

## Article II

### Definitions

#### 2-1 General Purpose

For the purpose of this Ordinance certain words and terms used herein are defined as herein indicated. All words used in the present tense shall include the future tense; all words in the singular number shall included the plural number; all words in the plural number shall include the singular number unless the natural construction of the wording indicates otherwise; all words not defined in the Article shall carry this definition prescribed in a common dictionary.

#### 2-2 Definitions

These definitions are grouped in the following functional groups:

- 1) Building and Structure
- 2) Drainage and Watershed Protection
- 3) Dwelling
- 4) Easements
- 5) Erosion and Sedimentation Control
- 6) Flood Control
- 7) General
- 8) Hazardous Waste
- 9) Lot
- 10) Setback
- 11) Signs
- 12) Streets, Drives, and Lanes

Refer to Section 2-3 (Definition Index) for location of specific words.

##### 2-2.1 Building and Structure

- A. ACCESSORY BUILDING: A detached subordinate building, the use of which is incidental to that of the principal building and located on the same lot therewith.
- B. ACCESSORY STRUCTURE: A detached subordinate structure(s), the use of which is incidental to that of the principal structure and located on the same lot therewith.
- C. BUILDING: Any structure having a roof supported by walls or columns constructed or used for residence, business, industry or other public or private purposes.
- D. BULIDING HEIGHT: The vertical distance measured from the average elevation of the finished grade to the topmost section of the roof.
- E. BUILDING LINE: A line perpendicular to the lot depth which establishes the horizontal distance between the structure and the front property line excluding the outermost steps, uncovered porches, gutters, and similar fixtures.
- F. BUILDING SEPARATION: The minimum required horizontal distance between buildings.

- G. CARPORT: Reserved
- H. PRINCIPAL BUILDING: A building in which is conducted the principal use of the lot on which it is located or, in a group development, of the building site on which it is located. Any dwelling is considered a principal building unless it is an accessory dwelling in compliance with Section 6-4.1 (Accessory Dwelling Units on Single Family Lots), an accessory residence on a farm, or a residence for a pastor or caretaker dwelling accessory to a nonresidential use (limited to one such residence per lot).
- I. PRINCIPAL STRUCTURE: A structure(s) in which is conducted the principal use(s) of the lot on which it is located
- J. STRUCTURE: Anything constructed, erected, or placed.
- K. TEMPORARY BUILDING: Any building of an impermanent nature or which is designed for use for a limited time, including any tent or canopy.
- L. TEMPORARY STRUCTURE: Any structure for an impermanent nature or which is designed for use for a limited time, including any tent or canopy.

#### 2-2.2 Drainage and Watershed Protection

- A. ALONG DRAINAGE: The area parallel to and within fifty (50) feet of the drainage channel.
- B. DETENTION POND: A pond which collects stormwater runoff, filters the water and releases it slowly over a period of hours or days. It does not have a permanent pool and is sometimes referred to as a dry pond or wet weather pond.
- C. DRAINAGE AREA AND OPEN SPACE AREA, DEDICATED: The specific area designated for floodplain and open space purposes on a recorded plat of subdivision and thereby dedicated to the public for such purposes.
- D. DRAINAGE, DISPERSED: Drainage spread out, as opposed to collecting the runoff in channels, so as to effect increased sheet flow and overland flow.
- E. DRAINAGE, ENHANCED: Drainage carried by existing natural drainageways which have been enhanced to resist soil erosion, including stream bank degradation.
- F. DRAINAGE, REQUIRED CHANNEL: The theoretical stream bed section which is required to carry and discharge the runoff from a one-hundred-year storm.
- G. DRAINAGE, TYPICAL REQUIRED CHANNEL SECTION: A cross-sectional view of a required drainage channel.
- H. DRAINAGEWAY: Any natural or man-made channel that carries surface runoff from precipitation.
- I. DRAINAGEWAY, IMPROVED: Drainage channeled by impervious surfaces such as curb and gutter or concrete (gunite, bituminous, etc.) channels.
- J. DRAINAGEWAY, PROTECTED: Drainage channeled by pervious devices such as sod waterways, berms, channels or swales which have been constructed to resist soil erosion by either vegetating, netting, rip-rapping or a combination of these, and which allows infiltration of water into the soil.

- K. IMPERVIOUS SURFACE COVERAGE: That portion of a lot covered by buildings, structures, paving or other impervious surface materials.
- L. MAXIMUM RUNOFF RETENTION: Approximately one hundred (100%) percent of channelized runoff must pass through permanent retention or wet detention pond(s).
- M. MODERATE RUNOFF RETENTION: At least seventy-five (75%) percent of runoff must pass through permanent retention and/or wet detention pond(s).
- N. RETENTION POND: A pond that has a permanent pool.
- O. RUNOFF DETENTION IN EXCESS OF EROSION CONTROL ORDINANCE: At least fifty (50%) percent of runoff must pass through permanent detention pond(s).
- P. RUNOFF DETENTION EQUAL TO MINIMUM REQUIREMENTS: Velocity control of runoff.
- Q. STABILIZING VEGETATION: Any vegetation that protects the soil against erosion.
- R. STORM DRAINAGE FACILITIES: The system of inlets, conduits, channels, ditches and appurtenances which serve to collect and convey stormwater through and from a given drainage area.
- S. STORM, TEN (10)-YEAR: The surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in ten (10) years and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.
- T. STORM, ONE-HUNDERD (100)-YEAR: The surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in one hundred (100) years and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.
- U. STORM WATER RUNOFF: The direct runoff of water resulting from precipitation in any form.
- V. STREAM: A water course that collects surface runoff.
- W. VELOCITY: The average velocity of flow through the cross section of the main channel at the peak flow of the storm of interest. The cross section of the main channel shall be than area defined by the geometry of the channel plus the area of flow below the flood height defined by vertical lines at the main channel banks. Overload flows are not to be included for the purpose of computing velocity of flow.
- X. WATERSHED, WATER SUPPLY: The entire area contributing drainage to Lake Townsend, Lake Brandt, Lake Higgins, Oak Hollow Lake, High Point City Lake, Polecat Creek Lake, Reidsville Reservoir, **Lake Mackintosh, and Randleman Reservoir**.
- Y. WATERSHED CRITICAL AREA: That portion of the watershed within the lake basin of water supply reservoir as delineated in Article VII (Environmental Regulations).
- Z. WET DETENTION POND: A pond that has a permanent pool and also collects stormwater runoff, filters the water and releases it slowly over a period of days.

### 2-2.3 Dwelling

- A. ACCESSORY DWELLING UNIT: A dwelling that exists either as part of a principal dwelling or as an accessory building that is secondary and incidental to the use of the property as a single family residential.

- B. ACCESSORY DWELLING: Any portion of a principal building which is used and designed for human habitation including living, sleeping, cooking and eating activities excluding dormitories, hotels, motels, shelters for the homeless or other structures designed for transient residents.
- C. CONDOMINIUM: Portions of real estate which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.
- D. DWELLING UNIT: One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided therein. Dormitories, hotels, motels, shelters for the homeless or other structures designed for transient residents are not dwelling units.
- E. MANUFACTURED DWELLING: A dwelling that 1) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; 2) exceeds forty feet in length and eight feet in width; 3) is construction in accordance with the National Manufactured Home Construction and Safety Standards; and 4) is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code of One- and Two- Family Dwellings.
  - 1. Class AA: A manufactured home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the following additional criteria:
    - a. Is occupied only as a single family dwelling;
    - b. Has a minimum width of sixteen (16) feet;
    - c. Has a length not exceeding four (4) times its width, with length measured along the longest axis and width measured perpendicular to the longest axis at the narrowest part;
    - d. Has a minimum of seven hundred (700) square feet of enclosed and heated living area;
    - e. Has the towing apparatus, wheels, axles, and transporting lights removed and not included in length and width measurements;
    - f. Has the longest axis oriented parallel or within a ten (10) degree deflection of being parallel to the lot frontage, unless other orientation is permitting by the Board of Adjustment following a public hearing;
    - g. Is set up in accordance with the standards established by the North Carolina Department of Insurance. In addition, a continuous, permanent masonry foundation or masonry curtain wall constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for One- and Two- Family Dwelling, un

pierced except for required ventilation and access, shall be installed under the perimeter.

- h. Has exterior siding, comparable in composition, appearance durability to exterior siding commonly used in standard residential construction, consisting of one or more of the following: 1) vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint); 2) cedar or other wood siding; 3) wood grain, weather resistant press board siding; 4) stucco siding; or 5) brick or stone siding;
  - i. Has a roof pitch minimum vertical rise of three and one-half (3 ½) feet for each twelve (12) feet of horizontal run;
  - j. Has a roof finished with a Class C or better roofing material that is commonly used in standard residential construction;
  - k. All roof structures shall provided an eave projection of no less than six inches, which may include a gutter; and
  - l. Stairs, porches, entrance platforms, ramps and other means of entrance and exit are installed or constructed in accordance with the standards set by the North Carolina State Building Code, attached firmly to the primary structure and anchored securely to the ground. Wood stairs shall only be used in conjunction with a porch or entrance platform with a minimum of twenty-four (24) square feet. The use of wood stairs only is prohibited at any entrance.
2. Class A: A manufactured home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that meet or exceed criteria (a), (c), (d), (e), (g), (h), (i), (k), and (l) for Class AA manufactured dwellings above.
3. Class B: A manufactured home after July 1, 1976 that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction, and that meet or exceed criteria (e), (g), and (h) for Class AA manufactured dwellings above.
4. Class C: Any manufactured home that does not meet the definitional criteria of a Class AA, Class A, or Class B manufactured dwellings above.
- F. MODULAR DWELLING: A dwelling constructed in accordance with the standards set forth in the N.C. State Residential Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.
- G. MULTI-FAMILY DWELLING: A building or portion thereof used or designed as a residence for three (3) or more families living independently of each other with separate housekeeping and cooking facilities for each, and includes apartment, townhouse and residential condominium buildings.
- H. PRINCIPAL DWELLING: Any principal building or structure, or portion thereof which is used and designed for human habitation including living, sleeping, cooking and eating

activities excluding dormitories, hotels, motels, shelters for the homeless or other structures designed for transient residents.

- I. SINGLE-FAMILY DETACHED DWELLING: A separate, detached building designed for and occupied exclusively by one (1) family.
- J. TENANT DWELLING: A dwelling located on a bona fide farm and which is occupied by a farm worker employed for agricultural purposes by the owner or as operator of the farm.
- K. TOWNHOUSE DWELLING: Single family residences attached to one another in which each unit is located on an individually owned parcel, generally within a development containing drives, walks and open areas owned in common.
- L. TWIN HOME DWELLING: A building consisting of two single-family units connected along a common party wall with no interior circulation between the two. Each dwelling unit occupies its own conventional lot and is conveyed by deed in fee simple.
- M. TWO-FAMILY DWELLING: A building on one lot arranged and designed to be occupied by two (2) families living independently of each other.

#### 2-2.4 Easements

- A. ACCESS EASEMENT: An easement which grants the right to cross property.
- B. DRAINAGE EASEMENT: An easement which grants to the Governing Body the right to maintain enclosed drainage structures.
- C. DRAINAGE MAINTENANCE EASEMENT: An easement which grants to the Governing Body the right to alter the typical drainage channel section and/or profile in order to improve water flow.
- D. EASEMENT: A grant of one or more of the property rights, by the property owner, of a strip of land for a specified purpose and use by the public, a corporation, or other entities.
- E. SIGHT DISTANCE EASEMENT: An easement which grants to the Governing Body the right to maintain sight distance across property located at street or road intersections.
- F. UTILITY EASEMENT: An easement which grants the Governing Body or other utility providers the right to install and thereafter maintain any and all utilities to include, but not limited to, water lines, sewer lines, septic tank drain fields, storm sewer lines, electrical power lines, telephone lines, natural gas lines and community antenna television systems.
- G. WATER QUALITY CONSERVATION EASEMENT: A permanent easement in which no structures or land-disturbing activities are allowed. The natural ground cover and the natural tree canopy must be preserved with the following exceptions:
  - 1. the cutting or trimming of overcrowded trees is allowed provided that no trees in excess of three inches in diameter as measured 12" or less from the ground are removed;
  - 2. utilities and erosion control structures can be constructed and maintained;
  - 3. normal maintenance by mechanical means is allowed for the removal of dead, diseased, deformed, poisonous, or noxious vegetation and pests harmful to health; and

4. mechanical mowing of utilities areas is allowed to control growth.

2-2.5 Erosion and Sedimentation Control

- A. ACT: The North Carolina Sedimentation Pollution Control Act of 1973 NCGS ss 113A-50 et seq. and all rules and orders adopted pursuant to it.
- B. ACTIVE CONSTRUCTION: Activities which contribute directly to the completion of facilities contemplated or shown on the construction plans.
- C. BERM, EROSION CONTROL: A mound of material and/or ditch the purpose of which is to divert the flow of run-off water.
- D. BORROW: Fill material which is required for on-site construction and is obtained from other locations.
- E. BUFFER: An area of land planted or constructed to separate uses.
- F. BUFFER ZONE: The strip of land adjacent to a lake or natural watercourse, the width of which is measured from the edge of the water to the nearest edge of the disturbed area, with the twenty five (25%) percent of the strip nearer the land-disturbing activity containing natural or artificial means of confining visible siltation.
- G. COMMISSION, SEDIMENTATION: The North Carolina Sedimentation Control Commission.
- H. ENERGY DISSIPATOR: A structure or shaped channel section with mechanical armoring placed at the outlet pipes or conduits to receive and break down the energy from high velocity flow.
- I. EROSION: The wearing away of land surface by the action of wind, water, gravity or any combination thereof.
- J. EROSION, ACCELERATED: Any increase over the rate of natural erosion as a result of land-disturbing activities.
- K. EROSION CONTROL MEASURE, STRUCTURE OR DEVICE, ADEQUATE: A device which controls the soil material within the land area under responsible control of the person conducting the land-disturbing activity.
- L. EROSION, NATURAL: The wearing away of the earth's surface by water, wind, or other natural agents under natural environmental conditions undisturbed by man.
- M. GRADING: Any operation or occurrence by which the existing site elevations are changed, or where any ground cover, natural or man-made, is removed, or any buildings or other structures are removed, or any water course or body of water, either natural or man-made, is relocated on any site, thereby creating an unprotected area. The term "grading" is interchangeable with "land-disturbing activity".
- N. GRADING, PHASE OF: one (1) of the two (2) types or grading, rough or fine.
- O. GRADING PLAN: The graphic plan, including narrative where appropriate, required by this Ordinance as a prerequisite for a grading permit, the purpose of which is to explain existing conditions and proposed grading of land including any development and to describe the activities and measures to be undertaken to control accelerated soil erosion and sedimentation.
- P. GROUND COVER: Any vegetation, masonry, paving, riprap, or other material or materials which render the soil surface stable against accelerated erosion.

- Q. LAKE or NATURAL WATERCOURSE: Any stream, river, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, lake or pond, natural or impounded, in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.
- R. LAND-DISTURBING ACTIVITY: Any use of the land by any person or persons in residential, industrial, educational, institutional, or commercial development, highway or road construction or maintenance, that results in a change in natural cover or topography that may cause or contribute to sedimentation.
- S. PERSON CONDUCTING LAND DISTURBING ACTIVITY: Any person who may be held responsible for a violation unless expressly provided otherwise by this Ordinance, the Act, or any order adopted pursuant to this Ordinance or the Act.
- T. PERSON RESPONSIBLE FOR LAND DISTURBING VIOLATION: As used in this Ordinance, and NCGS 113A-64, a developer or other person who has or holds himself out as having financial or operational control over the land-disturbing activity; and/or the landowner or person in possession or control of the land when he has directly or indirectly allowed the land-disturbing activity or has benefitted from it or he has failed to comply with any provision of this Ordinance or the Act, or any order adopted pursuant to this Ordinance or the Act as imposes a duty upon him.
- U. PROTECTED AREA: Any ground surface area having established cover, artificial or natural, of such density that not more than twenty (20%) percent of the soil surface of any square yard of surface is exposed to the physical forces of meteorological elements.
- V. SEDIMENT: Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.
- W. SEDIMENTATION: The process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land-disturbing activity or into a lake or natural watercourse.
- X. SILTATION: Sediment resulting from accelerated erosion which is settle able or removable by properly designed, constructed, and maintained control measures; and which has been transported from its point of origin within the site of a land-disturbing activity, and which has been deposited, or its in suspension in water.
- Y. SITE or TRACT: All contiguous land and bodies of water in one ownership, or contiguous property in diverse ownership graded or proposed for grading or development as a unit.
- Z. UNCOVERED: The removal of ground cover from, on or above the soil surface.
- AA. UNDERTAKEN: The initiating of any activity, or phase of activity, which results or will result in a change in the ground cover or topography of a tract of land.
- BB. UNPROTECTED AREA: Any ground surface area disturbed to such an extent that twenty (20%) percent or more of the soil surface of any square is exposed to the physical forces of meteorological elements.
- CC. WASTE: Surplus materials resulting from on-site construction and disposed of at other locations.
- DD. WORKING DAYS: Days exclusive of Saturday and Sunday during which weather conditions or soil conditions permit land-disturbing activity to be undertaken.

## 2-2.6 Flood Control

- A. AREA OF SPECIAL FLOOD HAZARD: The land in the flood plain within a community subject to a one (1%) percent or greater chance of flooding in any given year. It includes both floodway and the floodway fringe.
- B. ARTIFICIAL OBSTRUCTION: Any obstruction which is not a natural obstruction including any which, while not a significant obstruction in itself, is capable of accumulating debris and thereby reducing the flood-carrying capacity of the stream.
- C. BASE FLOOD: The flood having one percent chance of being equaled or exceeded in any given year (100-year flood).
- D. BASE FLOOD ELEVATION: The elevation to which structures and uses regulated by this Ordinance are required to be elevated or flood proofed.
- E. BASEMENT: The lowest level or story which has its floor sub-grade on all sides. (This definition applies only with respect to flood hazard regulations.)
- F. ELEVATED BUILDING: A non-basement building built to have the lowest floor elevated above ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.
- G. EXISTING CONSTRUCTION: Structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1985 for FIRMS effective before this date. The purpose of the definition is for determining insurance rates. “Existing construction” may also be referred to as “existing structures”.
- H. FLOOD AND FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or the unusual and rapid accumulation of runoff of surface waters from any source.
- I. FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of the community, issued by the Federal Insurance Administration, where the boundaries of the area’s special flood hazard have been designated as “Zone A, AE, AO, or A1-99”.
- J. FLOOD INSURANCE RATE MAP (FIRM): An official map of the community, on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.
- K. FLOOD INSURANCE STUDY: The official report provided by the Emergency Management Agency (FEMA). The report contains flood profiles, as well as the Flood Boundary/Floodway Map and the water surface elevation of the base flood.
- L. FLOOD PLAIN: The relatively flat area or low land adjacent to the channel of a river, stream, or watercourse, lake or other body of standing water, which has been or may be covered by flood water.
- M. FLOOD PROTECTION ELEVATION: The elevation to which structures and uses regulated by Section 7-5 (Flood Control) are required to be elevated or flood proofed.
- N. FLOODING, AREA OF SHALLOW: A designated AO or VO Zone on a community’s FIRM with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

- O. FLOODPROOFING: A combination of structural provisions, changes, or adjustments to properties and/or structures subject to flooding primarily for the reduction or elimination of flood damage.
- P. FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- Q. FLOODWAY FRINGE: The land area located between the floodway and maximum elevation subject to inundation by the base flood as defined herein.
- R. FLOOR: The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.
- S. FUNCTIONALLY DEPENDENT FACILITY: A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture sales, or service facilities.
- T. HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.
- U. LEVEE SYSTEM: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- V. LEVEE: A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
- W. LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
- X. MANUFACTURED DWELLING: A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property. (This definition applies only with respect to flood hazard regulations.)
- Y. MANUFACTURED DWELLING PARK: A parcel (or contiguous parcels) of land divided into two or more manufactured home sites for rent. (This definition applies only with respect to flood hazard regulations.)
- Z. MEAN SEA LEVEL: The average height of the sea for all stages of the tide. It is used as reference for establishing various elevations within the flood plain. For purposes of this Ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

- AA. NATIONAL GEODETIC VERTICAL DATUM (NGVD): The vertical control used as a reference for establishing varying elevations within the flood plain.
- BB. NEW CONSTRUCTION: Structures for which the “start of construction” commenced on or after the effective date of this Ordinance, including any subsequent improvements to such structures.
- CC. ODSTRUCTION: Any dam, wall, embankment, levee, dike, pile, abutment, spoil material, bridge, conduit, culvert building, wire, fence, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse, or regulatory flood hazard area which impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.
- DD. OBSTRUCTION, NATURAL: Any rock, tree, gravel, or analogous natural matter that is an obstruction and has been located in the floodway by a nonhuman cause.
- EE. SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure, either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. “Substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state and local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any restoration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places. (This definition applies only with respect to flood hazard regulations.)

2-2.7 General

- (A) ADDRESS: The official street number assigned by the Jurisdiction for a specific lot, building, or portion thereof.
- (A1) ASSEMBLY: A joining together of completely fabricated parts to create a finished product.
- (A2) ATHLETIC FIELD: Outdoor sites, often requiring equipment, designed for formal athletic competition in field sports (e.g. softball, soccer, football).
- (A3) AUTO WRECKING: A person that provides open storage, disassembling, or salvaging for more than two (2) junked motor vehicles.
- (A4) AUTOMOBILE REPAIR SERVICES, MAJOR: An establishment primarily engaged in one or more of the following activities: 1) general repair or service, 2) engine repair, 3) installation or repair of transmissions, 4) installation or repair of automotive glass, 5) installation or repair of exhaust systems, 6) repair of tops, bodies and interiors, and 7) automotive painting and finishing.
- (A5) AUTOMOTIVE REPAIR SERVICES, MINOR: An establishment primarily engaged in one or more of the following activities: 1) diagnostic service and tune-ups, 2) installation or repair

of air-conditioners, brakes, carburetors, electrical systems, fuel systems, generators and starters, and radiators, 3) lubricating service, and 4) front end and wheel alignment.

(B) BAR: An establishment primarily engaged in the retail sale of beer or wine for consumption on the premises. Such establishment must obtain a ABC license for on-premise beer or wine consumption only. The establishment may also be engaged in the retail sale of prepared food for on-premise consumption.

(B1) BASEMENT: A story of a building or structure having one-half or more of its clear height below grade.

(B2) BLOCK: A piece of land bounded on all sides by streets.

(B3) BOARD OF ADJUSTMENT: A quasi-judicial body, appointed by the Governing Body, that is given certain powers under this Ordinance.

(B4) BOARDING HOUSE: A dwelling or part thereof, in which lodging is provided by the owner or operator to more than three (3) boarders.

(C) CALIPER INCHES: Quantity in inches of the diameter of trees measured at the height of six (6) inches above ground for trees four (4) inches in trunk diameter and twelve (12) inches above the ground for trees over four (4) inches in trunk diameter.

(C1) CANOPY TREE: A species of tree which normally grows to a mature height of forty (40) feet or more.

(C2) CERTIFICATE OF APPROPRIATENESS: A statement issued by the local governing body which states that work proposed by the applicant is consistent with the architectural and historic guidelines for the historic district in which the property is located.

(C3) CERIFICATE OF COMPLIANCE/OCCUPANCY: A statement, signed by the Inspections Director, setting forth either that a building or structure complies with the provisions of this Ordinance, or that building, structure, or parcel of land may lawfully be employed for specified uses, or both.

(C4) COMMON AREA(S): All areas, including private streets, conveyed to an owners' association in a townhouse development, planned unit development, or owned on a proportional undivided basis in a condominium.

(C5) CONGREGATE CARE FACILITY: A facility providing shelter and services for ambulatory individuals at least fifty-five (55) years of age who by reason of their age, functional impairment, or infirmity may require meals, housekeeping, and personal care assistance. Congregate care facilities do not include nursing homes or similar institutions devoted primarily to the care of the chronically ill or the incurable.

(C6) COUNTY: Refers to Alamance or Guilford County, North Carolina.

(C7) CRITICAL ROOT ZONE: The rooting area of a tree established to limit root disturbance, generally defined as a circle with a radius extending from a tree's trunk to the furthest point of the crown drip-line.

(D) DAY: Calendar day.

(D1) DENSITY CREDIT: The potential for the improvement or subdivision of part or all of a parcel of real property, as permitted under the terms of the Ordinance, expressed in dwelling unit equivalents or other measures or development density or intensity or a

fraction or multiple of that potential that may be transferred to other portions of the same parcel or to contiguous land that is part of a common development plan.

(D2) DEPARTMENT: The State Department of Natural Resources and Community Development.

(D3) DEVELOPER: A person engaging in development.

(D4) DEVELOPMENT, DENSITY OF: The density of development shall be determined using a gross acreage system. The total area of the tract, including areas to be used for new streets, right-of-ways, drives, parking, structures, recreation areas, dedicated areas, and required setbacks shall be used for density calculations.

(D5) DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

(D6) DISTRICT: The Guilford Soil and Water Conservation District created pursuant to NCGS 139.

(D7) DORMITORY, PRIVATE: A multiple unit residential accommodation which is established directly or indirectly in association with a college, business college, trade school or university for the purpose of housing students registered and attending such an institution. A private dormitory may contain food preparation and eating facilities primarily for the use of its occupants. A private dormitory is not considered to be a structure under the definition of group housing development, nor is it required to meet the residential density limits for the zoning district in which it is located.

(D8) DRIPLINE: A vertical line extending from the outermost portion of a tree's canopy to the ground.

(F) FAMILY: One (1) or more persons related by blood, adoption, or marriage, or not more than three (3) unrelated people, occupying a premise and living as a single housekeeping unit with common facilities. Four (4) or more unrelated persons occupying a premises shall come within the definition of multi-family use.

(F1) FAMILY CARE HOME: A home meeting the North Carolina Residential Building Code with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for six (6) or less resident handicapped persons, pursuant to NCGS 168-21.

(F2) FENCE: A physical barrier or enclosure consisting of wood, stone, brick, wire, metal or similar material used as a boundary or means of protection or confinement, but not including a hedge or other natural growth.

(F3) FLOOR AREA RATIO: The total floor area on a lot divided by the lot area.

(F4) FRONTAGE: That side of a lot abutting on a street.

(G) GARAGE, PRIVATE: A building or structure used accessory to or as part of the principal building which provides for the storage of motor vehicles and in which no business, occupation, or service is in any way conducted.

(G1) GARAGE, PUBLIC: A building or structure operated as a business devoted primarily to vehicular repair, storage, maintenance, service, sales, or any combination thereof.

- (G2) GOVERNING BODY: Any county, incorporated municipality, or any combination of counties, incorporated municipality, acting through a joint program pursuant to the provisions of this Ordinance.
- (G3) GRADE: A reference plane representing the average of finished ground level adjacent to any structure.
- (G4) GREENWAY: Public open space owned and maintained by the local government which has been designated on an officially adopted greenway plan.
- (G5) GROUP CARE FACILITY: A facility licensed by the State of North Carolina, (by whatever name it is called, other than “Family Care Home” as defined by this Ordinance), with support and supervisory personnel that provides room and board, personal care or habilitation services in a family environment for not more than thirty (30) people.
- (G6) GROUP DEVELOPMENT: A development, regulated by the subdivision provisions of Article V (Subdivision: Procedures and Standards), in which a tract of land is not divided into building lots for sale but is divided into two (2) or more principal building sites for the purpose of building development (whether immediate or future) and occupancy by separate families, firms, businesses, or other enterprises.
- (H) HOME OCCUPATION: Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof.
- (H1) HOUSEHOLD: All persons who occupy a dwelling unit. (A person living alone or any group of persons sharing a dwelling unit is a household).
- (J) JUNK/SALVAGE YARD: Any land or area used, in whole or in part, for the storage, keeping, or accumulation of material, including scrap metals, waste paper, rags, or other scrap materials, or used building materials, for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.
- (L) LANDFILL, DEMOLITION AND CONSTRUCTION DEBRIS (MAJOR): A disposal site other than minor demolition and construction debris landfill as defined in this ordinance for stumps, limbs, leaves, concrete, brick, wood, and uncontaminated earth. Disposal of any other types of wastes must be approved by the State Division of Health Services.
- (L1) LANDFILL, DEMOLITION AND CONSTRUCTION DEBRIS (MINOR): A disposal site for stumps, limbs, leaves, concrete, brick, wood, and uncontaminated earth which is less than three acres in size and is operation for less than one year.
- (L2) LANDFILL, SANTARY: A site for solid waste disposal from residential, industrial or commercial activities.
- (M) MANUFACTURED DWELLING PARK: A site with required improvements and utilities for long-term location of manufactured homes which may include services and facilities for the residents.
- (M1) MANUFACTURED DWELLING SPACE: A designated area of land within a manufactured dwelling park designed for the accommodation of a single home in accordance with the requirements of this Ordinance.
- (M2) MIXED DEVELOPMENT: A mixture of residential and permitted office and/or commercial uses in the GB, HB, SC, and CP Districts.

(M3) MOTOR VEHICLE, BUSINESS AND PERSONAL USE OF: A motor vehicle used for transportation at least once every seven (7) days.

(M4) MOTOR VEHICLE, JUNKED: A motor vehicle that does not display a current license plate and is one of the following:

1. Is partially dismantled or wrecked: or
2. Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
3. More than five (5) years old and appears to be worth less than one hundred dollars (\$100.00);

Provided that any motor vehicle used on a regular basis for business or personal use shall not be caused to be removed or disposed.

(N) NONCONFORMING: Lots, structures, signs, and uses of land and structures, which are prohibited under the terms of this Ordinance but were lawful at the date of this Ordinance's enactment or any amendment or revision thereto.

(N1) NONCONFORMING LOT(S): A Lot of Record that does not conform to the dimensional requirements of the zoning district in which it is located. The nonconformity may result from adoption of this ordinance or any subsequent amendment.

(N2) NONCONFORMING STRUCTURE(S): A structure that does not conform to the dimensional requirements of the zoning district in which it is located. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.

(N3) NONCONFORMING USE: An use in operation on a parcel of land or within a structure that is not permitted within the district where the use is taking place. The nonconformity may result from the adoption of this Ordinance or any subsequent amendment.

(N4) NURSING HOME: An establishment which provides full-time convalescent or chronic care, or both, who are not related by blood or marriage to the operator or who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

(O) OCCUPANCY, MIXED: Occupancy of building or land by more than one use.

(O1) OWNER: A holder of any legal or equitable estate in the premises, whether alone or jointly with others, and whether in possession or not.

(P) PERSON: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, or public or private institution, utility, cooperative, interstate body or other legal entity.

(P1) PLANNING DEPARTMENT: The Planning Department of the Town of Gibsonville.

(P2) PLAT: A surveyed map or plan of a parcel of land which is to be, or has been subdivided.

(P3) PLAT, FINAL: The final map of all or a portion of a subdivision or site plan, showing the boundaries and location of lots, streets, easements and any other requirements of the Map Standards Policy contained in this Ordinance, which is presented for local government approval and subsequent recordation in the **Guilford County Register of Deeds Office**.

(P4) PLAT, PRELIMINARY: A map indicating the proposed layout of the subdivision or site plan showing lots, streets, water, sewer, storm drainage locations, and any other requirements of the Map Standards Policy contained in this Ordinance, which is presented for preliminary approval.

(P5) PLAT, SKETCH: A rough sketch map of a proposed subdivision or site plan, showing street, lot locations, and any other requirements of Appendix 2 (Map Standards), of sufficient accuracy to be used for discussion of the street system and the proposed development pattern.

(P6) PRIVATE SEWER: A system which provides for collection and/or treatment of wastewater from a development, or property which is not maintained with public funds.

(P7) PRIVATE WATER: A system which provides for the supply and/or distribution of potable water for use by a development, project or owner which is not operated or maintained by a public organization or utility district.

(P8) PUBLIC SEWER: A system which provides for the collection and treatment of sanitary sewage which serves more than one property and is owned and operated by a public organization or utility district.

(P9) PUBLIC WATER: A system which provides distribution of potable water which serves more than one property and is owned and operated by a public organization or utility district.

(R ) RECREATIONAL VEHICLE: A vehicular accommodation (other than a manufactured home) suitable for temporary accommodation, used for travel, vacation, or recreational purposes, whose overall length does not exceed forty (40) feet which may contain limited or no bathroom or kitchen facilities.

(R1) RECREATIONAL VEHICLE PARK: Any site or tract of land, of contiguous ownership, upon which twenty-five (25) or more recreational vehicles or tent spaces are provided for occupancy according to the requirements set forth in this ordinance.

(R2) RECREATIONAL VEHICLE SPACE: A plot of land within a recreational vehicle park designed for the accommodation of one recreational vehicle in accordance with the requirements set forth in this ordinance.

(R3) RECREATIONAL VEHICLE, DEPENDENT: A vehicle which is dependent upon a service building for toilet and lavatory facilities.

(R4) RESERVATION: A reservation of land does not involve any transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time.

(R5) RESTAURANT (SERVING MIXED ALCOHOLIC BEVERAGES): An establishment primarily engaged in the retail sale of prepared food and mixed alcoholic beverages (including liquor, beer, ale, or wine) for on-premise or immediate consumption. Such establishments must: obtain an ABC license for the on-premise mixed beverage consumption; have more than fifty (50%) percent of the gross receipts result from the sale of prepared food on-premise; and have permanent on-premise beer or wine consumption only shall be classified as a bar for the purposes of this Ordinance.

(R6) ROOF LINE: The top edge of the roof or top of the parapet, whichever forms the top line of the building silhouette.

(S) SLOPE: An inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance, commonly expressed as "two to one", (2:1), and "one and one half to one", (1.5:1) etc...

(S1) SOIL SCIENTIST: The soil scientist of Guilford County or his designated agents(s).

(S2) SOLID WASTE: Garbage, refuse, and other discarded solid materials.

(S3) SUBDIVIDER: Any person who subdivides any land as herein defined.

(S4) SUBDIVISION: All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future and includes all division of land involving the dedication of a new street or a change in existing streets; however, the following are not included within this definition and are not subject to any subdivision approval regulations in this Ordinance:

1. The combination or recombination of portion of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this Ordinance;
2. The division of land into parcels greater than ten (10) acres if no street right-of-way dedication is involved;
3. The public acquisition by purchase of strips of land for widening or opening streets; and
4. The division of a tract in single ownership the entire area of which is not greater than two (2) acres into not more than three (3) lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of this Ordinance.

(S5) SUBDIVISION, MAJOR: A subdivision involving more than four (4) lots, requiring new public street(s) for access to interior property, requiring extension of public sewage or water line, or requiring a waiver or variance from any requirement of this Ordinance.

(S6) SUBDIVISION, MINOR: A subdivision involving not more than four (4) lots fronting on an existing approved public street(s), not requiring any new public street(s) for access to interior property, not requiring extension of public sewage or water line and not requiring a **waiver** or variance from any requirement of this Ordinance. \*

(S7) SWIMMING POOL: A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty inches designed, used and maintained for swimming and bathing.

(S8) SWIMMING POOL, NONPERMANENT: A swimming pool that is so constructed that it may be readily disassembled for storage and reassembled to its original integrity.

(S9) SWIMMING POOL, PERMANENT: A swimming pool that is constructed in the ground, on the ground, or in a building, in such a manner that the pool cannot be readily disassembled for storage.

(S10) SWIMMING POOL, PUBLIC: Any swimming pool, other than a residential pool, which is intended to be used collectively by numbers of persons for swimming or bathing and is operated by any owner, lessee, operator, licensee, or concessionaire, regardless of whether a fee is charged.

(S11) SWIMMING POOL, RESIDENTIAL: Any constructed pool, permanent or non-permanent, which is intended for non-commercial use as a swimming pool by an owner, occupant or guest.

- (T) TENANT: Any person who alone or jointly or severally with others occupies a building under a lease or holds a legal tenancy.
- (T1) TOURIST HOME: A private residence in which accommodations are provided for lodging and my include meals for overnight guests.
- (T2) TRACT: All contiguous land and bodies of water in one ownership, or contiguous land and bodies of water in diverse ownership being developed as a unit, although not necessarily all at one time.
- (U) UNDERSTORY TREE: A species of tree which normally grows to fifteen (15) to thirty-five (35) feet in height.
- (U1) USE: The purpose for which land or structures thereon is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented or leased.
- (U2) USE, MIXED: See Occupancy, Mixed
- (U3) USE, ACCESSORY(S): Any use which is clearly incidental, secondary, and/or supportive of a principal use.
- (U4) USE(S), PRINCIPAL: Any use listed in the Table of Permitted Uses.
- (V) VARIANCE: Official permission from the Board of Adjustment to depart from the requirements of this Ordinance.
- (W) WAIVER: Official permission from any designated body other than the Board of Adjustment to depart from the requirements of this Ordinance.
- (W1) WALL, RETAINING: A structure, either masonry, metal, or treated wood, designed to prevent the lateral displacement of soil, rock, fill or other similar material.
- (Z) ZONING DISTRICTS: Areas defined by the regulatory requirements of zoning use districts acting independently or in conjunction with floating zones and/or overlay zones.

#### 2-2.8 Hazardous Waste

- A. DISPOSAL (OF HAZARDOUS OR TOXIC SUBSTANCE(S)): The destruction, discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous waste or toxic substance into or on any air, land, or water.
- B. DISPOSAL FACILITY: A facility or part of a facility at which hazardous waste or toxic substance is intentionally placed into or on any land or water, and at which hazardous waste or toxic substance will remain after closure.
- C. HAZARDOUS WASTE GENERATOR: Any person whose act or process produces hazardous waste or toxic substance identified or listed in Part 261 of the North Carolina Hazardous Waste Management Rules or whose act first causes a hazardous waste or toxic substance to become subject to regulation provided that, "generator" does not include a facility which accepts hazardous waste or toxic substances for the purpose of treatment, storage, or disposal, and in that purpose creates a different hazardous waste or toxic substance.

- D. HAZARDOUS OR TOXIC SUBSTANCE: Any solid waste as defined in NCGS 130A-290(18), or any substance regulated under the Federal Toxic Substance Control Act of 1976, (PL 94-476), as amended from time to time, which because of its quantity, concentration, or physical chemical or infectious characteristic(s) may:
  1. cause or significantly contribute to an increase in serious irreversible or incapacitating illness, or
  2. pose a substantial present or potential threat to the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- E. HAZARDOUS WASTE LONG-TERM STORAGE FACILITY: Any facility or any portion of a facility constructed for storage of the residuals of the treatment of hazardous waste, on or in land.
- F. HAZARDOUS WASTE MANAGEMENT: The systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery and disposal of hazardous wastes.
- G. HAZARDOUS WASTE TREATMENT FACILITY: A facility which is established and operated for the recovery, recycling, treatment, storage during collection and prior to treatment, short-term storage after treatment, collection, processing, volume reduction, source separation, or transportation used exclusively in connection with the facility, of hazardous waste; and which facility includes several of the following equipments and processes: Incinerators, rotary kilns, drum handling, washing and crushing facilities, raw waste tank storage, reduction, neutralization, detoxification, wastewater treatment facilities including settling systems, aerobic digesters, anaerobic digesters, clarifiers, neutralization facilities, solidifying facilities, evaporators, reactions to facilitate “reuse” or recycling, analytical capabilities, and other similar appropriate technologies, activities and processes as may now exist or be developed in the future.
- H. LONG-TERM RETRIEVABLE STORAGE OF HAZARDOUS WASTE: The storage in closed containers in facilities (either above or below ground) with adequate lights; impervious cement floors; strong visible shelves or platforms; passageways to allow inspection at any time; adequate ventilation if underground or in closed buildings; protection from the weather; accessible to monitoring with signs on both individual containers and sections of storage facilities; and adequate safety and security precautions for facility personnel, inspectors and invited or permitted members of the community.

2-2.9 Lot

- A. BUILDABLE OR ZONE LOT: One or more lots of record in one undivided ownership with sufficient total area, sufficient area exclusive of easement and floods hazards total dimensions, and street access to permit construction thereon of a principal building together with its required parking and planting yards.
- B. CORNER LOT: A lot abutting two or more streets at their intersection.

- C. FLAG LOT: A lot, created by a subdivision, with less street frontage than is required by Article IV (Zoning) and composed of a narrow “flagpole” strip extending from the street and a much wider “flag” section lying immediately behind a lot or lots or portion of a lot having the required street frontage for a conventional lot. In the case of a flag lot, the lot line at the end of the flag pole lying generally parallel to the street to which the flagpole connects shall be considered to be the front lot line for setback purposes.
- D. LOT: A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership or for development or both. The word “lot” includes “plot”, “parcel”, or “tract”.
- E. LOT COVERAGE: The portion of a lot covered by buildings(s) and/or structure(s).
- F. LOT DEPTH: The distance measured along the perpendicular bisector of the lot.
- G. LOT OF RECORD: A lot, plot, parcel or tract recorded in the Office of the Register of Deeds in conformance with the ordinance(s) in effect at the time of recordation.
- H. LOT WIDTH: The mean width measured at right angles to its depth at the building line.
- I. TOWNHOUSE LOT: A parcel of land intended as an unit for transfer of ownership and lying underneath, or underneath and around, a townhouse, patio home, or unit in nonresidential group development.

#### 2-2.10 Setback

- A. STREET SETBACK: Any setback from a street or road.
- B. REAR SETBACK: A setback from an interior property line lying on opposite side of the lot from the front street setback.
- C. SETBACK: The minimum required horizontal distance between a structure and the property line, street right-of-way line, or street centerline.
- D. SIDE SETBACK: Any interior property line setback other than a rear setback.
- E. ZERO SIDE SETBACK: An alternate form of dimensional requirements that allow one or more dwelling units to have a zero (0) setback from a side property line. This definition does not include townhouses.

#### 2-2.11 Signs

- A. ANIMATED SIGN: Any sign which uses movement or a change of lighting to depict action or to create a special effect or scene.
- B. BANNER: A sign of lightweight fabric or similar material which is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.
- C. BILLBOARD: A freestanding sign designed for the display of information and/or advertising.

- D. BUILDING MARKER: A sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.
- E. CANOPY SIGN: Any sign which is a part of or attached to an awning, canopy or other fabric-like or plastic protective structure which is extended over a door, window, or entranceway. A marquee is not a canopy.
- F. DIRECTIONAL SIGN: A sign which has a use incidental to the use of the zone lot on which it is located, such as “no parking”, “entrance”, “loading only”, “telephone”, and other similar directives, and may include certain signs with commercial messages that are not legible from a location off the lot.
- G. FLAG: Any fabric, banner or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other entity.
- H. FREESTANDING SIGN: Any sign which is supported by structures or supports which are placed on, or anchored in, the ground, and which structures or supports are independent from any building or other structure.
- I. GROUND SIGN: Any sign, other than a freestanding sign, placed upon or supported by the independent of any other structure.
- J. IDENTIFICATION SIGN: Any sign which contains no commercial message except advertising goods or services legally offered on the premises where the sign is located and directional/information message within group developments or buildings with multiple tenants.
- K. MARQUEE: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
- L. MARQUEE SIGN: Any sign attached to, in any manner, or made a part of a marquee.
- M. NONCONFORMING SIGN: Any sign which does not conform to the requirements of this Ordinance.
- N. PENNANT: Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.
- O. PORTABLE SIGN: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to signs: designed to be transported by means of wheels; converted to A- or T- Frames; menu and sandwich board signs; gas or hot-air filled balloons; umbrellas used for advertising; signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day to day operation of the business.
- P. PROJECTING SIGN: Any sign which is affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall.

- Q. ROOF SIGN: Any sign erected and constructed wholly on and over the roof on a building, supported by the roof structure, and extending vertically above the highest portion of the roof.
- R. ROOF SIGN, INTEGRAL: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.
- S. SIGN: Any object, device, display, or structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including but not limited to words, letters, pennants, banners, emblems, trademarks, trade names, insignias, numerals, figures, design, symbols, fixtures, colors, illumination or projected images or any other attention directing device.
- T. SIGN OWNER: Any person holding legal title or legal right to occupy or carry on business in a structure or any facility and shall include each and every person who shall have title to or benefit of a sign, or for whose benefit any sign is erected or maintained. Where there is more than one (1) owner, as defined, their duties and obligations under this chapter are joint and several, and shall include the responsibility for such sign.
- U. SUSPENDED SIGN: A sign which is suspended from the underside of a horizontal plane surface and is supported by such surface
- V. TEMPORARY SIGN: Any sign, made from any material, which the sign is used only temporarily, and which the sign is not permanently mounted.
- W. WALL SIGN: Any sign attached parallel to, painted on the wall surface of, or erected and confined within the limits of the outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. (Also known as Building Sign)
- X. WINDOW SIGN: Any sign, pictures, symbols, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, placed inside a window or upon the window panes or glass and which is visible from the exterior of the window.

#### 2-2.12 Streets, Drives, and Lanes

- A. ALLEY: A roadway which affords only a secondary means of access to abutting property.
- B. COLLECTOR AND LOCAL STREET IMPROVEMENT PLAN: A plan, adopted by the local governing body, for additional major and minor streets not shown on the thoroughfare Plan and showing collector and local service streets in the planning area.
- C. COLLECTOR STREET: A street whose principal function is to carry traffic between cul-de-sac, local, and subcollector streets and streets of higher classification but which may also provide direct access to abutting properties.

- D. CUL-DE-SAC STREET: A short local street having one end open to traffic and the other end permanently terminated by a vehicular turnaround.
- E. LOCAL STREET: A street whose primary function is to provide access to abutting properties.
- F. MAJOR THOROUGHFARE STREET: Major thoroughfares consist of interstate, other freeway, expressway, or parkway links, and major streets that provide for the expeditious movement of high volumes of traffic within and through urban areas.
- G. MINOR THOROUGHFARE STREET: Minor thoroughfare perform the function of collecting traffic from local access streets and carrying it to the major thoroughfare system. Minor thoroughfares may be used to supplement the major thoroughfare system by facilitating a minor through-traffic movement and may also serve abutting property.
- H. PRIVATE DRIVE: A vehicular travelway not dedicated as a public street, providing access to parking lot(s) for two (2) or more principal buildings in a group housing or group nonresidential development.
- I. PRIVATE STREET: A vehicular travelway not dedicated as a public street but resembling a cul-de-sac or a local street by carrying traffic from a series of driveways to the public street system.
- J. PUBLIC STREET: A dedicated public right-of-way in which the roadway has been accepted or constructed to public standards for vehicular traffic but not an alley.
- K. STREET RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a travelway for vehicles and also available, with the consent of the appropriate governmental agency, for installation and maintenance of sidewalks, traffic control devices, traffic signs, street name signs, historical marker signs, water lines, sanitary sewer lines, storm sewer lines, gas lines, power lines, and communication lines.
- L. SUBCOLLECTOR STREET: A street whose principal function is to provide access to abutting properties but which is also designed to be used or is used to connect local streets with collector or higher classification streets.
- M. THOROUGHFARE PLAN: A plan for the development of existing and proposed major streets that will adequately serve the future travel needs of an area in an efficient and cost effective manner.

#### 2-2.13 Telecommunication Towers

- A. CAMOUFLAGED/ CONCEALED TOWERS: Any tower that is incorporated into the supporting framework or architectural elements of an existing structure so as to be functional and yet indistinguishable from the supporting structure or otherwise altering the supporting structure's appearance after its installation.
- B. FREE-STANDING TOWER: Any tower that is supported by structures or supports that are placed on, or are anchored in the ground and which structure or supports are independent of any other building or structures.

- C. ROOF-TOP TOWER: Any tower of reduced height that has its base and supporting structures attached to the roof-top of an existing building and which supports are contained within the perimeter of the same roof-top. The height limitations of this type of tower are determined by the Development Standards contained in Section 6 of this Ordinance.

### Definition Index

The following is an index to all the words defined in this Section. The first column contains the defined word. The second column contains the Ordinance reference where the word is defined. The third column contains the page number.

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Adequate Erosion Control Measure	2-2.5(K)	2-7	Board of adjustment	2-2.7(B3)	2-12
Adequate Erosion Control Structure	2-2.5(K)	2-7	Boarding House	2-2.7(B4)	2-13
Alley	2-2.12(A)	2-22	Borrow	2-2.5(D)	2-7
Along Drainage	2-2.2(A)	2-2	Buffer	2-2.5(E)	2-7
Animated Sign	2-2.11(A)	2-20	Buffer Zone	2-2.5(F)	2-7
Apartment	2-2.3(G)	2-5	Buildable Lot	2-2.9(A)	2-19
Area of Shallow Flooding	2-2.6(N)	2-9	Building	2-2.1(C)	2-1
Area of Special Flood Hazard	2-2.6(A)	2-9	Building Height	2-2.1(D)	2-1
Artificial Obstruction	2-2.6(B)	2-9	Building Line	2-2.1(E)	2-1
Assembly	2-2.7(A1)	2-11	Building Marker	2-2.11(D)	2-20
Athletic Fields	2-2.7(A2)	2-11	Building Separation	2-2.1(F)	2-1

Building Sign	2-2.11(W)	2-22	Dedicated Open Space Area	2-2.2C	2-2
Business & Personal of Motor Vehicle	2-2.7(M3)	2-15	Demolition and Construction		
Caliper Inches	2-2.7(C)	2-12	Debris Landfill, Major	2-2.7(L)	2-14
Camouflaged Tower	2-2.13(A)	2-23	Demolition and Construction		
Camping Vehicle	2-2.7(R)	2-16	Debris Landfill, Minor	2-2.7(L1)	2-14
Camping Vehicle Park	2-2.7(R1)	2-16	Density Credit	2-2.7(D1)	2-12
Camping Vehicle Space	2-2.7(R3)	2-16	Density of Development	2-2.7(D4)	2-13
Canopy Sign	2-2.11(E)	2-21	Department	2-2.7(D2)	2-13
Canopy Tree	2-2.7(C1)	2-12	Dependent Recreation Vehicle	2-2.7(R3)	2-16
<b>Carpport</b>	2-2.1(G)	2-2	Detention Pond	2-2.2(B)	2-2
Certificate of Appropriateness	2-2.7(C2)	2-12	Developer	2-2.7(D3)	2-13
Certificate of Compliance/Occupancy	2-2.7(C3)	2-12	Development	2-2.7(D5)	2-13
Collector & Local Street			Dispersed Drainage	2-2.2(D)	2-2
Improvement Plan	2-2.12(B)	2-23	Disposal [of Hazardous or Toxic		
Collector Street	2-2.12(C)	2-23	Substance(s)]	2-2.8(A)	2-18
Common Area(s)	2-2.7(C4)	2-12	Disposal Facility	2-2.8(B)	2-18
Condominium	2-2.3(C)	2-4	Directional Sign	2-2.11(F)	2-21
Congregate Care Facility	2-2.7(C5)	2-12	District	2-2.7(D6)	2-13
Convalescent Home	???	???	Drainage Easement	2-2.4(B)	2-6
Corner Lot	2-2.9(B)	2-19	Drainage Maintenance Easement	2-2.4(C)	2-6
County	2-2.7(C6)	2-12	Drainage way	2-2.2(H)	2-2
Critical Root Zone	2-2.7(C7)	2-12	Dripline	2-2.7(D8)	2-13
Cul-de-sac	2-2.12(D)	2-23	Duplex	2-2.3(L)	2-6
Cul-de-sac Street	2-2.12(D)	2-23	Duplex House	2-2.3(M)	2-6
Day	2-2.7(D)	2-12	Dwelling Unit	2-2.3(D)	2-4
Dedicated Drainage Area	2-2.2(C)	2-2	Easement	2-2.4(D)	2-6

Elevated Building	2-2.6(F)	2-9	Frontage	2-2.7(F3)	2-13
Energy Dissipator	2-2.5(H)	2-7	Functionally Dependent Facility	2-2.6(S)	2-10
Enhanced Drainage	2-2.2(E)	2-2	Governing Body	2-2.7(G2)	2-14
Erosion	2-2.5(E)	2-7	Grade	2-2.7(G3)	2-14
Erosion Control Bern	2-2.5(C)	2-7	Grading	2-2.5(N)	2-7
Existing Construction	2-2.6(C)	2-9	Grading Plan	2-2.5(O)	2-7
Family	2-2.7(F)	2-13	Greenway	2-2.7(G4)	2-14
Family Care Home	2-2.7(F1)	2-13	Ground Cover	2-2.5(P)	2-7
Fence	2-2.7(F2)	2-13	Ground Sign	2-2.11(I)	2-21
Final Plat	2-2.7(P3)	2-15	Group Care Facility	2-2.7(G5)	2-14
Flag	2-2.11(G)	2-21	Group Development	2-2.7(G6)	2-14
Flag Lot	2-2.9(C)	2-19	Hazardous Substance	2-2.8(D)	2-18
Flood	2-2.6(H)	2-9	Hazardous Waste Generator	2-2.8(C)	2-18
Flood Hazard Boundary Map (FHBM)	2-2.6(I)	2-9	Hazardous Waste Long-Term		
Flood Insurance Rate Map (FIRM)	2-2.6(J)	2-9	Storage Facility	2-2.8(E)	2-19
Flood Insurance Study	2-2.6(K)	2-9	Hazardous Waste Management	2-2.8(F)	2-19
Flood Plain	2-2.6(L)	2-9	Hazardous Waste		
Flood Protection Elevation	2-2.6(M)	2-9	Treatment Facility	2-2.8(G)	2-19
Flooding	2-2.6(N)	2-9	Highest Adjacent Grade	2-2.6(T)	2-10
Flood proofing	2-2.6(O)	2-10	Home Occupation	2-2.7(H)	2-14
Floodway	2-2.6(P)	2-10	Household	2-2.7(H1)	2-14
Floodway Fringe	2-2.6(Q)	2-10	Housing	2-2.3(H)	2-3
Floor	2-2.6(R)	2-10	Identification Sign	2-2.11(J)	2-21
Floor Area Ratio	2-2.7(F3)	2-13	Impervious Surface Coverage	2-2.2(K)	2-3
Freestanding Sign	2-2.11(H)	2-21	Improved Drainage Way	2-2.2(I)	2-2
Freestanding Tower	2-2.13(B)	2-23	Integral Roof Sign	2-2.11(R)	2-22

Junk Yard	2-2.7(J)	2-14	Manufactured Home Park	???	???
Junked Motor Vehicle	2-2.7(M4)	2-15	Manufactured Home Space	2-2.7(M1)	2-14
Lake	2-2.5(Q)	2-8	Manufactured Housing	2-2.3(E)	2-4
Land-Disturbing Activity	2-2.5(R)	2-8	Marquee	2-2.11(K)	2-21
Levee	2-2.6(V)	2-10	Marquee Sign	2-2.11(L)	2-21
Levee System	2-2.6(U)	2-10	Maximum Runoff Retention	2-2.2(L)	2-3
Local Street	2-2.12(E)	2-22	Mean Sea Level	2-2.6(Z)	2-10
Long-Term Retrievable Storage of			Minor Subdivision	2-2.7(S6)	2-17
Hazardous Waste	2-2.8(H)	2-19	Minor Thoroughfare Street	2-2.12(G)	2-23
Lot	2-2.9(D)	2-20	Mixed Development	2-2.7(M2)	2-14
Lot Coverage	2-2.9(E)	2-20	Mixed Occupancy	2-2.7(O)	2-15
Lot Depth	2-2.9(F)	2-20	Mixed Use	2-2.7(U2)	2-18
Lot of Record	2-2.9(G)	2-20	Mobile Home	2-2.3(E)	2-4
Lot Width	2-2.9(H)	2-20	Mobile Home Park	2-2.7(M)	2-14
Lowest Floor	2-2.6(W)	2-10	Mobile Home Space	2-2.7(M1)	2-14
Major Subdivision	2-2.7(S5)	2-17	Moderate Runoff Retention	2-2.2(M)	2-3
Major Thoroughfare Street	2-2.12(F)	2-23	Modular Dwelling	2-2.3(F)	2-5
Manufactured Dwelling (Dwelling)	2-2.3(E)	2-4	Modular Home	2-2.3(F)	2-5
Manufactured Dwelling			Multi-Family Dwelling	2-2.3(G)	2-5
(Flood Control)	2-2.6(X)	2-10	National Geodetic Vertical Datum		
Manufactured Dwelling Park			(NGVD)	2-2.6(AA)	2-11
(Flood Control)	2-2.6(Y)	2-10	Natural Erosion	2-2.5(L)	2-7
Manufactured Dwelling Park			Natural Obstruction	2-2.6(DD)	2-11
(General)	2-2.7(M)	2-14	Natural Watercourse	2-2.5(Q)	2-8
Manufactured Dwelling Space	2-2.7(M1)	2-14	New Construction	2-2.6(BB)	2-11
Manufactured Home	2-2.3(E)	2-4	Nonconforming	2-2.7(N)	2-15

Nonconforming Lot(s)	2-2.7(N1)	2-15	Private Drive	2-2.12(H)	2-23
Nonconforming sign(s)	2-2.11(M)	2-21	Private Garage	2-2.7(G)	2-13
Nonconforming Structure(s)	2-2.7(N2)	2-15	Private Sewer	2-2.7(P6)	2-16
Nonconforming Use	2-2.7(N3)	2-15	Private Street	2-2.12(I)	2-23
Nonpermanent Swimming Pool	2-2.7(S8)	2-17	Private Water	2-2.7(P7)	2-16
Nursing Home	2-2.7(N4)	2-15	Protected Area	2-2.5(U)	2-8
Obstruction	2-2.6(CC)	2-11	Protected Drainage way	2-2.2(J)	2-2
One-hundred (100) Year Storm	2-2.2(T)	2-3	Projecting Sign	2-2.11(P)	2-21
Owner	2-2.7(O1)	2-15	Public Garage	2-2.7(G1)	2-13
Pennant	2-2.11(N)	2-21	Public Sewer	2-2.7(P8)	2-16
Permanent Swimming Pool	2-2.7(S9)	2-17	Public Street	2-2.12(J)	2-23
Person	2-2.7(P)	2-15	Public Swimming Pool	2-2.7(S10)	2-17
Person Conducting Land			Public Water	2-2.7(P9)	2-16
Disturbing Activity	2-2.5(S)	2-8	Rear Setback	2-2.10(B)	2-20
Person Responsible for Land			Recreational Vehicle	2-2.7(R )	2-16
Disturbing Violation	2-2.5(T)	2-8	Recreational Vehicle Park	2-2.7(R1)	2-16
Phase of Grading	2-2.5(N)	2-7	Recreational Vehicle Space	2-2.7(R2)	2-16
Planning Department	2-2.7(P1)	2-15	Required Charnel Drainage	2-2.2(F)	2-2
Plat	2-2.7(P2)	2-15	Reservation	2-2.7(R4)	2-16
Portable Sign	2-2.11(O)	2-21	Residential Swimming Pool	2-2.7(S11)	2-17
Preliminary Plat	2-2.7(P4)	2-15	Restaurant(Serving Mixed Alcohol)	2-2.7(R5)	2-16
Principal Building	2-2.1(H)	2-2	Retaining Wall	2-2.7(W1)	2-18
Principal Dwelling	2-2.3(H)	2-5	Retention Pond	2-2.2(N)	2-3
Principal Structure	2-2.1(H)	2-2	Roof Line	2-2.7(R6)	2-16
Principal Use(s)	2-2.7(U4)	2-18	Roof Sign	2-2.11(Q)	2-21
Private Dormitory	2-2.7(D7)	2-13	Roof Top Tower	2-2.13(C )	2-23

Rooming House	2-2.7(B4)	2-12	Street Setback	2-2.10(A)	2-20
Runoff Detention(Minimum)	2-2.2(P)	2-3	Structure	2-2.1(I)	2-2
Runoff Detention(Excess)	2-2.2(Q)	2-3	Subcollector Street	2-2.12(L)	
Salvage Yard	2-2.7(S)	2-14	Subdivider	2-2.7(S3)	2-17
Sanitary Landfill	2-2.7(L2)	2-14	Subdivision	2-2.7(S4)	2-17
Sediment	2-2.5(V)	2-8	Substantial Improvement	2-2.6(EE)	2-11
Sedimentation	2-2.5(W)	2-8	Suspended Sign	2-2.11(U)	2-22
Sedimentation Commission	2-2.5(G)	2-7	Swimming Pool	2-2.7(S7)	2-17
Setback	2-2.10(C)	2-20	Temporary Building	2-2.1(K)	2-2
Side Setback	2-2.10(D)	2-20	Temporary Sign	2-2.11(V)	2-22
Sight Distance Easement	2-2.4(E)	2-6	Temporary Structure	2-2.1(L)	2-2
Sign	2-2.11(S)	2-22	Ten (10) Year Storm	2-2.2(S)	2-2
Sign Owner	2-2.11(T)	2-22	Tenant	2-2.7(T)	2-18
Siltation	2-2.5(X)	2-8	Tenant Dwelling	2-2.3(J)	2-6
Single Family Detached Dwelling	2-2.3(I)	2-6	Thoroughfare Plan	2-2.12(M)	
Site (Grading)	2-2.5(Y)	2-8	Tourist Home	2-2.7(T1)	2-18
Site (General)	2-2.7(T2)	2-18	Townhouse Dwelling	2-2.3(K)	2-6
Sketch Plat	2-2.7(P5)	2-16	Townhouse Lot	2-2.9(I)	2-20
Slope	2-2.7(S)	2-16	Toxic Substance	2-2.8(D)	2-18
Soil Scientist	2-2.7(S1)	2-17	Tract (Erosion)	2-2.5(Y)	2-8
Solid Waste	2-2.7(S2)	2-17	Tract (General)	2-2.7(T2)	2-18
Stabilizing Vegetation	2-2.2(Q)	2-3	Twin Home Dwelling	2-2.3(L)	2-6
Strom Drainage Facilities	2-2.2(R)	2-3	Two-Family Dwelling	2-2.3(M)	2-6
Stormwater Runoff	2-2.2(U)	2-3	Typical Required Channel		
Stream	2-2.2(V)	2-3	Section Drainage	2-2.2(G)	2-2
Street Right-of-way	2-2.12(K)	2-22	Uncovered	2-2.5(Z)	2-8

Understory Tree	2-2.7(U)	2-18	Water Quality Conservation		
Undertaken	2-2.5(AA)	2-8	Easement	2-2.4(G)	2-6
Unprotected Area	2-2.5(BB)	2-8	Water Supply Watershed	2-2.2(X)	2-3
Use	2-2.7(U1)	2-18	Watershed Critical Area	2-2.2(Y)	2-3
Utility Easement	2-2.4(F)	2-6	Wet Detention Pond	2-2.2(Z)	2-3
Variance	2-2.7(V)	2-18	Window Sign	2-2.11(X)	2-22
Velocity	2-2.2(W)	2-3	Working Days	2-2.5(DD)	2-8
Waiver	2-2.7(W)	2-18	Zero Side Setback	2-2.10(E)	2-20
Wall Sign	2-2.11(W)	2-22	Zone Lot	2-2.9(A)	2-19
Waste	2-2.5(CC)	2-8	Zoning District	2-2.7(Z)	2-18