2019.

For the purpose of this Ordinance, terms used here shall be interpreted and defined as follows: Words used in the present tense shall include the future; words in the singular number include the plural, and the plural and singular unless the natural construction of the word indicates otherwise; the word "lot" includes the word "parcel"; the word "shall" is mandatory and not directory; the word "approve" shall be considered to be followed by the words "or disapprove." The word "current" shall mean the point in time at which a matter is under consideration and shall not mean the date of adoption of this Ordinance. Any reference to this Ordinance includes all ordinances amending or supplementing the same and the date of their additions or deletions. All distances and areas refer to measurement in a horizontal plane.

2-1 Agent

The person or persons appointed to serve as the agent of the Board of Supervisors of Fauquier County, Virginia.

2-2 Alley

A narrow strip of land intended for vehicular traffic which has a minimum width of twenty (20) feet and is designed to give access to the side or rear of properties whose principal frontage is on another street.

2-3 Architect

A person licensed to practice as such in the State of Virginia.

2-4 Building Line

The distance of a building from the front lot line or a boundary line.

2-5 Commission

The Fauquier County Planning Commission (See Part 1 of Article 14 of the Zoning Ordinance).

2-6(a) Cul-de-Sac

A circular turnaround at the end of a street.

2-6(b) Dead-End Street

A street, one end of which is closed and has an appropriate turnaround area for a safe and convenient reverse of traffic movement.

2-7 Developer

The legal or beneficial owner or owners of all the land proposed to be included in a given development or the authorized agent thereof. An owner of property being subdivided whether or not represented by an agent. In addition, the holder of an option or contract to purchase, a lessee having a remaining term of not less than thirty (30) years, or other persons having an enforceable proprietary interest in such land, shall be deemed to be a developer for the purpose of this Ordinance.

2-8 Easement

A grant by a property owner of the use of land for a specific purpose or purposes.

2-9 Engineer

A person licensed to practice as such in the State of Virginia.

2-9(1) Floodplain

All lands subject to inundation by waters of the one hundred (100) year flood. The basis for the delineation of the floodplain shall be the current approved Flood Insurance Study for Fauquier County prepared by the U.S. Department of Housing and Urban Development, Federal Insurance Administration, dated May 1, 1979, as amended, or where the area is not covered by the Flood Insurance Studies, the County Soil Survey Maps or approved engineering studies, and other specific areas established by action of the Board.

2-10 Governing Body

The Board of Supervisors of Fauquier County.

2-11 Health Official

The Health Director of Fauquier County or his designated agent.

2-12 Highway Engineer

The Resident Highway Engineer of Fauquier County employed by the Virginia Department of Transportation

2-13 Improvements

All public utilities and facilities, including, but not limited to, streets, cul-de-sacs, storm and sanitary sewer, water lines, curb and gutter, required pursuant to the terms of this Ordinance or the Zoning Ordinance of Fauquier County, Virginia.

2-14 Jurisdiction

The area or territory subject to legislative control of the governing body.

2-15 Landscape Architect

A professional licensed to practice as such by the State of Virginia.

2-16 Lot

A numbered and recorded portion of a subdivision intended for transfer of ownership or for building development for a single building or accessory building.

2-17 Lot, Corner

A lot abutting upon two or more streets at their intersection. The shortest side fronting upon a street shall be considered the front of the lot and the longest side fronting upon a street shall be considered the side of the lot.

2-18 Lot, Depth of

The mean horizontal distance between the front and rear lot lines.

2-19 Lot, Double Frontage

An interior lot having frontage on two streets.

2-20 Lot, Interior

A lot other than a corner lot with only one street frontage.

2-21 Lot of Record

A lot which has been recorded among the land records in the Office of the Clerk of the Circuit Court of Fauquier County.

2-22 Lot, Width of

The horizontal distance between the side lot lines. The distance between side lot lines shall be measured along the front lot line, except in the following cases:

1. In the case of a pipestem lot, the pipestem shall not be considered as part of the lot in determining the lot's width, but shall be measured at the minimum front yard line; or
2. In the case of a lot which has a curvilinear front lot line, the width shall be measured from a line tangent to the required minimum front yard line at its midpoint in the lot.

2-23 *Performance Bond*

A bond, escrow, letter of credit or other performance guarantee acceptable to and approved by the Board or its designated agent.

2-24 *Plat*

A map or plan of a tract or parcel of land which is to be or which has been subdivided. (Includes the terms map, plan, plot, replat, or replot.) When used as verb, "plat" or synonymous with "transfer."

2-25 *Planner*

A person qualified to prepare development plans, either licensed as such, or meeting the standards of the American Institute of Planners.

2-26 *Profiles and Specifications*

Construction plans and specifications showing all necessary data for all public and private improvements to be installed under the terms of this Ordinance.

2-27 *Property*

Any tract or parcel or several of the same collected together for the purpose of subdividing.

2-28 *Street*

A strip of land intended for vehicular or pedestrian traffic and providing the principal means of access to property, including, but not limited to, road, lane, drive, avenue, highway, boulevard or any other thoroughfare.

2-29 *(Deleted)*

2-30 *(Deleted)*

2-31 *(Deleted)*

2-32 *(Deleted)*

2-33 *(Deleted)*

2-34 *(Deleted)*

2-35 *Street, Service Drive*

A public street, paralleling and contiguous to an arterial or freeway, designed primarily to promote safety by consolidating ingress/egress at one access point. All points of ingress and egress are subject to approval by the appropriate County authorities and the Virginia Department of Transportation.

2-36 *Street Width*

The total width of the strip of land dedicated or reserved for public travel including roadway, curb and gutter, sidewalk, planting strips and, where necessary, utility easements.

2-37 *Subdivide*

The process of dividing land to establish a subdivision.

2-38 *Subdivider*

An individual, corporation, proprietor, trust, trustee, joint venture, partnership or other entity, owning any tract, lot or parcel of land to be subdivided or a group of two or more persons or entities owning any tract, lot, or parcel of land to be subdivided who have given their power of attorney to one of their group or to another individual or entity to act on their behalf in planning, negotiating for, in representing or executing the legal requirements of the subdivision.

2-39 *Subdivision (Amended by the Board of Supervisors on June 12, 2014.)*

- 1) The division of a lot, tract or parcel of land into two or more lots, tracts or parcels for the purpose of transfer of ownership or building development or for the division or allocation of land as open space for the common use by owners, occupants, or leaseholders. The term includes resubdivision.
- 2) For purposes of this Ordinance, all lots created from the same parent parcel as of May 9, 1968 shall be considered a single subdivision regardless of the timing of such divisions, and, where multiple lots are created or intended to be created with shared facilities such as streets, stormwater management facilities or open space, the division of these multiple lots shall constitute a single subdivision.

2-40 *Surveyor*

A professional who is licensed by the State of Virginia as a land surveyor.

2-41 Central Sewer and/or Water System

Central Sewer System – A sanitary sewer system that serves two or more parcels or structures under separate ownership.

Central Water System – A water system that serves two or more parcels under separate ownership from a common source.

The system shall include all buildings, equipment, lines and other facilities, and the associated land, converted in fee or by easement as necessary for ownership and operation.