

## Division 10 | Glossary

### Sec. 10.01 Definitions and Rules of Construction

- (a) This Article shall be read in conjunction with the zoning regulations.
- (b) References to the Council officers, agencies, boards or commissions shall be the Council officers, agencies, boards, commissions of the Town unless the context requires otherwise.
- (c) As used in this Article, the following terms or words shall have the meaning given below:

**Base Flood** Shall mean the flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

**Block** Shall mean a parcel of land or group of lots completely surrounded by streets, or a parcel of land or group of lots having frontage along one side of a dedicated public street either in excess of 750 feet and consisting of five acres, or between two dedicated intersecting public streets, or between one dedicated intersecting public street and the corporate limits of the town.

**Chief Engineer** A Town official who serves as the Chief Engineer (Also referred to as Director of Plan Review) and the Town's Floodplain Manager, or his/her designee charged with the interpretation, administration, and enforcement of this DCSM for Leesburg, Virginia, for all Subdivision Plats, Subdivision Construction Plans, Site Plans, Minor Site Plans, Mini Site Plans, Site Plan Waivers Floodplain Studies and other related documents (with the exception of Capital Improvement Construction Plans managed by the Department of Public Works and Capital Projects).

**CLOMR** Conditional Letter of Map Revision: A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway or effective Base Flood Elevations (BFE). Specifically, A CLOMR is a letter from FEMA commenting on whether a proposed project, if built as proposed, or proposed hydrology changes would meet minimum National Flood Insurance Program standards. Specifically, this is a document issued by FEMA allowing an applicant to make a modification to the boundaries of the existing FEMA mapped Floodplain.

<b>Commission</b>	Shall mean the Planning Commission.
<b>DCSM</b>	Shall mean the Leesburg Design and Construction Standards Manual, latest edition.
<b>Density</b>	Shall mean the number of dwelling units or non-residential building square footage per acre of land, as a unit of measure.
<b>Director</b>	Either the Director of Plan Review ( <b><u>also referred to as Chief Engineer</u></b> ) or Director of <b><u>Public Works and</u></b> Capital Projects Management as defined below and herein.
<b>Director of Plan Review</b>	A Town official who serves as the Director of Plan Review ( <b><u>also referenced herein as Chief Engineer</u></b> ) and the <b><u>Town's Floodplain Manager</u></b> , or his/her designee charged with the interpretation, administration, and enforcement of this <b><u>DCSM</u></b> for Leesburg, Virginia, for all Subdivision Plats, Subdivision Construction Plans, Site Plans, Minor Site Plans, Mini Site Plans, Site Plan Waivers, <b><u>Floodplain Studies</u></b> and <b><u>other</u></b> related documents (with the exception of Capital Improvement Construction Plans managed by the Department of <b><u>Public Works and</u></b> Capital Projects).
<b>Director of <u>Public Works and</u> Capital Projects</b>	A Town official who serves as the Director of <b><u>Public Works and</u></b> Capital Projects, charged with the interpretation, administration, and enforcement of this Article for all Town Capital Improvement Projects for Leesburg, Virginia, or his/her designee.
<b>Driveway, Common</b>	Shall mean a roadway providing vehicular access to lots.
<b>Dwelling, Single-Family Attached(Townhouse, Triplex &amp; Quadraplex)</b>	Shall mean one-family dwelling attached to at least three such units in which each unit occupies its own individual lot that meets the minimum lot area requirements of the applicable zoning district, has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by a common party wall. (See Article 18 of Zoning Ordinance for definition of party wall.) This definition includes such dwelling types as townhouse, triplex, and quadraplex.
<b>Dwelling, Single-Family Attached (Stacked Townhouse / Two over Two Units)</b>	Shall mean buildings configured to place one single family dwelling unit directly on top of another single family dwelling unit, each having independent access to the outside or shared access with only an adjacent unit, with the whole having the appearance of a single unified structure. Stacked townhouses shall be a minimum of three (3) units wide, and shall be vertically and horizontally separated by common party walls. (See Article 18 of Zoning Ordinance for definition of party

wall.) Stacked townhouses are also referred to as “two-over-two” dwellings and are typically incorporated in a common owners association.

**Dwelling, Single-Family Detached**

Shall mean a dwelling located on a single lot designed for one family which is not attached to any other dwelling by any means.

**Dwelling, Two-Family (Duplex, Vertical)**

Shall mean a building containing two (2) separate one family dwelling units that are constructed with a common party wall (See Article 18 of Zoning Ordinance for definition of party wall.) or abutting walls and with each dwelling unit located on its own separate lot. (Also see Article 18 of Zoning Ordinance for additional description)

**Dwelling, Two-Family (Duplex, Horizontal)**

Shall mean the use of a single lot for two (2) separate one family dwelling units that are contained within a single building. (Also see Article 18 of Zoning Ordinance for additional description)

**Flood Insurance Rate Map (FIRM)**

An official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated areas in the floodplain subject to inundation of the base flood and the risk premium zones based on the technical data in the Flood Insurance Study.

**Flood Insurance Study**

The official report provided by the Federal Emergency Management Agency (FEMA) that includes flood profiles and the water surface elevation of the base flood.

**Floodplain**

A low, usually flat terrain on either side of a river or stream that is normally dry but submerged at times of high water, and where accumulations of silt and sand are deposited away from the main channel **and the area subject to flooding by the base flood.**

**Floodplain (Major)**

The area subject to flooding by the base flood as designated by the Federal Emergency Management Agency (FEMA). This area corresponds to FEMA Special Flood Hazard Areas (SFHA) with a Zone AE and A **as shown on the Flood Insurance Rate Map (FIRM). Major Floodplains are generally associated with streams having a drainage area of 640 acres or more.**

**Floodplain (Minor)**

Those areas subject to flooding by the base flood that do not

meet the definition of Major Floodplain but have a drainage area of 100 acres or greater and has not been displayed as a FEMA SFHA with a Zone AE or A as shown on the FIRM.

**Floodplain Alteration, Town**

A development action which will change the cross section of the floodplain and will increase the width of floodwaters either on-site or off-site. Alterations include, but are not limited to, land disturbing activities such as clearing, grading, excavating, transportation, and filling of land.

**Floodplain Study, Corrected Effective**

A floodplain study of the existing conditions prior to any type of land disturbing activities using the most up-to-date best available data.

**Floodplain Administrator**

**The Chief Engineer, or his/her designee, who administers and implements all coordination with FEMA and the Virginia Department of Conservation and Recreation (DCR) necessary for full compliance with the provisions of the National Flood Insurance Program.**

**Heritage Tree**

Any tree which has been individually designated by the Town to be a special commemorating memorial.

**Licensed 3(b) Land Surveyor**

Shall mean a land surveyor licensed by the Commonwealth of Virginia to perform the work described under Section 54-17.1(3)(b) of the Code of Virginia as amended.

**Local Collector**

Shall mean those streets that provide direct access to abutting land and access to the higher order system

**LOMR**

Letter of Map Revision: **A Letter of Map Revision (LOMR) is an official revision, by letter, to an effective NFIP map. A LOMR may change flood insurance risk zones, floodplain and/or floodway boundary delineations, planimetric features, and/or BFE. Specifically, this is** a document issued by FEMA approving changes to the boundaries of the existing FEMA mapped Floodplain based upon as-built conditions of modifications made within the floodplain.

**Lot**

A designated parcel, tract, or area of land established by plat, subdivision or otherwise permitted by law, occupied or intended to be occupied by a principal building or use and its accessory buildings and uses.

**Lot, Corner** Shall mean a lot located at the intersection of two or more streets; a lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than 135 degrees.

**Lot, double frontage** Shall mean a lot other than a corner lot with frontage on more than one street.

**Major Arterial** Shall mean those streets that carry the principal portion of the vehicular trips entering and leaving urban areas as well as the majority of through movements desiring to bypass the central town or as shown as major arterials in the Town Plan.

**Mixed Use** A variety of complementary and integrated uses, including but not limited to residential, office, research & development, production, retail, public, entertainment, conference and lodging uses arranged in a compact urban form.

**Overland Relief** A pathway conveying the 100-year rainfall event as if the minor storm system (pipe system) has failed to function or does not exist.

**Parking Court, Common** Shall mean a parking area for the principal use of the owners or occupants of the lots abutting the parking area.

**Required Specifications** Shall mean, and, as the context requires, refer to any one or any combination of the following:

- (1) Leesburg Design and Construction Standard Manual, latest edition.
- (2) Erosion and sedimentation control regulations contained in the Loudoun County Soil Erosion Control Ordinance, and the Virginia Erosion and Sedimentation Control Handbook, as adopted and amended from time to time.
- (3) Adopted Leesburg Town Plan, latest edition.
- (4) Flood zone management and control policy, as contained in this Article.

- (5) Federal Emergency Management Agency (FEMA) regulatory floodplain maps for Leesburg and Loudoun County, and any other floodplain studies approved by the Town.
- (6) Water and Sewer Master Plan, latest edition.
- (7) Storm Water Master Plan, latest edition.
- (8) Commonwealth of Virginia, “Sewage Regulations”, latest edition.
- (9) Commonwealth of Virginia, “Waterworks Regulations”, latest edition.
- (10) Virginia Department of Transportation, “Road and Bridge Standards”; “Subdivision Street Requirements”, except for Table 2, “Base and Pavement Design”; Minimum Standards of Entrances to State Highways”; and “Drainage Manual”.
- (11) “A policy on Geometric Design of Highways and Streets” by the American Association of State Highway and Transportation Officials (AASHTO), as amended from time to time, applicable as a guide when no VDOT standard exists, as provided under (10) above.

**Specimen Tree**

Any tree which has been individually designated by the Town to be notable by virtue of its outstanding size and quality for its particular species.

**Street**

A strip of land subject to vehicular or pedestrian traffic and providing direct or indirect means of access to property, including but not limited to road, lane, drive, trail, court, place, terrace, alley, avenue, highway, boulevard and any other thoroughfare. For functional classification of streets refer to the “Transportation” section of the *Town Plan*.

**Street, Cul-de-sac, Permanent**

Shall mean a street with a single common ingress and egress and with a permanent paved turnaround at the end.

**Street, Cul-de-sac, Temporary**

Shall mean a street with a single common ingress and egress and with a temporary turn-a-round at the end, meeting town standards, which is planned to be extended.

**Street, Local**

Shall mean those streets that provide direct access to abutting land and access to the higher order system.

**Street, Private**

Shall mean a local street constructed to required specifications and guaranteed to be maintained by a private corporation by means of a covenant, deed and easement acceptable to the Town and with guaranteed public vehicular access.

**Subdivision**

Shall mean the division of a lot, parcel, or tract of land, or interest in real property, into two or more lots, plots, sites, parcels, or other divisions for the purpose, whether immediate or future, of transfer, sale, or building development; or the re-subdivision or consolidation of existing lots, parcels, tracts or other divisions of existing and duly recorded subdivisions; or the horizontal division or re-division of airspace. Parcels of airspace shall constitute land within the meaning of this Article, provided that the horizontal division or re-division of airspace shall be limited to three or fewer divisions or re-divisions, and shall be limited to land restricted to commercial, industrial, or other nonresidential use.

The requirements of this Article shall apply to the conversion to condominiums of all land, buildings and structures as provided for in the Condominium Act, Sec. 55-79.39, et seq. of the Code of Virginia, 1950, as amended. Land, buildings, and structures shall be considered to have been converted when all condominium instruments required by the Condominium Act have been recorded. Plats and plans of condominiums must conform to Section 55-79.58 of the Code of Virginia, as amended. Plats for condominiums must meet all other requirements for preliminary and final plats that have previously been specified in this Article, to the extent consistent with Title 55 of the Code of Virginia, as amended. The declarant of a conversion condominium shall file with the Town (2) copies of all the information which is required by the Virginia Real Estate Commission pursuant to Section 55-79.89 of the Code of Virginia, 1950, as amended. This filing shall be simultaneous with the filing required by the Commission. There shall be no filing fee for this filing. The information which is filed with the Town shall be available for examination at such offices as the Town Manager may designate during regular hours of operation. At the time of filing, the declarant shall notify the tenants of the subject dwellings of the filing and of the availability of the information at the two (2) locations designated by the Town

Manager.

The subdivision of a lot or parcel for the purpose of sale, gift, or any other transfer of such lot or parcel to a member of the immediate family of the owner shall be subject to all the requirements of this Article.

This Article shall not apply to a division of land which creates only one area of land to be conveyed for public street or public utilities purposes, or both, in addition to the remainder of the area of which it is a part, so long as the area of which it is a part is shown on an approved subdivision plat.

This Article shall not apply to a division of land made solely for the conveyance of land for public purposes to or by the Town Council.

**Through Collector**

Shall mean those streets serving primarily to provide radial and circumferential through and local traffic movements shown as through collector routes in the Town Plan.

**Town Plan**

The official document, commonly referred to as the Comprehensive Plan, or elements thereof, adopted by the Town Council, intended to guide the physical development of the Town or a portion thereof. Such plan, including maps, plats, charts, policy statements and /or descriptive material, shall be that adopted in accordance with Section 15.2-2226 of the Code of Virginia.

**VDOT**

Shall mean the Virginia Department of Transportation.

**Watercourse**

Shall mean a definite channel with bed and banks within which water flows either continuously or intermittently.

**Zoning Administrator**

A Town official who serves as the Zoning Administrator, charged with the interpretation, administration, and enforcement of the Zoning Ordinance for Leesburg, Virginia, or his/her designee.

**Zoning Regulations**

Shall mean the latest edition of the Town of Leesburg, Virginia, Zoning Ordinance adopted by the Town Council.

