

ARTICLE 9: MEASUREMENT AND DEFINITIONS



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9: MEASUREMENT AND DEFINITIONS

9.1. RULES OF LANGUAGE CONSTRUCTION

The following rules shall apply for construing or interpreting the terms and provisions of this Ordinance.

9.1.1. MEANINGS AND INTENT

- A. All provisions, terms, phrases, and expressions contained in this Ordinance shall be interpreted in accordance with the general purposes set forth in Section 1.4, Purpose and Intent, and the specific purpose statements set forth throughout this Ordinance.
- B. When a specific section of these regulations gives a different meaning than the general definition provided in Section 9.4, Definitions, the specific section's meaning and application of the term shall control.
- C. Terms that are not defined are subject to their common or customary meaning.

9.1.2. HEADINGS, ILLUSTRATIONS, AND TEXT

- A. In the event of a conflict or inconsistency between the text of this Ordinance and any heading, caption, figure, illustration, table, or map, the text shall control.
- B. Graphics and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.

9.1.3. LISTS AND EXAMPLES

Unless otherwise specifically indicated, lists of items, or examples that use terms like “for example,” “including,” and “such as,” or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

9.1.4. COMPUTATION OF TIME

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the town, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the town.

9.1.5. TIME-RELATED LANGUAGE

- A. **TIME STANDARD**
Whenever certain hours are named, they shall mean standard time or daylight savings time as may be in current use by the town.
- B. **DAY**
The term “day” means a calendar day, or any day during a week, including business days and weekend days.
- C. **HOLIDAY**
The term “holiday” means a legal holiday recognized by the Town.
- D. **WEEK**
The term “week” means five business days and two weekend days. Weeks commence on a Monday.
- E. **MONTH**

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9.1. Rules of Language Construction

9.1.6. References to This Ordinance

The term “month” means a calendar month.

F. YEAR

The term “year” means a calendar year.

G. TEMPORARY

The term “temporary” shall mean a condition lasting for only a limited period of time; not permanent.

H. FISCAL YEAR

The term “fiscal year” shall mean 12 consecutive months ending on the last day of any month except December.

9.1.6. REFERENCES TO THIS ORDINANCE

A reference to an article, section, subsection, or paragraph means an article, section, subsection, or paragraph of this Ordinance, unless otherwise specified.

9.1.7. REFERENCES TO OTHER REGULATIONS OR PUBLICATIONS

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

9.1.8. REFERENCES TO NORTH CAROLINA GENERAL STATUTES

Whenever any provision of this Ordinance refers to or cites a section of the North Carolina General Statutes and that section is later amended or superseded, this Ordinance shall be construed to refer to the amended section.

9.1.9. DELEGATION OF AUTHORITY

Whenever a provision of this Ordinance requires or authorizes an officer or employee of the town to do some act or perform some duty, the officer or employee may designate, delegate, and authorize subordinates to perform the act or duty unless the terms of the provision specifically provide otherwise.

9.1.10. JOINT AUTHORITY

All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

9.1.11. TECHNICAL AND NON-TECHNICAL TERMS

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

9.1.12. PUBLIC OFFICIALS AND AGENCIES

All public officials, bodies, and agencies to which references are made are those of the Town of Zebulon, unless otherwise indicated.

9.1.13. MANDATORY AND DISCRETIONARY TERMS

The words “shall,” “must,” and “will” are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words “may,” “can,” and “should” are permissive in nature.

9.1.14. CONJUNCTIONS

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. “And” indicates that all connected items, conditions, provisions or events apply.
2. “Or” indicates that one or more of the connected items, conditions, provisions, or events apply.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.1. Rules of Language Construction

9.1.15. Tenses, Plurals, and Gender of Words

9.1.15. TENSES, PLURALS, AND GENDER OF WORDS

A. TENSE

Words used in the past or present tense include the future tense as well as the past and present.

B. NUMBER

Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.1. Rules of Language Construction

9.1.16. Oath

9.1.16. OATH

The term "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in like cases the terms "swear" and "sworn" shall be equivalent to the terms "affirm" and "affirmed."

9.1.17. TERM NOT DEFINED

If a term used in any article of this Ordinance is not defined, the Planning Director is authorized to interpret the term in accordance with Section 2.2.12, Interpretation, based upon the definitions used in professionally accepted sources.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.2. Table of Abbreviations

9.1.17. Term Not Defined

9.2. TABLE OF ABBREVIATIONS

Table 9.2: Abbreviations, is a summary table of abbreviations used in this Ordinance.

TABLE 9.2: ABBREVIATIONS	
ABBREVIATION	TERM
BFE	Base Flood Elevation
BMP	Best Management Practice
BOA	Board of Adjustment
CG	Commercial General
CI	Commercial Intense
CN	Commercial Neighborhood
CO	Certificate of Occupancy
DTC	Downtown Core
DTP	Downtown Periphery
ETJ	Extra Territorial Jurisdiction
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
IL	Industrial Light
IC	Industrial Campus
IH	Industrial Heavy
NC	North Carolina
NCAC	North Carolina Administrative Code
NCDEQ	North Carolina Department of Environmental Quality
NCDOT	North Carolina Department of Transportation
NCGS	North Carolina General Statutes
NFIP	National Flood Insurance Program
OI	Office Institutional
PD	Planned Development
PIN	Parcel Identification Number
R1	Residential Rural
R2	Residential Suburban
R4	Residential Neighborhood
R6	Residential Urban
ROW	Right-of-Way
TIA	Transportation Impact Analysis
TRC	Technical Review Committee
UDO	Unified Development Ordinance
BA	Watershed Balance
CA	Watershed Critical Area
WSW	Water Supply Watershed

9.3. RULES OF MEASUREMENT

9.3.1. PURPOSE

The purpose of this section is to clarify the rules of measurement and exemptions that apply to all principal and accessory uses allowed in this Ordinance. These standards may be modified by other applicable sections of this Ordinance.

9.3.2. MEASUREMENTS, GENERALLY

A. STRAIGHT LINES

Unless otherwise stated in this Ordinance, distances specified in this Ordinance are to be measured as the length of an imaginary straight line joining two points.

B. ROUNDING

All calculations that result in a fractional unit or part of a whole number, the number shall be rounded up to the next highest whole number, unless otherwise provided in this section or elsewhere in this Ordinance.

C. IRREGULAR SHAPES

In cases where an irregular shape complicates the application of these standards, the Planning Director shall determine the applicable dimensional, setback, or bulk standards in accordance with the standards in this section and Section 2.2.12, Interpretation.

D. SEPARATION

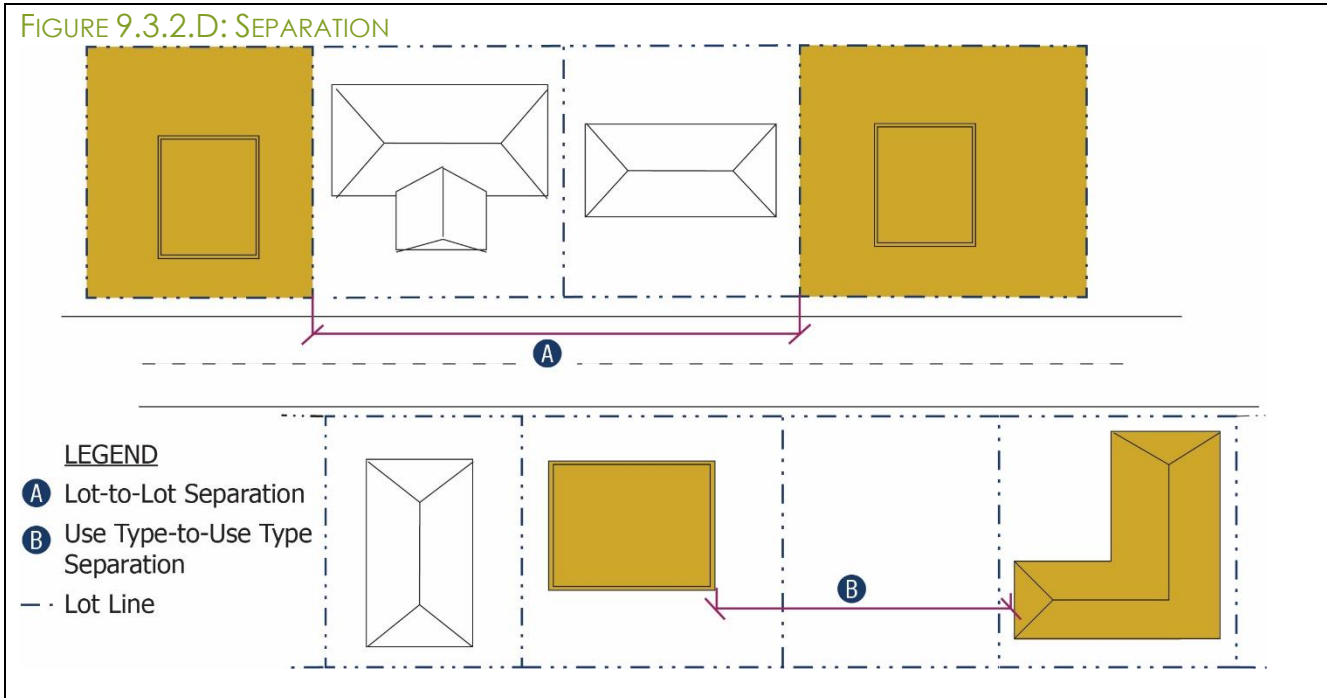
1. LOT TO LOT

When the provisions of this Ordinance require separation between two or more lots, or a lot and another feature, separation shall be measured by drawing straight lines from the nearest point of one lot line to the nearest point of the lot line subject to the separation requirement (see Figure 9.3.2.D: Separation).

2. USE TYPE TO USE TYPE

When the provisions of this Ordinance require one use type to be separated from another use type, separation shall be measured by drawing straight lines from the nearest point of the wall of one existing or proposed principal structure to the nearest point of the wall of another existing or proposed structure subject to the separation requirement.

FIGURE 9.3.2.D: SEPARATION



E. ABUTTING VERSUS ADJACENT

1. ABUTTING

The term abutting describes a condition where two or more features (a lot line, building, driveway, etc.) are immediately beside or next to one another either on the same lot or on different lots sharing a common lot line.

2. ADJACENT

The term adjacent describes a condition where two or more similar features (a lot line, building, use type, structure, site feature, etc.) are proximate to one another, but are separated by some form of intervening feature, such as a street, alley, water feature, railroad, lot or property under separate ownership, or natural feature of sufficient size so as to prevent direct site or impede the movement of sound from one feature to another.

9.3.3. LOT DIMENSIONS

A. LOT MEASUREMENTS

1. ACREAGE

The total number or gross number of acres on a tract or site.

2. LOT DEPTH

The dimension measured from the front of the lot to the extreme rear line of the lot. In case of irregularly shaped lots, the mean depth shall be taken.

3. LOT WIDTH

The width of a lot is measured at right angles to its depth at the edge of the street setback or at a proposed building setback line, whichever is further from the street right-of-way.

4. MINIMUM LOT AREA

The minimum amount of required land area, measured horizontally, that must be included within the lines of a lot (see [Figure 9.3.3.A: Lot Measurement](#)). Lands located within any private easements shall be included within the lot area.

The length of the lot line of a single lot abutting a public or existing private street right-of-way.

LEGEND

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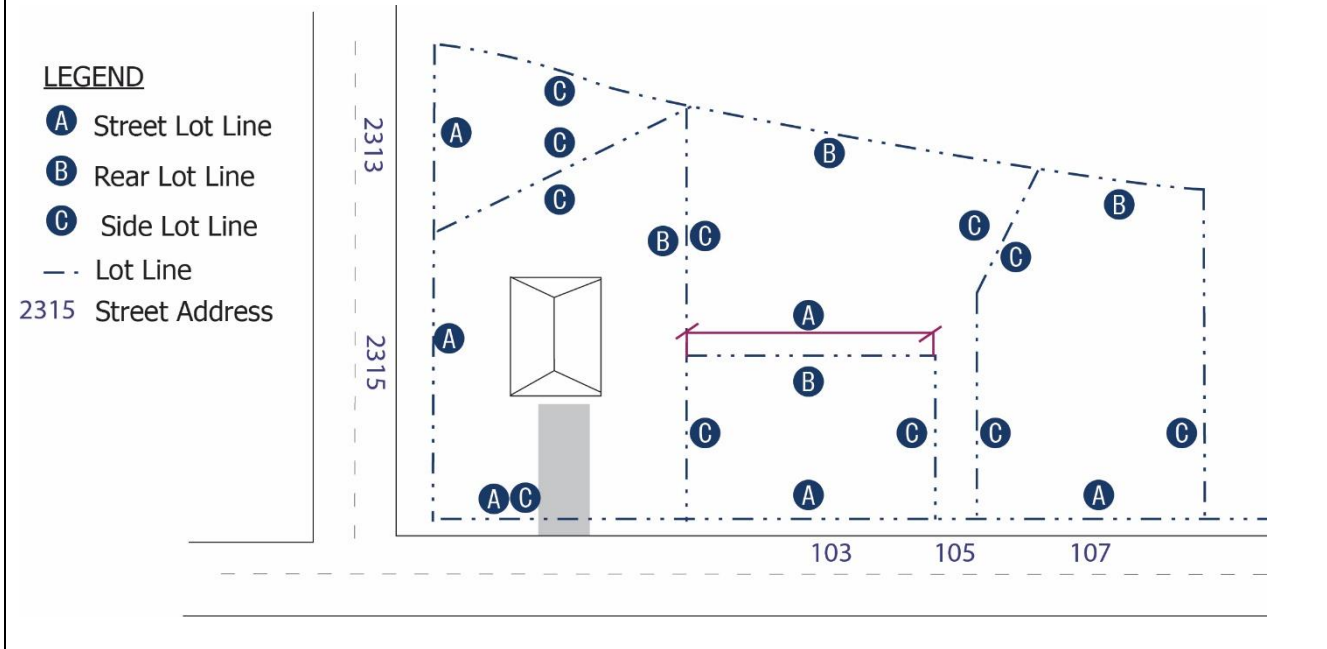
A lot line is a line of record bounding a lot which separates one lot from another lot or separates that lot from a public or private street or any other public space (see [Figure 9.3.3.B: Lot Lines](#)). The following terms describe differing types of lot lines:

The lot line connecting the two side lot lines along the edge of the street that provides a lot's street address or that opposes the primary entrance of a building.

The lot line opposite and most distant from the front lot line.

The lot line connecting the front and rear lot lines regardless of whether it abuts a right-of-way or another lot line.

FIGURE 9.3.3.B: LOT LINES



C. LOT TYPES

1. CORNER LOT

A lot which occupies the interior angle at the intersection of two street lines or a single street which make(s) an angle of more than 45 degrees and less than 135 degrees. The front of the lot is the lot line adjacent to the street from which the lot obtains its street address.

2. FLAG LOT

A lot having shape and configuration so that it connects to street frontage by an extension and/or arm of the main portion of the lot.

3. INTERIOR LOT

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

4. LOT OF RECORD

A lot that is a part of a subdivision, a plat of which has been recorded in the office of the Wake County Register of Deeds, as appropriate or a lot described by metes and bounds, the description of which has been recorded with the Wake County Register of Deeds, as appropriate.

5. THROUGH LOT (DOUBLE FRONTAGE LOT)

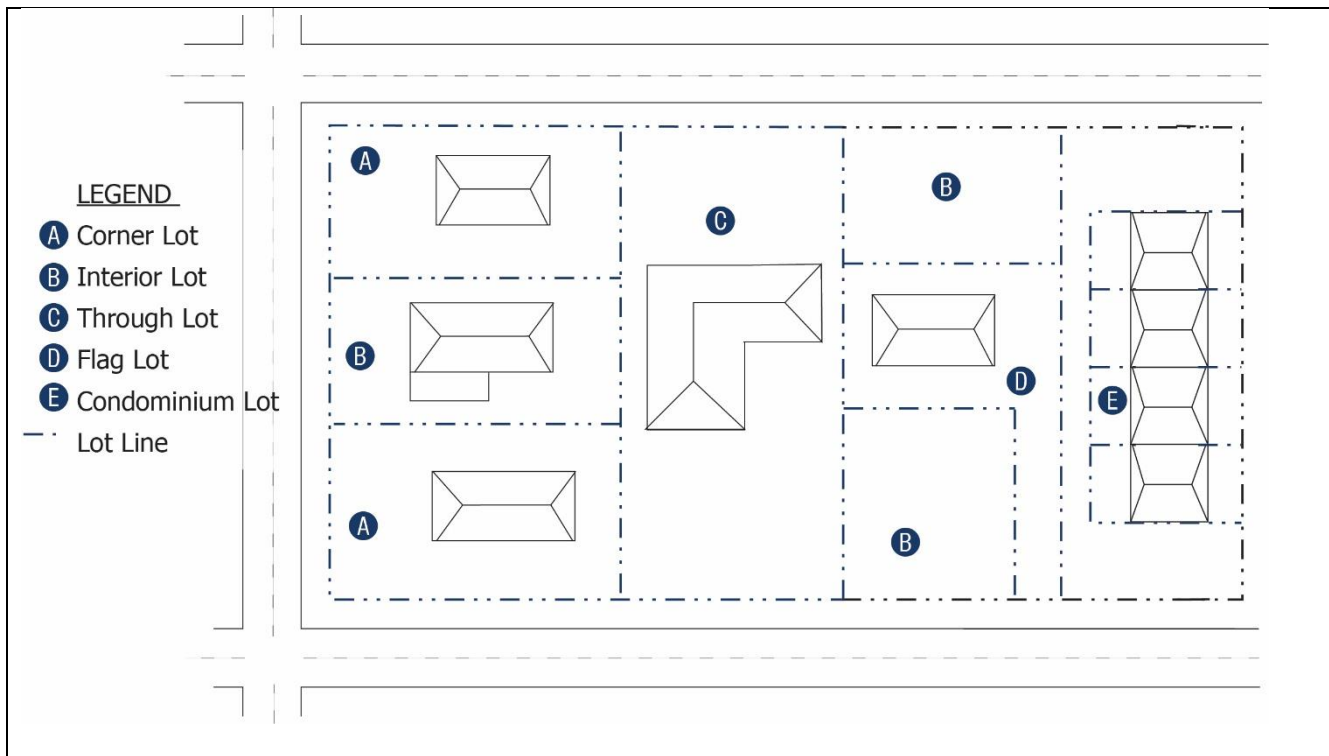
A lot which fronts upon two parallel streets, and/or which fronts upon two streets which do not intersect at the boundaries of the lot.

FIGURE 9.3.3.C: LOT TYPES

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

9.3.4. Setbacks



D. LOTS SERVING CONDOMINIUM USE TYPES

Individual condominium uses, whether residential or nonresidential, are exempted from minimum lot area requirements in this Ordinance, but shall be located on a larger site or parent tract that meets the standards for the zoning district where located.

9.3.4. SETBACKS

A setback is the horizontal distance from a lot line or street right-of-way line to the nearest part of the applicable building, structure, sign, or activity, measured perpendicularly to the line.

A. PERIMETER SETBACK

Setbacks applied to multiple building developments or multiple lot developments that apply only to the outermost buildings along the perimeter of a development. A perimeter setback does not apply along streets.

B. REAR SETBACK

A setback from an interior lot line lying on the opposite side of the lot from the front setback.

C. SIDE SETBACK

Any interior property line setback other than a rear setback.

D. SETBACKS FROM RAILROADS OR SIDINGS

Lots in business or special district abutting a railroad or railroading siding are not required to provide a side or rear setback from the railroad or siding.

E. STREET SETBACK

1. A setback measured from the right-of-way edge associated with a public or existing private street.
2. The street setback is a minimum setback, and nothing shall prohibit a building from being located farther from the street right-of-way.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

9.3.5. Setback Encroachments

3. In cases where the street right-of-way edge is not readily identifiable, the location of the right-of-way edge shall be determined by measuring outwards from the street centerline one-half of the total right-of-way width. The right-of-way edge location shall be certified by a professional engineer or land surveyor licensed by the State of North Carolina.
4. Lots shall provide a street setback from all lot lines abutting a street (excluding alleys).

9.3.5. SETBACK ENCROACHMENTS

Table 9.3.5: Allowable Encroachment into Required Setbacks, sets out the kinds of features that are permitted to encroach within a required setback, provided they do not obstruct visibility for motorists at any street intersection (see [Figure 9.3.5: Setback Encroachments](#)).

TABLE 9.3.5: ALLOWABLE ENCROACHMENT INTO REQUIRED SETBACKS	
FEATURE	MAXIMUM ALLOWABLE ENCROACHMENT DISTANCE INTO A REQUIRED SETBACK
Awnings	May encroach into any setback up to eight feet, but shall maintain a minimum height of at least nine feet above a sidewalk or other pedestrian access
Balcony or Bay Window	May extend up to four feet into any required setback within a residential zoning district, but shall be no closer than three feet from any lot line
Bicycle Parking Facilities	Allowed within a setback, but no closer than five feet to the edge of the pavement of a street
Canopy, Attached	May encroach into any setback up to three feet, but shall maintain a minimum height of at least nine feet above a sidewalk or other pedestrian access In the CBD district, a canopy shall maintain a minimum distance of at least two feet from the back of the curb
Canopy, Freestanding	May be located in a setback provided no portion is closer than 15 feet to a street right-of-way
Chimneys, Fireplaces, Outdoor Kitchens, or steps	May extend up to four feet into any setback, but shall be no closer than three feet from any lot line
Cornice, Beltcourse, or Sill	May extend up to one-and-one-half feet into any required setback
Decks, Covered	Subject to the setbacks applied to principal structures
Decks, Uncovered	Subject to the setbacks applied to principal structures
Decks, Uncovered - Within Six Inches of Grade	May extend up to four feet into a required side yard or ten feet into a required front or rear yard
Driveways	May be located in any required setback
Elevators and Similar Mechanical Devices	May encroach into side setbacks no more than 18 inches and rear setbacks no more than 36 inches
Fences or Walls, excluding Retaining Walls	May be located in any required setback, subject to the limitations in Section 5.5, Fences and Walls , but shall not be located within a required sight distance triangle
Flagpoles, Mailboxes, Lamp and Address Posts	May be located in any required setback
Garage	May be located within rear yard, provided the structure is more than 10 feet from the principal dwelling

ARTICLE 9: MEASUREMENT AND DEFINITIONS

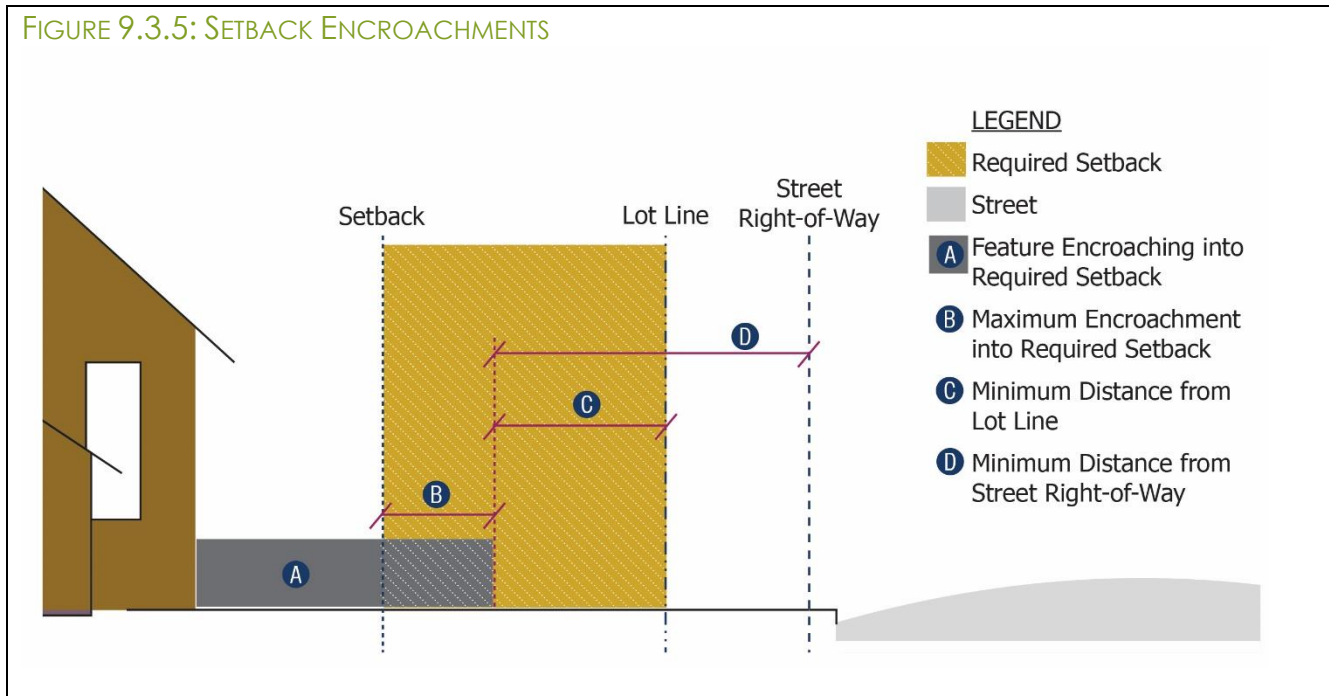
9.3. Rules of Measurement

9.3.5. Setback Encroachments

TABLE 9.3.5: ALLOWABLE ENCROACHMENT INTO REQUIRED SETBACKS

FEATURE	MAXIMUM ALLOWABLE ENCROACHMENT DISTANCE INTO A REQUIRED SETBACK
Gazebo or Garden Structure	May not be located within a street setback
Handicap Ramps	May be located in any required setback provided it does not unduly obstruct pedestrian or vehicular access
Outdoor Equipment (e.g., HVAC condenser, water heater, etc.) Serving Single-family Detached Residential Use	May extend up to four feet into any required setback
Outdoor Equipment Serving a Use other than Single-family Detached Residential	May encroach into a required setback except when the required setback is five feet or less
Outdoor Seating Areas Serving a Nonresidential Use	May encroach into a setback up to eight feet
Outdoor Storage	May not encroach into a required setback
Patio, Covered	Subject to the setbacks applied to principal structures
Patio, Uncovered	May extend up to four feet into a required side yard or ten feet into a required front or rear yard
Pet Shelters	Subject to the setbacks applied to principal structures
Playground Equipment Accessory to a Residential Use	When located ten or more feet from the principal structure, may be located within five feet of a side or rear lot line, but shall not be located within a required street setback
Retaining Walls	May encroach into a required setback
Roof Eaves, Rakes, and Overhangs	May extend up to four feet into any required setback
Signs	May extend into any required setback in accordance with <u>Section 5.11, Signage</u>
Swimming Pool, (including all ancillary appurtenances)	May extend into a required side or rear setback, but shall be no closer than five feet to a lot line or ten feet from the principal structure
Underground Structures (including septic systems but excluding swimming pools)	May be located in any required setback
Vegetation and Landscaping Features	May be located in any required setback
Vehicular Off-street Parking Area	May be located in any required setback provided that no parking area is located within five feet of the street right-of-way
Well House (functional or aesthetic)	May be located in any required setback, but shall be no closer than eight feet from a right-of-way

FIGURE 9.3.5: SETBACK ENCROACHMENTS



9.3.6. RESIDENTIAL DENSITY

Residential density is the maximum allowable number of residential dwelling units permitted on a particular site, tract, lot, or other unit of land area, typically expressed as a maximum number of residential units per acre.

A. CALCULATION

1. Maximum residential density is calculated by dividing the square footage of a lot by the number of square feet in an acre (43,560), then multiplying the maximum number dwelling units allowed in the zoning district, and rounding the product downwards to remove any fractions.

Example:

Lot size: 52,000 square feet / 43,560 = 1.19 acres.

Zoning district maximum density is 1.08 units per acre: 1.19 x 1.08 = 1.28.

Maximum number of residential units = 1 (fractions are rounded downwards).

2. Land area associated with floodplains and riparian buffers may be included in the calculation of the square footage of a tract or site for the purposes of determining the maximum residential density.
3. Land area located within a right-of-way shall not be included in the calculation of allowable density.
4. Maximum residential density in a particular zoning district may be increased beyond the amount stated in Article 3: Districts, in accordance with the standards in Section 5.12, Sustainability Incentives.

B. DENSITY EQUIVALENCE

1. Accessory dwelling units associated with a single-family residential principal use shall not be counted towards the maximum allowable residential density.
2. When calculating the density for a private dormitory associated with an educational use, two bedrooms in a private dormitory shall be equivalent to one regular dwelling unit.

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9.3. Rules of Measurement

9.3.6. Residential Density

3. Maximum density amounts do not apply to student housing or lodging on college or university campuses when the housing is owned or operated by the college or university. In these instances, residential land uses are considered as an accessory to the college or university principal use.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

9.3.7. Gross Floor Area (GFA)

9.3.7. GROSS FLOOR AREA (GFA)

Gross floor area (GFA) shall be defined as the sum in square feet of all floors of the building measured from the exterior face of the exterior walls. The gross floor area shall include or exclude areas as indicated below:

A. AREAS INCLUDED IN GROSS FLOOR AREA

1. All enclosed habitable space.
2. Elevators, hallways, and stairwells on stories containing habitable space.

B. AREAS EXCLUDED FROM GROSS FLOOR AREA

1. Unenclosed porches or decks.
2. Off-street parking areas, including the elevators, hallways, mechanical equipment, and stairwells on stories containing off-street parking.
3. Utility services areas devoted to the electric service, the potable water service, the wastewater system, the telephone service, the cable service, or to a backup generator.
4. Mechanical areas and uninhabited enclosed spaces on tops of roofs not intended for general storage.

9.3.8. HEIGHT

A. MEASUREMENT

Building height shall be measured from the finished or established grade elevation following any land disturbing activities.

B. MAXIMUM HEIGHT

Building height is the vertical distance from a point established as the mean elevation of the finished grade along the front façade of a building to any of the following points (see [Figure 9.3.8: Building Height](#)):

1. The highest point of a flat roof (excluding coping or parapet walls shorter than five feet above the roof deck);
2. The deck line of a mansard roof;
3. The mid-point of the roof between the ridge and the eaves for a gable, hip, or gambrel roof; or
4. To the highest point of a dome, shed, or cricket-style roof.

C. STORY

A building story is the portion of a building where all rooms share the same floor and ceiling level.

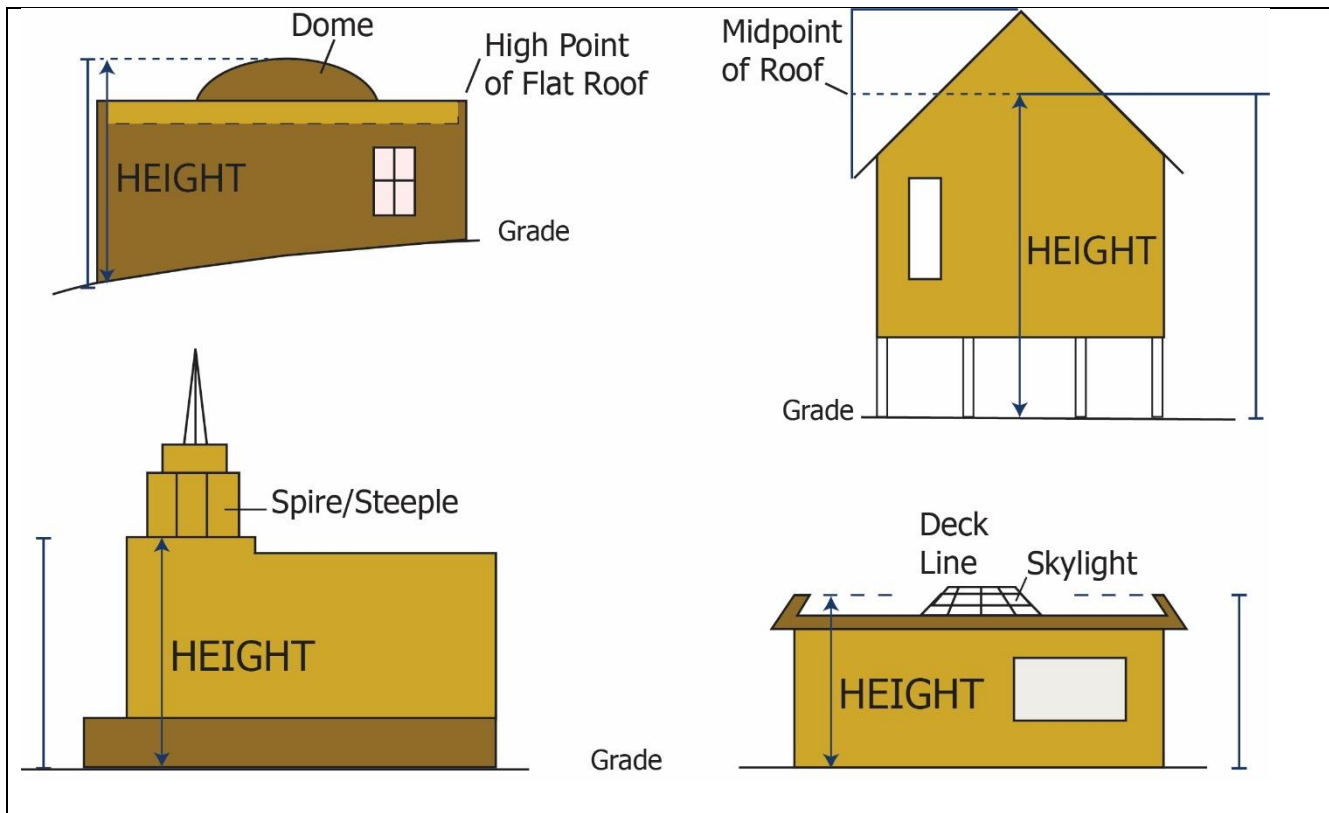
1. A crawlspace or basement with an average ceiling height of less than seven feet is not considered as a story.
2. An attic with an average ceiling height of less than six feet is not considered a story.

FIGURE 9.3.8: BUILDING HEIGHT

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

9.3.9. Lot Coverage



9.3.9. LOT COVERAGE

- A. Lot coverage is the percentage of a lot or development site that is covered by impervious, or built-upon area.
- B. Built-upon area includes buildings, structures, pavement, and site features that are impervious or partially impervious to rain or stormwater runoff.
- C. The following features are not considered impervious, and as a result are not included within the built-upon area:
 - 1. A slatted deck or walkway;
 - 2. The water area of a swimming pool;
 - 3. A surface covered by number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric;
 - 4. A trail as defined in Section 113A-85 of the North Carolina General Statutes that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour); or
 - 5. Landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle.

9.3.10. SLOPE AND ELEVATION

- A. **SLOPE**
The degree of deviation of the ground surface from a flat, horizontal elevation, usually expressed in percent or degrees of deviation from horizontal.
- B. **BASE FLOOD ELEVATION (BFE)**
A determination of the water surface elevations of the base flood as published in the flood insurance study. When the BFE has not been provided for land within the FHO, it may be

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9.3. Rules of Measurement

9.3.11. Parking Space Computation

obtained from engineering studies available from a federal, State, or other source using FEMA approved engineering methodologies. This elevation establishes the Regulatory Flood Protection Elevation.

C. FINISHED GRADE

The established grade following grading, excavation, or other land-disturbing activity.

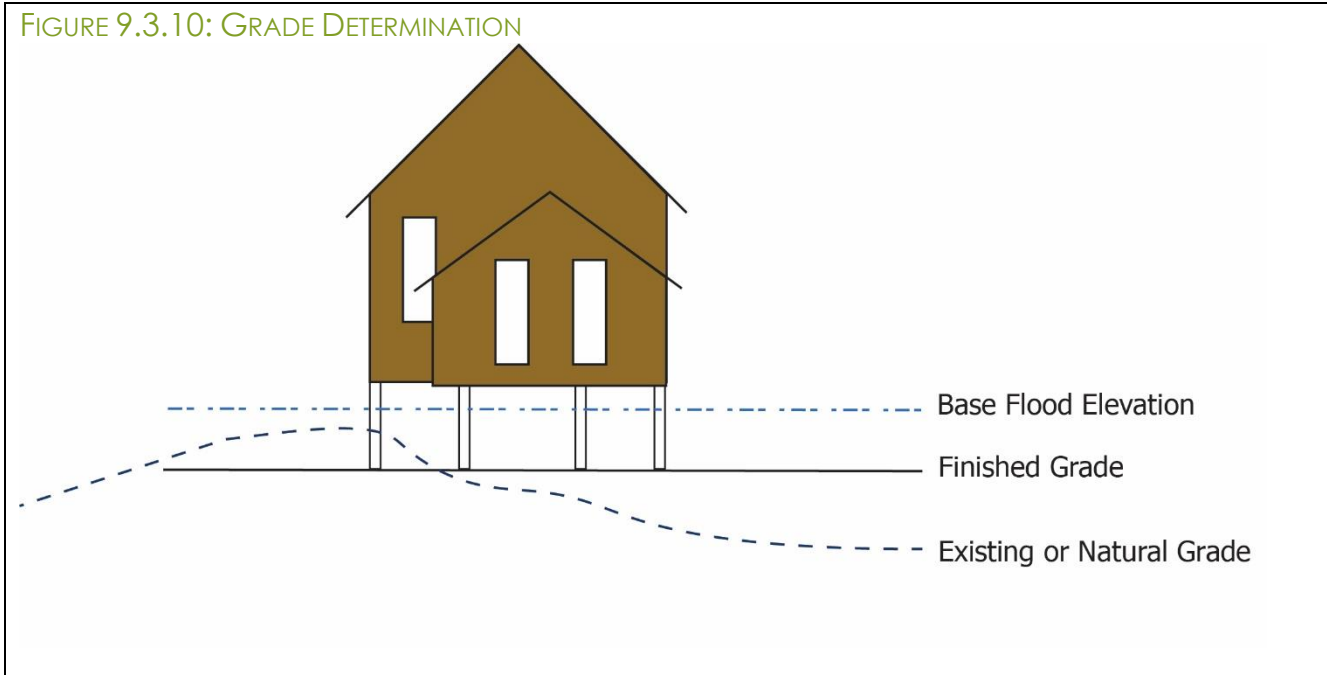
D. NATURAL GRADE

The level of the ground elevation prior to the commencement of development or land disturbing activity (see [Figure 9.3.10: Grade Determination](#)).

E. REGULATORY FLOOD PROTECTION ELEVATION

The minimum height allowable for lowest structural member comprising habitable space within a building. This is a height equivalent to two linear feet in elevation above the base flood elevation.

FIGURE 9.3.10: GRADE DETERMINATION



9.3.11. PARKING SPACE COMPUTATION

A. ROUNDING

When computation of the number of required parking spaces results in a fraction, the fraction shall be rounded downwards to the previous whole number.

B. MULTIPLE AND MIXED USES

Unless otherwise approved, development containing more than one principal use shall provide off-street parking in an amount equal to the total requirements of all individual uses, unless the Planning Director determines that a lower standard would be adequate because of differences in peak operating hours.

C. SEAT BASED STANDARDS

Where the minimum number of off-street parking spaces is based on the number of seats, all computations shall be based on the number of seats provided, including outdoor and waiting areas.

D. EMPLOYEE BASED STANDARDS

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9.3. Rules of Measurement

9.3.12. Landscaping

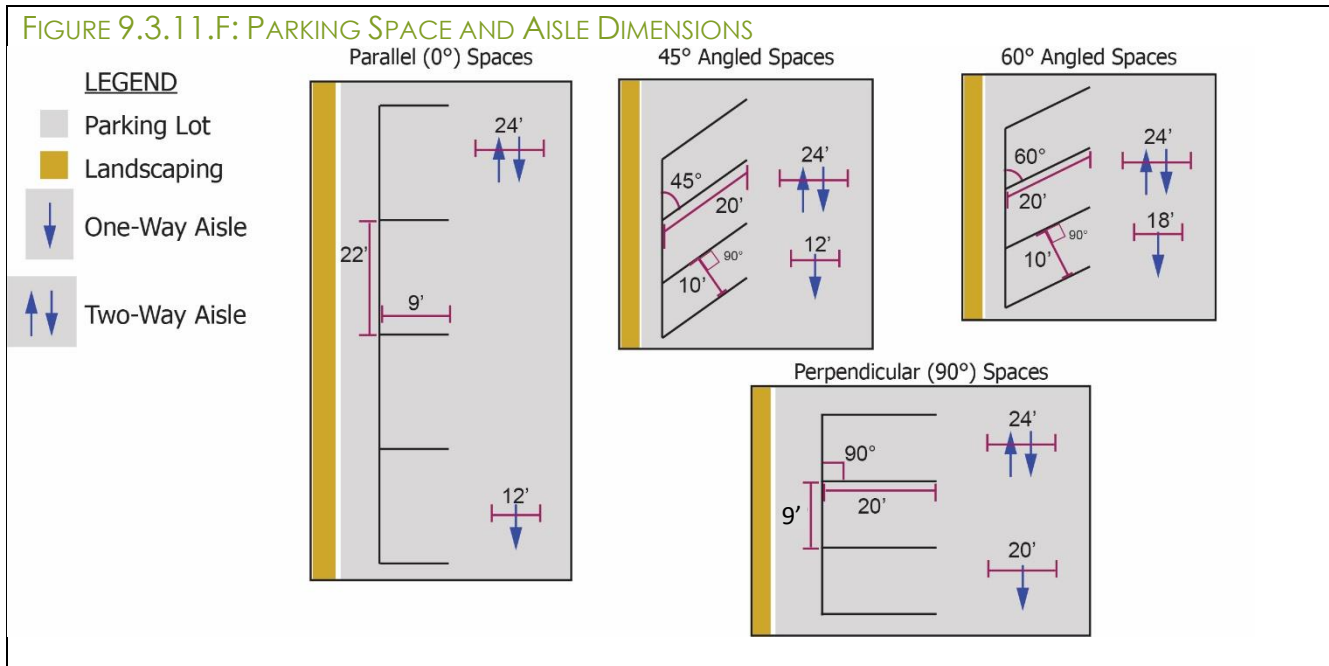
When the minimum number of off-street parking spaces is based on the number of employees, the computations shall be based on the number of employees on the largest shift.

E. FLOOR-AREA BASED STANDARDS

Where the minimum number of off-street parking spaces is based on square feet of floor area, all computations shall be based on gross floor area. The square footage shall include outdoor use area.

F. PARKING SPACE AND ACCESS AISLE DIMENSIONS

Figure 9.3.11.F, *Parking Space and Access Aisle Dimensions*, sets out the minimum off-street parking space dimensions and minimum widths of access aisles.



9.3.12. LANDSCAPING

A. DETERMINING TREE SIZE AT TIME OF PLANTING

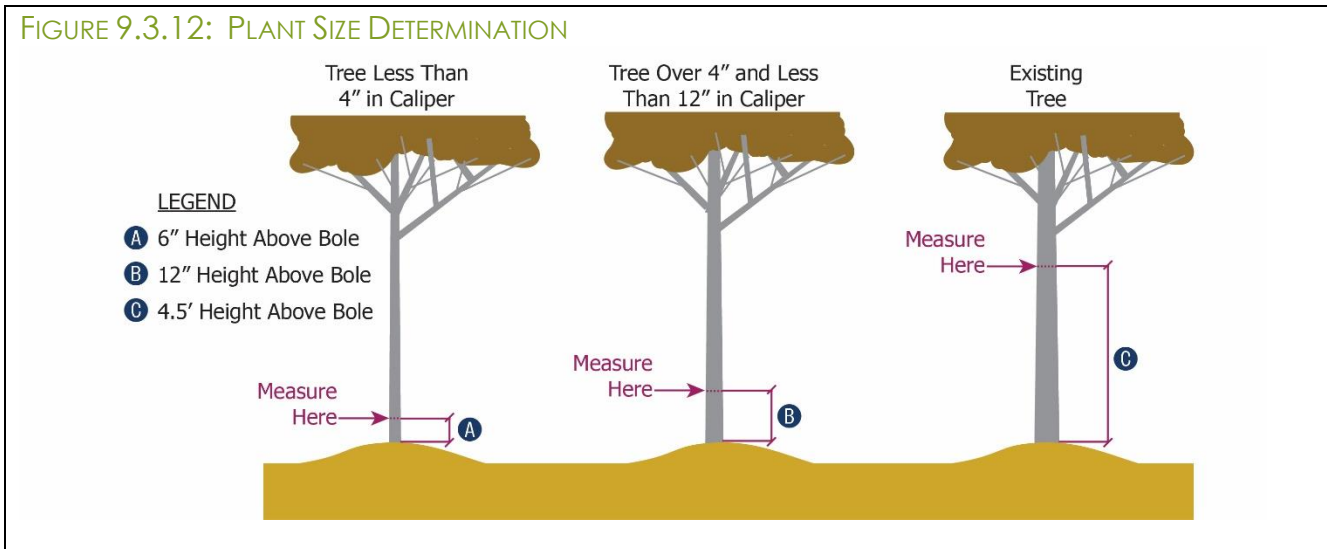
1. TREES UNDER FOUR INCHES IN CALIPER

Minimum size at time of planting shall be determined by taking a measurement of the girth or circumference of the tree trunk, in inches, at a height of six inches above the bole, or the location where tree trunk meets the soil it is planted in.

2. TREES OVER FOUR, BUT LESS THAN TWELVE INCHES, IN CALIPER

Minimum size at time of planting shall be determined by taking a measurement of the girth or circumference of the tree trunk, in inches, at a height of 12 inches above the bole, or the location where tree trunk meets the soil it is planted in.

FIGURE 9.3.12: PLANT SIZE DETERMINATION



B. DETERMINING TREE SIZE OF EXISTING TREES

1. Existing tree size shall be determined by taking a measurement of the girth or circumference of the tree trunk, in inches, at a height of four-and-one-half feet above the bole, or the location where tree trunk meets the soil it is planted in.
2. In the case of a multi-stemmed tree, the cumulative DBH shall be the square root of the sum of all the individual stem diameters squared. As an alternative, the tree's basal area is the sum of the diameters of all tree stems.

C. ROUNDING

When computation of the amount of landscaping material to be provided results in a fraction, the minimum number of shrubs or trees to be provided shall be rounded upwards to the next highest whole number.

D. CALCULATION OF REQUIRED LANDSCAPING YARD OR AREA DISTANCES

1. In cases where a driveway, sidewalk, or greenway trail intersects a required landscaping area or yard, the width of these features shall be subtracted from the yard or area distance.
2. In cases where an easement that prohibits the placement of landscaping material intersects a required landscaping yard or area, the width of the easement shall not be subtracted from the required yard or area distance. Required plant material shall be located outside the easement but within the required landscaping area or yard.

9.3.13. SIGNAGE MEASUREMENT

A. SIGN AREA DETERMINATION

1. The surface area of a sign is computed as including the entire area within a parallelogram, triangle, circle, semi-circle, or other regular geometric figure, including all of the elements of the display, including incidental or changeable copy signage, frames, display of identification or licensing officially required by any governmental body, and structural elements.
2. The supporting structure for a projecting sign shall not be included within the calculation of the surface area of a sign.
3. In the case of signs mounted back-to-back, only one side of the sign is to be included in the calculation of sign face area. Otherwise, the surface area of each sign is to be separately computed.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

9.3.13. Signage Measurement

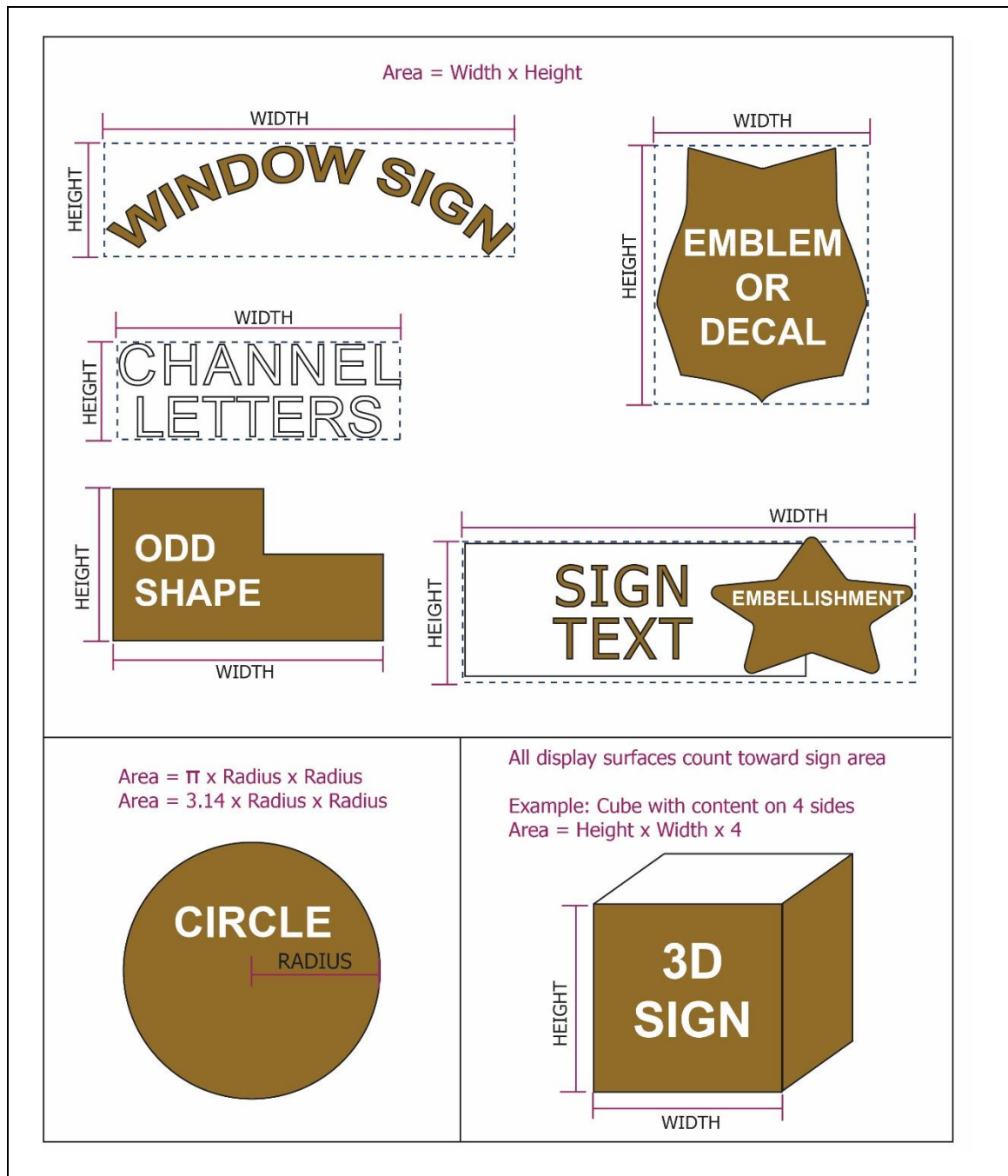
4. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
5. For multi-faced signs, the sign area shall be computed by including all sign faces visible from any one point.
6. In the case of cylindrical signs, signs in the shape of cubes, or other signs, which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces, is included in computations of area.
7. Embellishments such as display portions of signs extending outside the general display area, incidental signage, changeable copy, or supplemental signage affixed to or included on a sign or sign support structure shall be computed as part of the total surface area of the sign.
8. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence on which the sign face or letters are placed shall be calculated in the sign area.

FIGURE 9.3.13.A: SIGN FACE AREA DETERMINATION

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

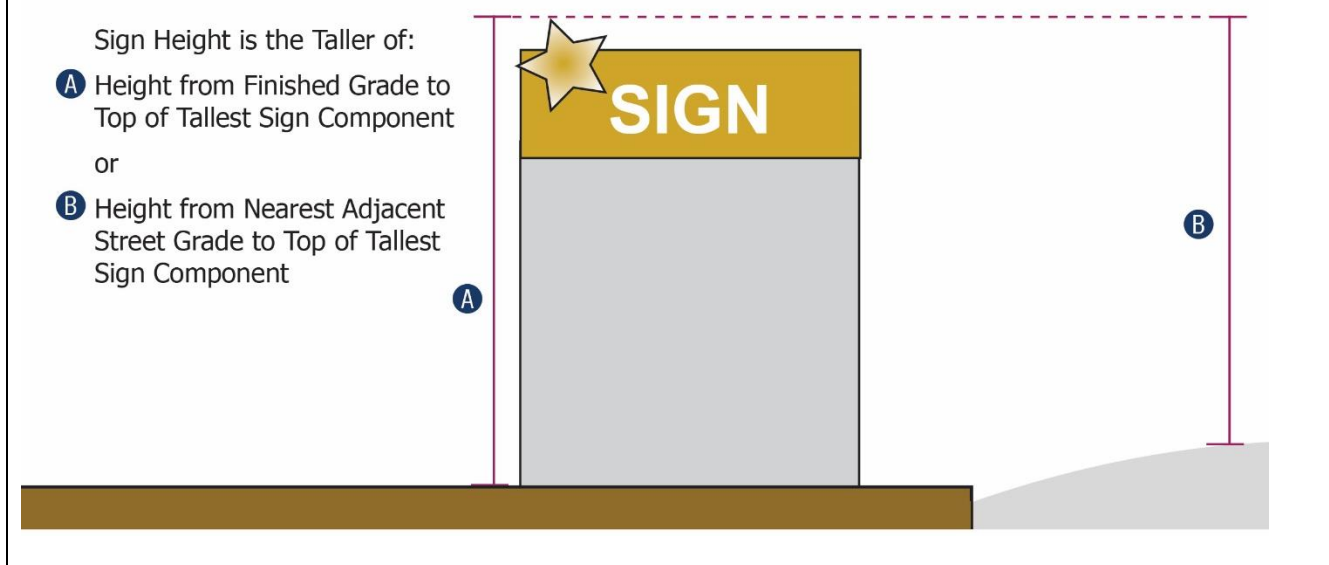
9.3.13. Signage Measurement



B. SIGN HEIGHT DETERMINATION

1. Sign height shall be computed as the distance from the base of the sign at the finished grade or from the nearest adjacent street grade to which the sign is oriented and on which the lot has frontage, whichever is higher, to the top of the highest component of the sign.
2. Finished grade shall be the grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

FIGURE 0: SIGN HEIGHT DETERMINATION

**C. WALL AREA (FOR THE PURPOSES OF SIGN AREA MEASUREMENT)**

For the purposes of determining allowable sign area, a wall is the vertical exterior surface of a building, the area of which shall be determined as follows:

1. The area of all parallel vertical surfaces along a single building elevation regardless of offsets shall be counted as one wall.
2. The front of each unit of a multiple tenant commercial building shall be counted as a separate wall.
3. The area of an angled wall surface shall be counted as part of whichever adjoining wall surface it is most parallel with.
4. A 45-degree angled wall may be counted as part of the area of either adjoining wall, but not as a part of both.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

9.3.14. Exterior Lighting

FIGURE 9.3.13.C: WALL SIGN DETERMINATION



LEGEND

One Wall

- A** Area of Parallel Vertical Surfaces Along a Single Building Elevation, Regardless is One Wall
- B** Front of Each Unit of a Multi Tenant Commercial Building is One Wall
- C** Area of An Angled Wall Surface is Part of the Adjoining Wall Surface it is Most Parallel With
- D** 45 Degree Angled Wall May Count as Part of Either Adjoining Wall, But Not Both

9.3.14. EXTERIOR LIGHTING

A. MEASURED AT THE LOT LINE

Light level measurements shall be made at the lot line of the land upon which light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the land.

B. MEASURED AT FINISHED GRADE

Measurements shall be made at finished grade (ground level), with the light-registering portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five percent.

C. MEASUREMENT DEVICE

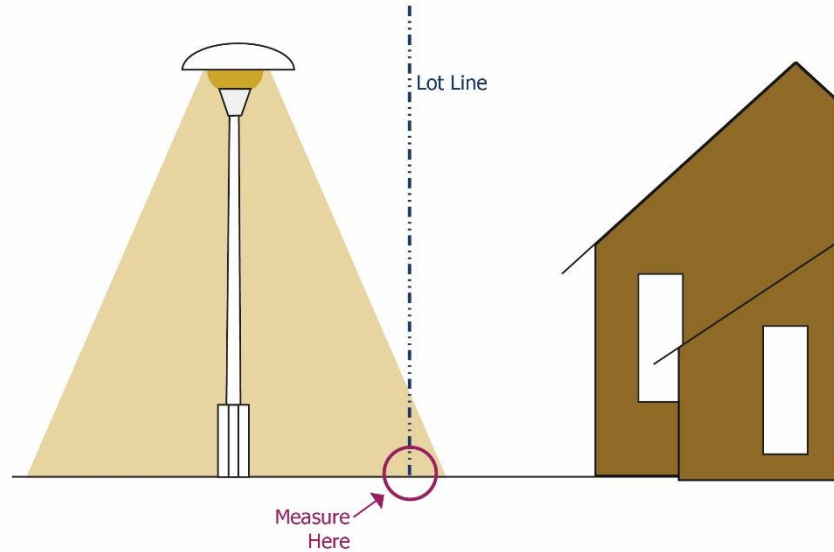
ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

9.3.15. Fence and Wall Height

Measurements shall be taken with a light meter that has been calibrated within two years.

FIGURE 9.3.14: LIGHTING MEASUREMENT



9.3.15. FENCE AND WALL HEIGHT

A. MEASUREMENT LOCATION

1. In cases where a fence or wall is located within a required setback or required yard, fence height shall be determined along the grade of the adjacent lot or street.
2. In cases where a fence or wall is located outside a required setback or yard, the height shall be determined based on the finished grade.
3. In cases where a fence or wall is placed on a berm, the maximum fence or wall height shall include the height of the berm, as measured from the toe of the slope.
4. Fence height shall be measured at the highest point above grade (not including columns or fence posts) on the portion of the fence nearest an abutting or adjacent lot or street right-of-way.

B. COLUMN AND POST HEIGHT

Columns or posts shall not exceed a height 18 inches above the built height of the fence.

C. RAILINGS NOT INCLUDED

Safety railings required by the North Carolina Building Code shall not be included in wall height measurements.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.3. Rules of Measurement

9.3.15. Fence and Wall Height

FIGURE 9.3.15: FENCE AND WALL HEIGHT DETERMINATION

LEGEND

■ Street

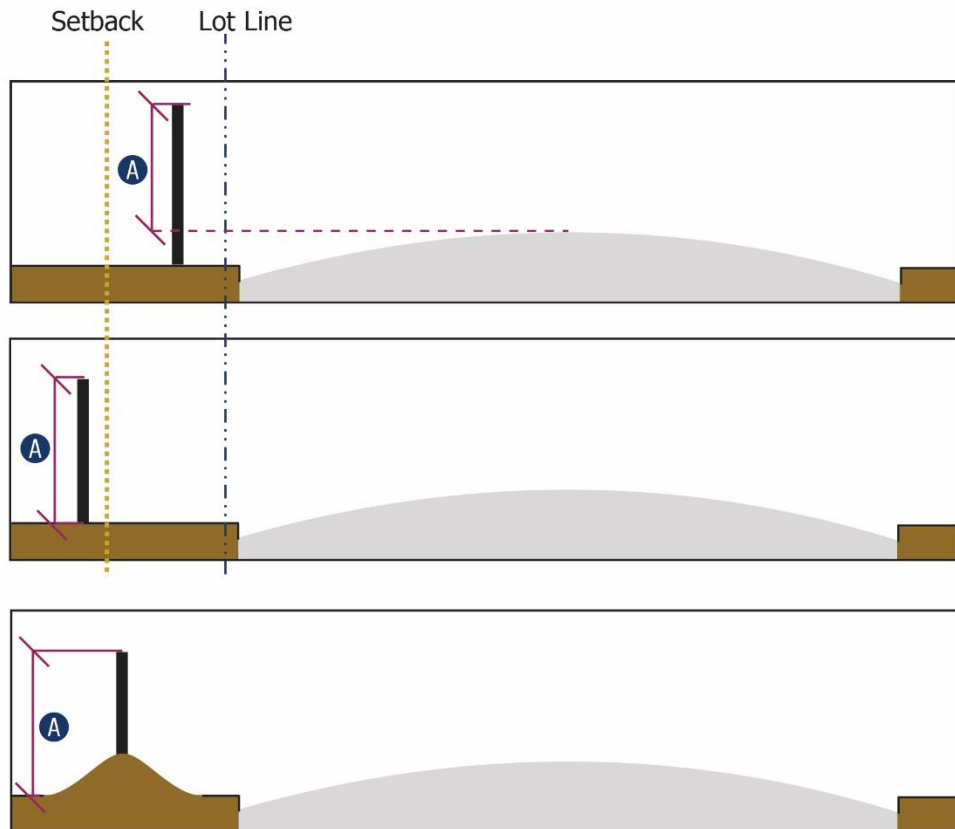
■ Fence or Wall

A Maximum Height Measurement

1. Fence or Wall Located Within a Required Setback

2. Fence or Wall Located Outside Required Setback

3. Fence or Wall Located on a Berm



ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Abandonment

9.4. DEFINITIONS

This section includes definitions of terms used throughout this Ordinance.

DEFINITIONS	
A	
ABANDONMENT	The relinquishment of property or a cessation of the principal and any accessory uses of the property for a continuous period.
ABUTTING	The condition of two parcels of land having a common property line or boundary, including cases where two or more parcels of land adjoin at a corner, but not including cases where parcels of land are separated by a street, water body, or right-of-way.
ACCENT	The use of an alternate material or color to a detail that is emphasized by contrasting with its surroundings.
ACCESS EASEMENT	An easement which grants the right to cross land.
ACCESSIBLE PARKING SPACE	An off-street parking space provided for the exclusive use of vehicles serving disabled persons.
ACCESSORY BUILDING	See "Accessory Structure."
ACCESSORY DWELLING UNIT	A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether part of the same structure as the principal dwelling unit, or as a detached structure on the same lot.
ACCESSORY STRUCTURE	A detached subordinate or incidental structure, the use of which is incidental to the principal structure and which is located on the same lot as the principal structure.
ACCESSORY USE	A use that is incidental and subordinate to the principal use of land or buildings and located on the same lot.
ACCESSWAY	A paved or unpaved travelway intended to serve vehicles for the purposes of obtaining ingress, egress, or circulation around a lot or site.
ACQUISITION	Act or process of acquiring fee title of real property (including the acquisition of development rights or remainder interest).
ACTIVE OPEN SPACE SET-ASIDE	Land set aside for the residents or a development and under common ownership that is configured for active forms of recreation. Active open space typically includes playgrounds, athletic fields and courts, and similar features devoted to movement, activity, or sports pursuits.
ACTIVE RECREATION USES	Uses or structures intended for specific active recreational uses such as play grounds, ball fields, tennis courts and other similar uses typically located in open space set-aside areas or parks.
ADDITION (TO AN EXISTING BUILDING)	An extension or increase in the floor area or height of a building or structure. For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Adjacent

DEFINITIONS

ADJACENT	A parcel of land or development that shares all or part of a common lot line or boundary with another parcel of land, or a parcel of land that would abut another parcel of land, but for the fact a street, waterbody, or right-of-way divides the parcels.
ADMINISTRATIVE ADJUSTMENT	A request by an applicant to deviate from a specified numerical standard of this UDO by a specified percentage, subject to consistency with applicable review criteria.
ADOPTED POLICY GUIDANCE	The combined future land-use policy guidance provided by the adopted comprehensive plan, area or corridor plans prepared for specific parts of the Town, system plans related to the town's infrastructure systems, and other plans.
ADULT BUSINESS	Also known as Sexually Oriented Business. Any place defined as an Adult Establishment as defined by G.S. § 14-202.10 as the statute may be amended time to time, including adult cabarets and except the definitions of Massage Business shall not include any establishment or business where massage is practiced that is a health club, exercise studio, hospital, physical therapy business or other similar health related business. Sexually Oriented Business specifically includes, however, any massage business where massages are rendered by any person exhibiting specific anatomical areas and/or where massages are performed on any client's specific anatomical areas. Specific Anatomical Areas are those defined by G.S. § 14-202.10 as the statute may be amended from time to time.
ADULT DAY CARE CENTER	A program operated in a structure other than a single-family dwelling that provides group care and supervision on a less than 24-hour basis, and in a place other than their usual place of residence, to adults 18 years or older who may be physically or mentally disabled, and which is certified or approved to operate by the State of North Carolina.
AFFECTED PARTY	Owners of land adjoining the land subject to an application and any other person who could suffer an adverse effect to a property interest from a proposed development.
AGRICULTURAL SUPPORT SERVICES	Commercial establishments engaged in the sales, repair, rental, and storage of tools, equipment, supplies, and machinery in support of farms, farming, agriculture, or horticulture. Uses also include sales of products grown on a farm, provision of farm-related experiences (e.g., immersion farming or pick-your-own establishments), wineries, and agritourism.
AGRICULTURE AND HORTICULTURE	The cultivation and production of orchard, garden, or nursery crops on a small or large scale, the production of field grown crops, specialty crops, flowers, fruit, market gardening, nuts, ornamental plants, sod, vegetables, and similar horticultural uses. Uses also include agronomy, aquaculture, fisheries, apiculture, silviculture, plant nurseries, and similar uses.
AIRCRAFT PARTS, SALES AND MAINTENANCE	The use of land for the display and sale of, or general repair, rebuilding, or reconditioning of any contrivance used for navigation of or flight in the air.
AIRPORT AND RELATED FACILITIES	Any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing, fueling, and maintenance of aircraft.
ALLEY	See "Street, Alley."

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Alteration

DEFINITIONS

ALTERATION	Any change because of construction, repair, maintenance or otherwise to buildings located within a historic district or designated as a historic property.
ALTERATION OF WATERCOURSE	A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.
ALTERNATIVE LANDSCAPE PLAN	A document prepared by an applicant that proposes an alternative means of compliance with the standards in <u>Section 5.6, Landscaping</u> .
ALTERNATIVE PARKING PLAN	A document prepared by an applicant that proposes an alternative means of compliance with the standards in <u>Section 5.8, Parking and Loading</u> .
AMATEUR HAM RADIO	Equipment, including antennas, transmitters, and antenna support structures used by a non-professional person in the transmittal of messages and information within the radio frequency portion of the electro-magnetic spectrum.
ANIMAL DAY CARE/GROOMING	A commercial establishment providing socialization, training, or housing, in the absence of the owner, for less than 24 hours for pets owned by the general public; or where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health, and for which a fee is charged.
ANIMAL HUSBANDRY	The commercial and non-commercial propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals and livestock. Examples include, but are not limited to the raising and production of cattle (beef and dairy), pigs, mules, ducks, horses, goats, poultry, sheep, fish, and similar livestock or domesticated animals, and equestrian facilities. Concentrated animal feeding operations (CAFOs) are industrial uses. Breeding and rearing of animals typically thought of as household pets (e.g., dogs, cats, small rodents, etc.) is not animal husbandry.
ANIMAL SHELTER	A facility used to house and care for stray, homeless, abandoned, or neglected animals and that is owned, operated, or maintained by a public body, an established humane society, or other private or nonprofit organization.
ANTENNA	Communications equipment that transmits and/or receives electromagnetic radio signals used in the provision of all types of wireless telecommunications services.
ANTENNA COLLOCATION, MAJOR	The placement, installation, modification, or replacement of antenna and related wireless telecommunications equipment on a building's roof, on a building's wall, on a vertical projection not constructed for the provision of wireless telecommunications services, or on a telecommunications tower where the collocation requires "substantial modifications" to the telecommunications tower, as defined in this Ordinance and Section 160D-931 of the North Carolina General Statutes.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Antenna Collocation, Minor

DEFINITIONS

ANTENNA COLLOCATION, MINOR	The placement, installation, modification, or replacement of antenna and related wireless telecommunications equipment on a telecommunications tower that does not require “substantial modifications” and that meets the definition of an “eligible facility request” as defined in this Ordinance and Section 160D-931 of the North Carolina General Statutes.
ANTENNA SUPPORT STRUCTURE	The frame, bracket, or other mechanical device, including mounting hardware such as bolts, screws, or other fasteners used to affix an antenna to a telecommunications tower, building, utility pole, or other vertical projection.
APPEAL	A request for a review of an interpretation, decision, or the application of any provision of this Ordinance. For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : A request for a review of the local administrator’s interpretation of any provision of this part.
APPLICABLE CODES	For the purposes of the standards in <u>Section 4.3.4.S, Wireless Telecommunication Facilities</u> , Applicable Codes means the North Carolina State Building Code(s), this Ordinance, the Town Code of Ordinances, and any other uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization together with state or Town amendments to those codes.
APPLICANT	A person who has submitted a development application for review under applicable provisions of this Ordinance.
APPLICATION	The completed form or forms and all accompanying documents, exhibits, and fees required of an applicant by the appropriate town department or board as part of the development review processes.
ARBOR	A structure with an open roof system providing partial shading and which may also have non-opaque fencing on the outside perimeter.
ARBORETUM OR FORMAL GARDEN	A place where trees, shrubs, or other woody plants are grown, exhibited or labeled for scientific, educational, or passive recreational purposes, not including the harvest of plants or their produce.
ARCADE	A series of arches supported by piers or columns. It is typical for an arcade to have habitable floor space directly above it.
ARCH OR ARCHWAY	A curved, semicircular opening in a wall.
AREA OF SHALLOW FLOODING	A designated AO or AH Zone on a community’s flood insurance rate map (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.
AREA OF SPECIAL FLOOD HAZARD	See “Special Flood Hazard Area (SFHA)”.
ART INSTALLATION	Three-dimensional art (such as sculpture, painting, or other physical form of expression) that is created, constructed, and installed on the site where it is displayed for the purposes of expressing an idea, feeling, or desire to evoke a reaction from the viewer.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Art Gallery

DEFINITIONS

ART GALLERY	A space or series of spaces dedicated towards the display, exhibition, and sale of works of art.
ARTERIAL STREET	See "Street, Arterial."
ARTICULATION	The presence or projections, recesses, or other architectural features along a building façade.
ARTISAN STUDIO	A space dedicated towards the production and sale of works of art. This may include mixed or various media including but not limited to paint, wood, wax, metal, paper, plastic, film, or similar materials.
AS-BUILT PLANS	A set of engineering or site drawings that delineate the specific permitted development as actually constructed.
ASPHALT OR CONCRETE PLANT	An industrial establishment engaged in the production of asphalt, macadam, blacktop, concrete, or mortar for use in the construction and repair of buildings, roadways, and vehicular use areas. The use involves the stockpiling of sand, binder and filler, as well as a heater to mix the ingredients, and trucks to deliver products to the site of installation.
ASSISTED LIVING FACILITY	A residential facility with support and supervisory personnel for the elderly or infirm that provide rooms, meals, personal care, and supervision of self-administered medication. They may provide other services such as recreational and social activities, financial services, transportation, laundry, and other services appropriate for the residents and designed to provide a relatively independent lifestyle.
AUCTION HOUSE	A commercial establishment engaged in the re-sale of objects, artifacts, or products. Such uses may also include facilities for storage and shipping.
AUDITORIUM	A building or structure designed or intended for use for spectator sports, entertainment events, expositions, conferences, seminars, product displays, recreation activities, and other public gatherings, all occurring inside a structure typically limited to a capacity of 500 or fewer seats, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on-premise consumption.
AUTHORIZED AGENT	A person with express written legal consent to act upon another's behalf.
AUTOMATED TELLER MACHINE	An automated mechanized consumer banking device operated by a financial institution for the convenience of its customers, whether inside or outside of a financial institution, or located in a structure unrelated to the financial institution operating it. Such uses may not serve as the principal use of a parcel of land or site.
AUTOMOBILE PAINTING/BODY SHOP	Repair of automobiles, vehicles, or trailers, including bodywork, framework, welding, and major painting service.
AUTOMOBILE PARTS AND ACCESSORIES SALES	The on-site sale and subsequent installation of various automobile parts and accessories, including but not limited to bed liners, toolboxes, truck tops, or audio systems. Such uses do not include the sale of gasoline or other fuels.
AUTOMOBILE REPAIR AND SERVICING (WITHOUT PAINTING/ BODYWORK)	General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, not including bodywork, framework, welding, and major painting service.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Automobile Sales and Rentals

DEFINITIONS

AUTOMOBILE SALES AND RENTALS	Premises on which new or used passenger automobiles, trailers, recreational vehicles, or light trucks in operating condition are displayed for sale, lease, or rental.
AUTOMOTIVE WRECKER YARD	An establishment operated for the purpose of temporary storage on-site of no more than nine wrecked or inoperable vehicles for a period no longer than 90 days. If an establishment has ten or more inoperable vehicles located on-site, stores inoperable vehicles for more than 90 days, stacks vehicles, or portions of the vehicles are dismantled or removed for sale, it shall be considered a salvage and junkyard.
AWNING	A plastic, canvas, or metal porch or shade supported by a frame and often foldable that is placed over a storefront, doorway, or window.
B	
BALANCE OF WATERSHED	The entire land area within a water supply watershed contributing surface drainage to a specific point, the public water supply intake, minus the watershed critical area.
BALCONY	A platform on the outside of a building that is accessible from an upper-story door or window and bounded by a building wall on at least one side, with its open sides surrounded by a railing.
BANNER	A sign of lightweight fabric or similar material which is rigidly mounted to a pole or a building by a rigid frame at two or more opposite sides. Flags are mounted along one side and shall not be considered banners.
BAR, COCKTAIL LOUNGE, OR PRIVATE CLUB	An establishment having as its principal or predominant use the serving of beer, wine, or liquor for consumption on the premises, and which sets a minimum age requirement for entrance, consistent with state law. The primary source of revenue for such use is derived from alcohol sales, and the secondary source from the serving of food. Such uses may also provide on-site entertainment in the form of live performances, dancing, billiards, or other entertainment activities.
BASE FLOOD	The flood having a one percent (1%) chance of being equaled or exceeded in any given year.
BASE FLOOD ELEVATION	A determination of the water surface elevations of the base flood as published in the flood insurance study.
BASEMENT	That lowest level or story which has its floor subgrade on all sides.
BAY WINDOW	A window, typically with two or more sides that is built to project outward from an outside wall.
BED AND BREAKFAST	A private residence, generally a single-family residence, engaged in renting one or more dwelling rooms on a daily basis to tourists, vacationers, and business people, where provision of meals is limited to breakfast for guests only.
BERM	An elongated earthen mound typically designed or constructed on a site to separate, screen, or buffer adjacent uses or site features.
BEST MANAGEMENT PRACTICE (BMP)	A structural or nonstructural management-based practice used singularly or in combination to reduce non-point source inputs to receiving waters in order to achieve water quality protection goals.
BICYCLE LANE	A portion of a street designated solely for use by bicyclists.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Bicycle Parking Space

DEFINITIONS

BICYCLE PARKING SPACE	Land and facilities used for the parking of bicycles, including a mechanism for securing a parked bicycle.
BIO-RETENTION CELL OR DEVICE	A stormwater infiltration device consisting of an excavated basin that is refilled with engineered soil and mulch that allows stormwater run-off to collect and percolate through the engineered soil where it is treated prior to infiltrating into the surrounding undisturbed soil. Also known as a rain garden or bio-cell.
BLOCK	The land lying within an area bounded on all sides by streets.
BLOCK FACE	The lands abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, railroad right-of-way, watercourse, or un-subdivided land.
BLOOD/TISSUE COLLECTION	A facility where blood or related materials are either withdrawn or collected from patients or assembled after being withdrawn or collected elsewhere from patients for subsequent delivery to a clinical laboratory for examination. A collection facility is maintained at a separate physical location not on the grounds or premises of the main licensed laboratory or institution which performs the testing.
BOARD OF ADJUSTMENT	A quasi-judicial decision-making body responsible for hearing appeals and variance requests in Zebulon, North Carolina.
BOARD OF COMMISSIONERS	The Board of Commissioners of Zebulon, North Carolina.
BOARDING/ROOMING HOUSE	A residential dwelling that offers sleeping rooms for rent by lodgers staying one or more nights. The dwelling contains a single common kitchen and may include other common areas for dining, laundry, and congregating. Boarding houses are not intended as group homes or halfway houses.
BOAT AND MARINE RENTAL, SALES, AND SERVICE	Premises on which new or used boats and other marine vessels are displayed for sale, lease, or rental. On-site repair and service to boats is also provided.
BONA FIDE FARM	<p>Any tract or tracts of land used for farm purposes, including the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in Section 106-581.1 of the North Carolina General Statutes. In addition, the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm subject to a conservation agreement under Section 106-743.2 of the North Carolina General Statutes is a bona fide farm purpose. Any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:</p> <ol style="list-style-type: none">1. A farm sales tax exemption certificate issued by the Department of Revenue.2. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to Section 105-277.3 of the North Carolina General Statutes.3. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.4. A forest management plan.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Bottle Shop (with on premise consumption)

DEFINITIONS

BOTTLE SHOP (WITH ON PREMISE CONSUMPTION)	A commercial establishment engaged in the retail sale of beer, wine, or liquor in sealed containers offered for sale to an individual solely as a sealed container such as a bottle or can. Beverages may be sold for off-site or on-site consumption only in accordance with all applicable State laws and permits. Incidental sale of food or associated merchandise may also take place.
BOW	An exterior building wall that is curved.
BOW SIGN	See "Sign, Bow."
BREAKAWAY WALL	A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system. A breakaway wall shall have a design safe loading resistance of not less than ten and no more than 20 pounds per square foot. A wall with loading resistance of more than 20 pounds per square foot requires a professional engineer or architect's certificate.
BROADCASTING STUDIO	Uses including buildings, studios, and transmission facilities for the production and distribution of radio and television signals.
BUFFER	<p>An area of natural or planted vegetation adjoining or surrounding a use and unoccupied in its entirety by any building, structure, paving or portion of such use, for the purposes of screening and softening the effects of the use. A buffer is also an area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. This kind of buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers.</p> <p>For the purposes of the WPO, an area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers.</p>
BUFFER STREETSCAPE	See "Streetscape Buffer."
BUFFER, PERIMETER	Vegetative material and structures (i.e., walls, fences) that are used to separate uses from each other as required by this Ordinance, including the Type A Separation, Type B Intermittent, Type C Semi-Opaque, and Type D, Opaque.
BUILDING	<p>A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, or chattels.</p> <p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: Any structure built for support, shelter, or enclosure for any occupancy or storage.</p>
BUILDING AXIS	An imaginary line between two points on a building that describes or explains how the building is organized. For example the ridgeline of a roof gable depicts a building's axis.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Building Cornerstone

DEFINITIONS

BUILDING CORNERSTONE	A stone that forms the base of a building's most prominent corner.
BUILDING FACADE	The entire exterior wall of a building facing a lot line measured from the grade to the eave or highest point of a flat or mansard roof. Facades may be on the front, side, or rear elevation of the building.
BUILDING FOOTPRINT	The area occupied by the perimeter of a principal building. Accessory structures and non-building facilities are not included in the building footprint.
BUILDING PERMIT	Authorization granted by the town for an applicant to begin construction of a building or structure. For the purposes of the standards in <u>Section 4.3.4.S, Wireless Telecommunication Facilities</u> , Building Permit means an official administrative authorization issued by the Town prior to beginning construction consistent with the provisions of Section 160D-1110 of the North Carolina General Statutes and this Ordinance.
BUILDING WALL	See "Wall, Building."
BUILDING WALL PROJECTION	An extension of a building wall or building façade projecting outwards from the primary building façade plane typically used to conceal or screen a service element of site feature like a refuse collection container.
BUILDING WING	A portion of a building that is subordinate to the main or central part of the structure. Building wings may share a wall with the main or central part of the building or be joined to it by another ancillary structure like a hallway or a colonnade.
BUILD-OUT YEAR	As used in <u>Section 6.13, Transportation Impact Analysis</u> , the proposed year of completion of the land development project, when its capacity for attracting and producing traffic is maximized.
BUILT-UPON AREA	<p>A surface area composed of any material that impedes or prevents natural infiltration of water into the soil. Built-upon areas shall include that portion of a development that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (e.g., roads, parking lots, paths), decks, swimming pools, tennis courts, and similar surfaces.</p> <p>As used in Section 7.4, Stormwater, that portion of a development project that is covered by impervious or partially impervious surface including, but not limited to, buildings; pavement and gravel areas such as roads, parking lots, and paths; and recreation facilities such as tennis courts. "Built-upon area" does not include a wooden slatted deck, the water area of a swimming pool, or pervious or partially pervious paving material to the extent that the paving material absorbs water or allows water to infiltrate through the paving material.</p>
BULB OUT	A curb extension used to extend the sidewalk, reducing the street crossing distance for pedestrians while also allowing approaching vehicle drivers to see pedestrians when vehicles parked in a parking lane would otherwise block visibility.
BULKY ITEMS SALES	A retail establishment engaged in the retail sale of large or bulky items that are not commonly constructed or maintained indoors, such as truck camper tops, bed liners, prefabricated outdoor buildings, manufactured homes, modular homes, play equipment,

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Bungalow Court

DEFINITIONS

	portable storage containers, or hot tubs. Such uses may include on-site assembly or fabrication of such items for sale.
BUNGALOW COURT	A series of between two and 12 single-family detached homes configured as a cohesive development that incorporates smaller lot sizes, reduced setbacks, shared accessways, and where each home complies with the residential design guidelines in this Ordinance.
BUSINESS DAY	Any day in which normal business is conducted. A business day does not include a holiday or a weekend day.
BUSINESS INCUBATOR	A commercial establishment that provides support and encouragement to new business startups and ventures in the form of affordable floor area to rent, shared office space, shared marketing resources, and may also provide management training services and access to financing. Business incubators contain a wide array of use types, including retail, office, personal service, and light manufacturing uses.

C

CALENDAR DAY	Any day of the week.
CALIPER	Measurement for determining the size of trees at time of planting. Caliper is the quantity in inches of the diameter of trees measured at six inches above the ground.
CAMPER	A portable dwelling (as a special equipped trailer or automobile vehicle) for use during casual travel and camping.
CAMPGROUND	A commercial establishment containing two or more campsites or cabins available for overnight camping use whether by rental fee or short term lease. Campgrounds may include recreational facilities, a store for sale of food or camping supplies while on the premises, and facilities for the assembly of campers and guests. Campground does not include a summer camp, migrant labor camp, manufactured/mobile home park, or recreational vehicle/travel trailer park.
CANOPY	A permanent structure other than an awning made of cloth, metal, or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature. A canopy is not a completely enclosed structure.
CANOPY TREE	A species of tree which normally grows to a mature height of 40 feet or more with a minimum mature crown width of 30 feet.
CAR WASH OR AUTOMOBILE DETAILING	An establishment providing the exterior washing of vehicles where vehicles are manually driven or pulled by a conveyor through a system of rollers and/or brushes. Interior cleaning and/or drying may be conducted manually by vehicle operator or on-site attendants. Incidental sales of automobile-related accessories may take place.
CASUALTY DAMAGE	The damage to or loss of a nonconforming structure or use that is sudden, unexpected, and unusual. Typically associated with fire, severe weather, or Act of God.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Catering Establishment

DEFINITIONS

CATERING ESTABLISHMENT	A commercial establishment that prepares, delivers, and may or may not serve food and/or beverages to clients in a pre-arranged on-site or off-site location at a pre-arranged time. Catering operations associated with a restaurant are considered eating establishments, and catering associated with a hotel, motel, or conference venue is considered an accessory use.
CELLULAR REINFORCED PAVING SYSTEM	Plastic, metal, or polymers that are installed into a matrix of earth or crushed stone and used to reinforce or stabilize parking or vehicular use areas.
CEMETERY, COLUMBARIUM, OR MAUSOLEUM	Uses intended for the burial of the dead and dedicated for cemetery purposes. This use type may include a funeral home or mortuary or a mausoleum or columbarium (a structure or vault lined with recesses for cinerary urns), but does not include a crematory.
CENTRAL LEADER	The dominant upright branch (or trunk) of a tree.
CERTIFICATE OF OCCUPANCY	Authorization granted by the town for the occupancy of a building reviewed and approved under this Ordinance.
CERTIORARI	A situation where an appellant may file an appeal of a decision directly to a higher court of law.
CHANGE OF USE	The change in the use of a building, structure, or land. "Change of use" includes a change from one use type to another use type or the addition of a separate use type.
CHANGEABLE COPY	Text or other depictions on the face of a sign that are capable of being revised on a regular or infrequent basis.
CHECK CASHING/PAYDAY LENDING ESTABLISHMENT	An establishment engaged in loaning money upon deposit of personal property or signature on a promise to repay. Such uses also store personal property on site and may sell goods at retail sale.
CHICANE	A serpentine curve added to a street as a traffic calming measure.
CHILD CARE, INCIDENTAL	A program or arrangement, licensed by the State and located in the provider's residence where, at any one time, three or more children under the age of 13, receive child care on a regular basis of at least once per week for at least four (but less than 24) hours per day from persons other than their guardians, full-time custodians, or persons related to them by blood, marriage, or adoption. This definition does not include child day care centers, cooperative arrangements among parents, or other activities not defined as child care by Section 110-86 of the North Carolina General Statutes. Provision of day care services for more than six children in a residential dwelling is subject to the standards for a child day care center.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Child Day Care Center

DEFINITIONS

CHILD DAY CARE CENTER	A commercial or non-profit use licensed by the State where, at any one time, three or more unrelated children under the age of 13 receive child care from an unrelated person in a building other than a private residence on a regular basis of at least one occurrence per week for more than four hours per occurrence. Such uses may also involve the provision of educational services in preparation for elementary school. This definition does not include incidental child care, cooperative arrangements among parents, or drop-in or short-term child care provided while parents work part-time or participate in other activities on the premises (e.g., churches, shopping malls, hotels, health spas).
CHILD DAY CARE, DROP-IN	A commercial or non-profit use regulated by the State where, at any one time, three or more unrelated children under the age of 13 receive child care from an unrelated person in a building other than a private residence on an irregular basis where guardians participate in activities that are not employment related such as running errands or leisure activities and are otherwise easily accessible (within 15 minutes).
CLIMATE CONTROL EQUIPMENT	Heating, ventilation, air conditioning, and similar heating or cooling equipment typically located outdoors.
CLUSTER MAILBOX UNIT	A centralized grouping of individually locked and keyed mailboxes meeting the specifications of the United States Postal Service.
COFFEE SHOP	A commercial establishment engaged in the retail sale of coffee, tea, and related beverages for on-site and off-site consumption. Coffee shops may also offer a limited range of food available for on-site or off-site consumption as well as merchandise associated with home consumption of coffee or tea. A coffee shop may also include, as an accessory use, equipment and facilities to prepare coffee beans for consumption. Uses engaged solely in coffee bean processing for off-site consumption are manufacturing uses. Uses that derive the majority of their income from sales of food are restaurant uses.
COLISEUM OR ARENA	A building or structure designed or intended for use for spectator sports, entertainment events, expositions, and other public gatherings. Such uses may or may not include lighting facilities for illuminating the field or stage area, concessions, parking facilities, and maintenance areas.
COLLECTOR STREET	See "Street, Collector."
COLLEGE OR UNIVERSITY	A public or private, non-profit institution for post-secondary education offering courses in general or technical education which operates within buildings or premises on land owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities and sororities, and other facilities which further the educational mission of the institution. In no event shall this definition prohibit a college or university from engaging in an activity historically conducted by such institutions.
COLLOCATION	The placement, installation, modification, or replacement of antenna and related wireless telecommunications equipment on, under, or within an existing or replacement telecommunications tower, utility pole, building, or other vertical projection.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Collocation, Major

DEFINITIONS

COLLOCATION, MAJOR	The placement, installation, modification, or replacement of antenna and related wireless telecommunications equipment on a building's roof, on a building's wall, on a vertical projection not constructed for the provision of wireless telecommunications services, or on a telecommunications tower where the collocation requires "substantial modifications" to the telecommunications tower, as defined in this Ordinance and Section 160D-931 of the North Carolina General Statutes.
COLLOCATION, MINOR	The placement, installation, modification, or replacement of antenna and related wireless telecommunications equipment on a telecommunications tower that does not require "substantial modifications" and that meets the definition of an "eligible facility request" as defined in this Ordinance and Section 160D-931 of the North Carolina General Statutes.
COLUMN	An upright pillar, typically cylindrical and made of stone or concrete, supporting an entablature, arch, or other structure or standing alone as a monument.
COMMON LAW VESTED RIGHT	Legal doctrine that recognizes where property owners have reasonably made a substantial expenditure of money, time, labor or energy in a good faith reliance on a permit from the government, that they acquire "vested rights" or a protected right to complete the development of their land as originally begun despite any changes in the zoning on the property.
COMMON PROCEDURE	Actions undertaken by town staff or requirements of applicants that are uniformly applied to all types of development applications reviewed and decided under this UDO.
COMMUNITY CENTER	A public building to be used as a place of meeting, recreation, or social activity and not operated for profit.
COMMUNITY CHARACTER	The sum or combined effect of the attributes and assets that make the Town unique and that establish the Town "sense of place." Attributes include the resident population, local institutions, visual characteristics, natural features, and shared history.
COMMUNITY GARDEN	A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person.
COMMUNITY/YOUTH/SENIOR CENTER	A public building to be used as a place of meeting, recreation, or social activity and not operated for profit.
COMPLETE APPLICATION	<p>A complete application is one that:</p> <ol style="list-style-type: none">1. Contains all information and materials established by the Planning Director as required for submittal of the particular type of application;2. Is in the form established by the Planning Director as required for submittal of the particular type of application;3. Includes information in sufficient detail to evaluate the application to determine whether it complies with the appropriate review standards of this Ordinance; and4. Is accompanied by the fee established for the particular type of application. <p>An application is not considered as submitted until it is determined to be a complete application.</p>

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Completion Of Construction Or Development

DEFINITIONS

COMPLETION OF CONSTRUCTION OR DEVELOPMENT	Means that no further land-disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent ground cover.
COMPREHENSIVE PLAN	A document, adopted by the Board of Commissioners, which dictates the town's policy in terms of transportation, utilities, land use, recreation, and housing and has been officially adopted by the governing board pursuant to G.S. 160D-501.
COMPREHENSIVE PLAN AMENDMENT	An amendment to the adopted comprehensive plan, including the future land use map.
COMPUTER-RELATED SERVICES	A commercial establishment engaged in diagnosis and repair of personal computers and associated peripherals, including printers, network equipment, monitors, and related equipment. Such uses may also procure replacement parts and construct computer components or systems for clients. Limited sale of new or reconstructed computers and computer equipment is an accessory use. Manufacture or assembly of computer systems on an industrial scale or for resale to members of the general public is a light manufacturing use.
CONDITION OF APPROVAL	A limitation or stipulation on the range of allowable uses, density, intensity, configuration, or operational parameters of new development or redevelopment. A condition may be proposed by an applicant, a staff member, or a review authority that must be accepted by an applicant and the town to become binding.
CONDITIONAL ZONING DISTRICT	A type of zoning district subject to one or more conditions included as part of the legislative approval by the Board of Commissioners that establishes the conditional zoning district.
CONDOMINIUM	A development containing individually owned dwelling units and jointly owned and shared areas and facilities that is subject to the North Carolina Unit Ownership Act (North Carolina General Statutes Section Ch. 47A) and/or the North Carolina Condominium Act (North Carolina General Statutes Section Ch. 47C).
CONE OF ILLUMINATION	The detectable spread of illumination from a source of exterior lighting.
CONFERENCE OR CONVENTION CENTER	A building or group of buildings designed for meetings, lectures, or conferences often consisting of a large hall as well as a number of smaller lecture rooms and related facilities including catering, parking, and storage.
CONICAL SURFACES	As used in the Airport Height Overlay (AHO) District standards, a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
CONSERVATION AND DEVELOPMENT AREA	The two portions of a conservation subdivision. The conservation area is the portion of the land protected from development and the development area is the portion of the subdivision utilized for development purposes. Agricultural activities may take place in either or both portions.
CONSERVATION SUBDIVISION	The division of a tract of land into two or more lots, building sites, or other divisions along with additional land area set aside as open space for conservation and/or recreation purposes in accordance with <u>Section 6.2, Conservation Subdivision</u> .

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Construction

DEFINITIONS

CONSTRUCTION	The erection of any building, structure, on-site improvement, or any preparations (including land disturbing activities) for the same, regardless whether the site is presently improved, unimproved or hereafter becomes unimproved by "demolition," destruction of the improvements located thereon by fire, windstorm or other casualty.
CONSTRUCTION DRAWINGS	Technical diagrams, drawn to scale, depicting the placement and configuration of buildings, structures, site features, and infrastructure.
CONSTRUCTION-RELATED USE	A building or structure in place on a temporary basis to aid in the completion of a construction project. Such uses can include mobile offices, storage containers, fencing, or equipment storage.
CONTAINERIZED STOCK	Trees or other vegetation delivered for planting or establishment in individual or group containers.
CONTIGUOUS	See "Abutting."
CONTINUANCE	The adjournment or postponement of review or a decision on an application for development approval to a specified future date.
CONTINUING CARE RETIREMENT CENTER	A retirement community configured as a single unified campus that includes independent living dwellings, assisted living facilities, and skilled nursing facilities that are owned and operated by a private company that provides a continuum of care to residents of the community. It may include on-site dining, medical care, and recreation and social facilities in addition to guest lodging and employee housing.
CONTRACT PURCHASER	A person who has entered into a contract with another party to purchase real property, but who has not yet settled on the purchase.
CONTRACTOR SERVICES/YARD	Offices for building, heating, plumbing, or electrical contractors, and related storage facilities.
CONVENIENCE STORE (NO GASOLINE SALES)	A retail establishment which offers for sale, primarily, the following types of articles: bread, milk, cheese, canned and bottled foods and drinks, tobacco products, beer, wine, candy, papers and magazines, and general hardware articles. Fast food may also be offered for sale but only as a secondary activity of a convenience store and subject to the standards of this Ordinance. If vehicular maintenance and service are provided, the establishment is not classified as a convenience store.
CONVENIENCE STORE (WITH GASOLINE SALES)	A retail establishment which offers for sale, primarily, the following types of articles: bread, milk, cheese, canned and bottled foods and drinks, tobacco products, beer, wine, candy, papers and magazines, and general hardware articles. Gasoline and/or fast food may also be offered for sale but only as a secondary activity of a convenience store and subject to the standards of this Ordinance. If vehicular maintenance and service are provided, the establishment is not classified as a convenience store.
COPING	A finishing or protective course of masonry or cap of metal located at the top of a brick, stone, or masonry wall.
CORNICE	Any horizontal member, structural or nonstructural, of any building, projecting outward from the exterior walls at the roof line, including eaves and other roof overhang.
CORPORATE LIMITS	The legal name that refers to the boundaries of a municipal corporation.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Correctional Facility

DEFINITIONS

CORRECTIONAL FACILITY	Publicly or privately operated facilities housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense. Such uses may include cafeterias, housing for facility staff, outdoor storage and maintenance areas, recreational areas, agricultural facilities, and facilities for the production of goods or materials produced for sale.
COUNTY	Wake County, North Carolina.
COURT-ORDERED SUBDIVISION	The division of land between two or more parties as ordered as part of a settlement imposed by the judicial system.
COURTYARD	An open, unoccupied space, other than a required yard, on the same lot as a building and bounded on two or more sides by a building on the same lot.
COVENANT	A binding written agreement between two or more private parties regarding the use, occupancy, or configuration of development that runs with the land.
CO-WORKING SPACE	A land use that serves as a shared workspace for employees of different organizations. Co-working spaces consist of private, self-contained offices as well as shared or common office workspaces available for rent by more than one individual. Co-working spaces may include shared administrative staff, document production, presentation equipment, storage, kitchens, or private meeting rooms.
CREMATORIUM	
CRITICAL AREA	See "Watershed Critical Area."
CUL-DE-SAC STREET	See "Street, Cul-de-Sac."
CULTURAL FACILITY, LIBRARY, OR MUSEUM	Establishments such as zoological gardens, conservatories, planetariums, or other similar uses of an historic, educational, or cultural interest, which are not operated for profit.
CUPOLA	A domelike structure on top of a roof or dome, often used as a lookout or to admit light and air.
CURB	A constructed element used to stabilize paving, gutter, planting areas, or sidewalks.
CURVILINEAR WALL FEATURE	A portion of a building's exterior wall that is curved or arced relative to the primary wall plane.

D

DAM	A barrier, whether constructed or natural that holds back water.
DEAD-END STREET	See "Street, Dead-End."
DECK	A structure, without a roof, directly adjacent to a principal building which has an average elevation above finished grade.
DECORATIVE GLASS	Glass located on an exterior wall of a building that may be transparent, semi-transparent, or opaque.
DEDICATION	The act of giving, donating, or dedicating land or infrastructure improvements to a unit of government for their operation and maintenance.
DEED RESTRICTION	A written private agreement that restricts the use, occupancy, or configuration placed upon the title of real estate often by the developer.
DEMOLITION	Complete or constructive removal of a building or portion of a building on any site.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Design Flood

DEFINITIONS

DESIGN FLOOD	See "Regulatory Flood Protection Elevation."
DESIGNEE	A person selected or designated to carry out a duty or role.
DEVELOPER	A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.
DEVELOPMENT	<p>Any man-made change to improved or unimproved real estate, including any of the following:</p> <ul style="list-style-type: none">a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.b. The excavation, grading, filling, clearing, or alteration of land.c. The subdivision of land as defined in G.S. 160D-802.d. The initiation or substantial change in the use of land or the intensity of use of land. <p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>:</p> <p>(a) Any manmade change to improved or unimproved real estate, including, but not limited to, the construction, erection, structural alteration, enlargement, or rehabilitation of any buildings or other structures, including farm buildings, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, clearing of vegetation; and any use or change in use of any structures or land.</p> <p>(b) Development shall also include any land disturbing activity on improved or unimproved real estate that changes the amount of impervious or partially impervious surfaces on a parcel, or that otherwise decreases the natural infiltration of precipitation into the soil.</p>
DEVELOPMENT ACTIVITY	For the purposes of Section 3.8.2, Flood Overlay (FHO) District, any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.
DEVELOPMENT AGREEMENT	A written agreement between the town and a developer or applicant that sets down the rights and responsibilities of each party as pertaining to a single development.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Development Approval

DEFINITIONS

DEVELOPMENT APPROVAL	An administrative or quasi-judicial approval made pursuant to G.S. 160D and UDO Article 2 that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations adopted pursuant to this G.S. 160D and any Town Ordinance including plat approvals, permits issued, development agreements entered into, and building permits issued.
DEVELOPMENT ENTRY POINT	A vehicular access point providing ingress or egress to an individual neighborhood or development.
DIAMETER AT BREAST HEIGHT (DBH)	Measurement for determining the size of existing trees to be credited towards landscaping requirements or for violations of this Ordinance. DBH is the measurement of the diameter of an existing tree trunk taken at a height of 4 ½ feet above the ground. Trees with multiple trunks should be treated as multiple trees and the DBH for each trunk added to aggregate diameter measurement.
DIFFUSE FLOW	Water flowing in a thin layer over the ground surface without, and at relatively uniform velocities so as not to create an identifiable channel through erosion.
DIGITAL FLOOD INSURANCE RATE MAP (DFIRM)	The digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.
DISPOSAL	For the purposes of the FHO, , as defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.
DISTRIBUTED ANTENNA SYSTEM (DAS) NODE	Wireless telecommunications equipment that includes one or more antennas mounted on a support structure (such as a utility pole, building, or other vertical projection) which is connected via cable or wirelessly to an equipment cabinet on site that is joined via cable to the internet and/or other communication network. Applications for the establishment of a DAS node are reviewed and decided in accordance with the procedures for establishment of a small wireless facility.
DITCH (OR CANAL)	As used in the riparian buffer standards, a man-made channel other than a modified natural stream constructed for drainage purposes that is typically dug through inter-stream divide areas. A ditch or canal may have flows that are perennial, intermittent, or ephemeral and may exhibit hydrological and biological characteristics similar to perennial or intermittent streams.
DORMER WINDOW	A window that projects vertically from a sloping roof.
DOUBLE FRONTAGE LOT	See "Lot, Double Frontage."

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Drive Aisle

DEFINITIONS

DRIVE AISLE	A vehicular accessway within a surface parking lot or a parking structure.
DRIVE THROUGH	A facility designed to enable a person to transact business while remaining in a motor vehicle.
DRIVEWAY	The portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not a part of the vehicle accommodation.
DRIVEWAY MEDIAN	A constructed device, whether raised or lowered from grade level, located within a driveway or drive aisle that is used to control traffic direction or limit turning movements.
DROUGHT TOLERANT TREE	See "Tree, Drought Tolerant."
DRUG/ALCOHOL TREATMENT FACILITY	Inpatient facility which provides care for persons with drug and/or alcohol dependency problems and which may include outpatient follow-up care to the facility's patients.
DUPLEX DWELLING	A single detached dwelling on one lot that contains two dwelling units. The units may be located side by side in a horizontal configuration or stacked one above the other in a vertical configuration, sharing common vertical walls or horizontal floors and ceilings.
DWELLING	Any building, structure, manufactured home, or mobilehome, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. Dwelling shall not include any manufactured home, mobile home, or recreational vehicle, if used solely for a seasonal vacation purpose.
DWELLING UNIT	One or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit with cooking, living, sanitary, and sleeping facilities.

E

EASEMENT	The right to use or occupy the real property of another owner for a specifically identified purpose. An easement is a recognized interest in real property, but legal title to the underlying land is retained by the owner granting the easement.
EAVE	The projecting lower edges of a roof that overhangs the wall of a building.
EGRESS	An exit from a building or site.
ELECTRIC VEHICLE CHARGING STATION	An off-street parking space that is served by an electrical component assembly or cluster of component assemblies (battery charging station) designed and intended to transfer electric energy, by conductive or inductive means, from the electric grid or other off-board electrical source to a battery or other energy storage device within an electric vehicle.
ELECTRICAL OR PLUMBING FABRICATION	A industrial establishment operated by a contractor, supplier, or distributor engaged in the fabrication and assembly of plumbing fixtures, electrical fixtures, HVAC ducting and equipment, fireplaces, or similar household or commercial features for off-site installation.
ELECTRONIC MESSAGE BOARD	See Table 5.11.9, Sign Standards by Sign Type .

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Elevated Building

DEFINITIONS

ELEVATED BUILDING	A building without a basement that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.
ELEVATION/ FLOODPROOFING CERTIFICATE	A document identifying the base flood elevation in feet above mean sea level of the lowest habitable floor of a building located within a special flood hazard area.
ELIGIBLE FACILITY REQUEST	An application for the installation of new or replacement antennas and related wireless telecommunications equipment on an existing telecommunications tower. An eligible facilities request may include increasing the height and/or replacement of an existing telecommunications tower but shall not include any activities that constitute a "substantial modification" as defined in this Ordinance and Section 160D-931 of the North Carolina General Statutes. Eligible facility requests are reviewed and decided in accordance with the procedures for a minor collocation.
EMS STATION	A facility housing emergency medical service personnel and equipment intended for provision of out-of-hospital acute medical care, transport to definitive care, and other medical transport to patients with illnesses and injuries which prevent the patient from transporting themselves. Such uses may also including living quarters for EMS personnel, emergency operations centers, storage, and vehicle maintenance facilities.
ENCROACHMENT	The location of a building, structure, or portion of a building or structure in an open space, setback, yard, or other area typically required to remain free of buildings or structures. In flood prone areas, an encroachment is the advance or infringement of uses, fill excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
ENTABLATURE	A horizontal, continuous lintel on a classical building supported by columns or a wall, comprising the architrave, frieze, and cornice.
ENTRANCE, PRIMARY	See "Primary Entrance."
EQUIPMENT AND TOOL RENTAL	A commercial establishment that offers, for rent, a variety of hand tools, electric tools, outdoor equipment, articles for parties such as tables, chairs, and tents. Incidental sales of related equipment may be permitted as an accessory use. Such uses include on-site repair and maintenance facilities for rental equipment owned by the establishment. Repair of items owned by others is a repair service use.
EQUIPMENT CABINET	For the purposes of the standards in <u>Section 4.3.4.S, Wireless Telecommunication Facilities</u> , a non-habitable structure, such as a box, enclosure, vault, shelter, or pedestal, typically located above ground, that contains radios, computers, or other equipment necessary for the transmission or reception of wireless telecommunication signals.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Equipment Compound

DEFINITIONS

EQUIPMENT COMPOUND	For the purposes of the standards in <u>Section 4.3.4.S, Wireless Telecommunication Facilities</u> , an area containing wireless telecommunications equipment serving antennas on a nearby telecommunications tower, utility pole, building, or other vertical projection. An equipment compound is commonly fenced or surrounding by walls that limit access to members of the general public. Nothing shall limit an equipment compound from being located within a building, on the roof of a building, or underground.
EROSION	The wearing away of land surface by the action of wind, water, gravity, or any combination thereof.
EROSION CONTROL MEASURE	A device which controls the soil material within the land area under responsible control of the person conducting a land-disturbing activity.
EROSION CONTROL PERMIT	A permit associated with land-disturbing activity that approves certain actions designed to inhibit erosion or limit accumulation of sediment in streams or on other lands outside the area of disturbance.
ESTABLISHED GRADE	See "Grade, Established."
EVENT VENUE	A commercial establishment and associated grounds engaged in the hosting and production of pre-planned events like weddings, corporate parties, or reunions. Typical accessory uses include kitchens or meal preparation space, limited overnight accommodations, photography studios, facilities to accommodate live or recorded music, on- and off-site parking, and outdoor recreation facilities.
EVERGREEN TREE	See "Tree, Evergreen."
EXEMPTION	A use, site feature, or development condition that is exempted authorized to deviate from otherwise applicable requirements
EXISTING BUILDING AND EXISTING STRUCTURE	Means any building and/or structure for which the "start of construction" commenced before January 1, 2020, the initial effective date of the floodplain management regulations adopted by the community.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Existing Development

DEFINITIONS

	<p>Means development, other than that associated with agricultural or forest management activities that meets one of the following criteria:</p> <ol style="list-style-type: none">1. It either is built or has established a vested right based on statutory or common law, for projects that do not require a state permit, as of the effective date of either local new development stormwater programs implemented under Rule 15A NCAC 2B .0265 (Jordan Water Supply Nutrient Strategy: Stormwater Management for New Development) or, for projects requiring a state permit, as of the applicable compliance date established in Rule 15A NCAC 2B .0271 (Jordan Water Supply Nutrient Strategy: Stormwater Management for New Development), Items (5) and (6); or2. It occurs after the compliance date set out in Sub-Item (4) (d) of Rule .0265 (Jordan Water Supply Nutrient Strategy: Stormwater Management for New Development) but does not result in a net increase in built-upon area.
EXISTING DEVELOPMENT	<p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>:</p> <p>Those projects that are built or the projects that at a minimum have established a vested right under North Carolina zoning law as of the effective date of the Flood Protection Overlay District or such earlier time that an affected local government's management plans and ordinance shall specify, based on at least one of the following criteria:</p> <ol style="list-style-type: none">(a) Substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid approval from the Town of Zebulon to proceed with the project; or upon having an approved preliminary plat or planned development; or(b) Having an outstanding valid building permit as authorized by G.S. §§ 153A-344.1 and 153A-344.1(f)(3); or(c) Having an outstanding zoning compliance permit as authorized by G.S. §§ 153A-344.1 and 153A-344.1(f)(3) and/or meeting the requirements for establishing a zoning vested right.
EXISTING MANUFACTURED HOME PARK OR MANUFACTURED HOME SUBDIVISION	<p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this part.</p>
EXISTING TREE(S)	<p>Trees or other woody vegetation that exist and are retained on a development site.</p>
EXPANSION	<p>An increase in the floor area of an existing structure or building, or the increase of area of a use.</p>
EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION	<p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: The preparation of the additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).</p>

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Ex-Parte Communication

DEFINITIONS

EX-PARTE COMMUNICATION	Any communication between a member of a decision-making body involved in a development application and another person involved in a development application that is made without the presence or knowledge of the other members of the same decision-making body.
EXPEDITED SUBDIVISION	A subdivision of three or fewer lots comprised of more than five acres in accordance with Section 160D-802 of the North Carolina General Statutes.
EXTERIOR ARCHITECTURAL FEATURES	Includes the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the color, the kind, and texture of the building material; the size and scale of the building; and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, "exterior architectural features" shall be construed to mean the style, material, size, and location of all such signs. Such "exterior features" shall include historic signs, color, and significant landscape, archaeological and natural features of the area.
EXTERIOR LIGHTING	Illumination of a building, parking lot, or site feature.
EXTRA TERRITORIAL JURISDICTION	The land area located outside the corporate limits of a municipality, but still subject to the planning and zoning laws associated with Zebulon, North Carolina.
EXTRACTIVE INDUSTRY	A use involving on-site extraction of surface or subsurface mineral products or natural resources. Typical uses are quarries, borrow pits, sand and gravel operations, mining, hydraulic fracturing, and similar activities. Specifically excluded from this use is grading and removal of dirt associated with an approved site plan or subdivision or excavations associated with, and for the improvement of, a bona fide agricultural use.
EYEBROW WINDOW	A low dormer window with no sides located on the slope of a roof where the roofing material is carried over the top of the window without interruption.
F	
FACADE	See "Building Façade."
FAÇADE, FRONT	The exterior façade of a building where the primary or front entrance is located. Typically the front façade faces the street from which the building derives its street address.
FAÇADE, REAR	The exterior façade of a building that is opposite the front façade.
FAÇADE, SIDE	The exterior façade of a building perpendicular to the front façade.
FAIRGROUNDS	A public or private use comprised of open areas and permanent and/or temporary buildings where fairs, carnivals, circuses, or other exhibitions are held. Such uses may include other occasional or incidental activities such as expositions, farmer's markets, informal flea markets, and demonstrations.
FALSE (OR OPAQUE) WINDOWS	An exterior building material provided to replace or approximate a window.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Family

DEFINITIONS

FAMILY	One or more persons related by blood, adoption or marriage living and cooking together as a single housekeeping unit exclusive of household servants. The number of persons, but not exceeding two living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage, shall be deemed to constitute a family.
FAMILY CARE HOME	A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident handicapped persons. Handicapped person means a person with a temporary or permanent physical, emotional or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in Section 122-58.2(1)b North Carolina General Statutes.
FAMILY HEALTH CARE STRUCTURE	A transportable residential structure that is primarily assembled at a location other than its site of installation and provides an environment facilitating a caregiver's provision of care for a mentally or physically impaired person.
FARMER'S MARKET	A principal use which includes the sale of horticulture or agriculture products, including nursery stock, perennial, annuals, bulbs, mulch, compost, dried flowers, Christmas trees and greens, fresh produce, honey, cider, and similar agriculture products.
FASCIA	A fascia is a board or other exterior material provided at the edge of a building where the roof meets the exterior wall. When gutters are provided, they are typically mounted to the fascia.
FEE	An amount charged in accordance with the regularly adopted fee schedule of the town.
FEE IN-LIEU	Monetary compensation offered by a landowner or applicant as an alternative to provision of some other required site or development feature.
FENCE OR WALL	A physical barrier or enclosure consisting of wood, stone, brick, block, wire, metal, or similar material used as a boundary or means of protection, retention, or confinement, but not including a hedge or vegetation.
FENESTRATION	The arrangement of windows and doors on a building's façade.
FINAL PLAT	A plan or drawing recorded in the office of the register of deeds that identifies the metes and bounds as well as all applicable conditions applied to a lot or group of lots that have been subdivided.
FINANCIAL GUARANTEE	See "performance Guarantee."
FINANCIAL SERVICES ESTABLISHMENT	An establishment that provides retail banking services, mortgage lending, or similar financial services to individuals and businesses. Financial institutions include those establishments engaged in the on-site circulation of cash money and check-cashing facilities, but shall not include bail bond brokers. Financial services may also provide automated teller machines (ATM) services, located within a fully enclosed space or building, or along an exterior building wall intended to serve walk-up customers only. Financial services may include drive-through facilities.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Fine

DEFINITIONS

FINE	A sum of money imposed on a violator as punishment for violation of law.
FINISHED SIDE OF FENCE	The side of a fence configured for the best possible appearance that does not include structural supports or exterior materials with imperfections.
FINS	A decorative or structural device consisting of a series of narrow vertical projections or ribs along a building's façade that provide screening to windows or that conceal structural supports that provide rigidity to the walls or support the roof.
FIRE HYDRANT	A connection point to a public water supply system used by firefighters to access water as a part of fire suppression.
FIRE LANE	A lane or designated area in a parking lot or on a street that is reserved for firefighting equipment or staging of people during a fire and is not intended for the parking of vehicles or storage.
FIRE PROTECTION SYSTEM	A fire hydrant, water storage tank, or connection to a building's sprinkler system, typically referred to as a standpipe, all used for the purposes of providing water for fire suppression.
FIRE/EMS/POLICE STATION	A facility that serves as the base of operations for a fire company, police precinct, sheriff's office, or emergency medical technician operation. Such facilities may also include living quarters for personnel, equipment storage, and vehicular maintenance areas.
FLAG	See <u>Table 5.11.9, Sign Standards by Sign Type</u> .
FLAG LOT	See "Lot, Flag."
FLAGPOLE	A freestanding structure or structure attached to the wall or roof of a building that is used to display flags.
FLEA MARKET	A market held in an open area or structure where individual sellers offer goods for sale to the public. Such sellers may set up temporary stalls or tables for the sale of their products. Such sales may involve new and/or used items and may include the sale of fruits, vegetables, and other edible items. A farmer's market, where food items predominate, is different than a flea market. This also differs from a garage sale or yard sale that is conducted on a residentially developed lot by members of a household, or civic groups selling primarily donated items.
FLEX SPACE	Buildings designed to accommodate a combination of offices (e.g. service establishments and contractor's offices), wholesale establishments, warehousing/distribution, industrial services, and light manufacturing, with the exact proportions of each use being subject to user needs over time. Such uses are treated as principal uses and subject to the standards and limitations applicable to such uses—e.g., parking, and are included in the total gross floor area if located on the same lot.
FLOOD BARRIERS	Any manmade feature, structure, or system that has the effect of interfering with or redirecting the natural down-gradient flow of storm or flood water. Flood Barriers include dams and levees, artificial channels and concrete banks or enclosures, culverts, and curb and gutter drainage systems.
FLOOD HAZARD BOUNDARY MAP (FHBM)	An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Flood Insurance

DEFINITIONS

FLOOD INSURANCE	The insurance coverage provided under the National Flood Insurance Program.
FLOOD INSURANCE RATE MAP (FIRM)	An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.
FLOOD INSURANCE STUDY (FIS)	The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.
FLOOD OR FLOODING	<p>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.</p> <p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: A general and temporary condition of partial or complete inundation of normally dry land areas from:</p> <ul style="list-style-type: none">(a) The overflow of inland or tidal water; and(b) The unusual and rapid accumulation of runoff of surface waters from any source.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Flood Protection Areas

DEFINITIONS

FLOOD PROTECTION AREAS

- (a) Flood Protection Areas are divided into two categories:
1. Flood Protection Zone 1; and
 2. Flood Protection Zone 2, as described below.
- (b) 1. Flood Protection Zone 1
- Zone 1 is the full extent of the FEMA 100-year floodplain as determined by the U.S. Army Corps of Engineers, North Carolina Division of Water Quality, or USGS 7.5-minute topography maps and shall remain undisturbed. Flood Protection Zone 1 is the most dynamic and hazardous zone, carrying debris and other projectiles during times of flooding. No new development is permitted within Flood Protection Zone 1 except for stream bank or shoreline restoration or stabilization, water dependent structures, and public or private projects such as road crossings and installations, utility crossings and installations, and greenways, where no practical alternatives exist. Flood Protection Zone 1 shall remain undisturbed in its entirety except for exempted activities described herein.
2. Flood Protection Zone 2
- Zone 2 shall be a minimum of 50 feet landward of all sides of perennial and intermittent surface waters, streams, lakes, and ponds as determined by the U.S. Army Corps of Engineers, North Carolina Division of Water Quality, or USGS 7.5-minute topography maps and shall remain undisturbed. A surface water shall be determined present if the feature is approximately shown on either the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture (USDA) or the most recent version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS). An exception to this requirement may be allowed when surface waters are not present in accordance with the provisions of 15A NCAC 2B .0233(3)(a) or similar site-specific determination made using division-approved methodology. Disturbance of existing vegetation shall be minimized to the greatest extent possible except for the installation of artificial stream bank or shoreline stabilization, water dependent structures and public or private projects such as utility service lines, road crossings or greenways where no practical alternatives exists. No new impervious surface or regular maintenance (e.g., mowing) of vegetation can occur in Zone 2.

FLOOD ZONE

A geographical area on the Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Flood-Resistant Material

DEFINITIONS

FLOOD-RESISTANT MATERIAL	Any building product [material, component or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbars are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, <i>Flood Damage-Resistant Materials Requirements</i> , and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.
FLOODPLAIN	Any land area susceptible to being inundated by water from any source in response to precipitation events.
FLOODPLAIN ADMINISTRATOR	The individual appointed to administer and enforce the floodplain management regulations.
FLOODPLAIN DEVELOPMENT PERMIT	A permit that is required, in conformance with the provisions of this Ordinance, prior to the commencement of any development activity in a floodplain.
FLOODPROOFING	Any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.
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
FLOODWAY ENCROACHMENT ANALYSIS	An engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and models.
FLOOR	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : 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.
FOOTCANDLE	A unit of measure of the intensity of light falling on a surface. It is often defined as the amount of illumination the inside surface of a one-foot-radius sphere would be receiving if there were a uniform point source of one candela in the exact center of the sphere. One footcandle is equal to one lumen per square foot.
FOOTPRINT	See "Building Footprint."
FORESTRY ACTIVITY	An activity related to plating, maintaining, or removing trees as part of a forestry management plan or bona fide farming activity.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Fraternal Club or Lodge

DEFINITIONS

FRATERNAL CLUB OR LODGE	A building and related facilities owned and operated by a corporation, association, or group of individuals established for fraternal, social, educational, recreational, or cultural enrichment of its members and primarily not for profit, and whose members meet certain prescribed qualifications for membership and pay dues.
FREEBOARD	The additional amount of height added to the Base Flood Elevation (BFE) to account for uncertainties in the determination of flood elevations. The freeboard requirement plus the Base Flood Elevation equals the Regulatory Flood Protection Elevation.
FRONT FAÇADE	See "Façade, Front."
FRONTAGE STREET	See "Street, Frontage."
FUEL OIL/BOTTLED GAS DISTRIBUTOR	An establishment that stores and distributes fuel oil or bottled gases such as propane, oxygen, or liquid petroleum in bulk quantities for wholesale sale or distribution to retail outlets or end consumers at the point of use. A use engaged in sale of automobile fuel is a retail use.
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.
FUNERAL-RELATED SERVICES	A commercial establishment engaged in the provision of services related to funeral services for humans or pets. Such uses may provide embalming, cremation, and memorial services. Chapels and storage areas are accessory uses. Uses for the internment of human or animal remains are park and open space uses.

G

GABLE	A triangular area of an exterior wall formed by two sloping roofs
GALLERY	A balcony or platform on an upper floor that projects from the primary wall plane of the building that is open underneath.
GAMES OF SKILL	A commercial establishment providing patrons with the opportunity to compete against others for cash or other prizes in games where the outcome is based on skill, not chance.
GARAGE OR YARD SALE	A sale conducted by an occupant of a residence alone or in cooperation with neighbors conducted for the purpose of selling surplus household items for profit or for charitable purposes. Such sales are usually conducted from a garage associated with the residence or from the yard of the residence. Garage or yard sales may be distinguished from flea markets by the number of days of sale.
GAS ENERGY CONVERSION	An industrial use engaged in the conversion of the heat or gaseous emissions from the decomposition of organic matter into fuel, chemicals, and/or electricity for off-site use.
GATEWAY CORRIDOR	A portion of a street corridor and the lots that front it as designated in the Town's adopted policy guidance where additional design or development standards are applied. Typically gateway corridor areas are designated as overlay zoning districts.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Gathering Area (or Place)

DEFINITIONS

GATHERING AREA (OR PLACE)	A formal or informal area intended for or used by the general public to gather or congregate together for interaction or recreation.
GENERAL ASSEMBLY	The General Assembly for the State of North Carolina. Also referred to as the Legislature.
GENERAL INDUSTRIAL SERVICES	Establishments engaged in the repair or servicing of agriculture, industrial, business, or consumer machinery, equipment, products, or by-products, including machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; laundry, dry-cleaning, and carpet cleaning plants; film processing; and general industrial service uses. Firms that provide these services do so by mainly providing centralized services for separate retail outlets. Few customers, especially the general public, come to the site.
GENERAL STATUTES	A general statute is a written law passed the General Assembly that sets forth general propositions of law that courts apply to specific situations.
GENERAL ZONING DISTRICT	A designation or classification applied to certain lots or tracts as shown on the Official Zoning Map. General zoning districts specify the broad range of allowable land use types permitted on lots or tracts within the particular district. The general zoning district standards also specify the applicable dimensional requirements for lots and buildings as well as any unique provisions that apply to solely lands in the particular district.
GLARE	The effect produced within the visual field by a high intensity or insufficiently shielded light source that is significantly brighter than the level to which the eyes are adapted, causing annoyance, discomfort, or loss of visual performance or visibility of objects.
GLAZING	The portion of an exterior building surface occupied by glass or windows.
GOLF COURSE	A tract of land laid out with at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards. A golf course, may include a clubhouse (with or without eating facilities), shelters, a driving range, putting green, maintenance facilities, an irrigation system, and outdoor storage of materials and equipment.
GOLF DRIVING RANGE	A commercial establishment used by persons practicing their golf swing or putting capability. A driving range is an area on which golf players do not walk, but onto which they drive golf balls from a common driving tee. A driving range may also include a putting green.
GOOD CAUSE	Legally adequate or substantial grounds or reason to take a certain action based upon the circumstances of each individual case.
GOVERNMENT MAINTENANCE, STORAGE, DISTRIBUTION	A facility housing government shops, maintenance and repair centers, equipment, and outdoor storage yards.
GOVERNMENT OFFICE	An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to, employment offices, public assistance offices, or motor vehicle licensing and registration services.
GRADE, ESTABLISHED	The ground elevation at a specific point on a site after completion of development activity or prior to development activity on a vacant site.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Grading

DEFINITIONS

GRADING	Excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.
GRADING	Excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.
GRATE	Metal, wood, or plastic configured to cover or obscure an opening in a wall, roof, or the ground.
GREEN ROOF	The roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.
GREEN WALL	See "Wall, Green."
GREENWAY	Public open space under the control and maintenance of the Town which has been designated on an officially adopted greenway or open space plan and developed in accordance with the adopted greenway or open space plan.
GREENWAY/ HIKING TRAILS	<p>A strip or corridor of undeveloped land set aside for recreational use or environmental protection that includes an improved trail or walking/bicycle facility.</p> <p>For the purposes of the riparian buffer standards, pedestrian trails constructed of pervious or impervious surfaces and related structures including but not limited to boardwalks, steps, rails, and signage, and that generally run parallel to the shoreline.</p>
GROCERY STORE	An establishment engaged in retail and/or wholesale sale of food, foodstuffs, sundries, or other common household items to members of the public.
GROSS FLOOR AREA	See <u>Section 9.3.7, Gross Floor Area (GFA)</u> .
GROUND COVER	Low growing plants such as grasses, ivy, creeping bushes and similar decorative plantings as well as mulch, pinestraw, or other similar materials used to cover the ground within required landscaping areas.
GROUND-BASED MECHANICAL EQUIPMENT	Utility or other equipment of a mechanical nature that is mounted on or below grade on the site it serves.
GROUP HOME	A residential facility (such as an orphanage, shelter, crisis center) with support and supervisory personnel that provides temporary room and board, housekeeping, personal care, or rehabilitation services for those needing emergency or post-incarceration services (but not including those with mental illness who are dangerous to themselves or others).
GYMNASIUM/FITNESS CENTER	A facility where members or nonmembers use equipment or space for the purpose of physical exercise. Such uses may include indoor swimming pools, athletic courts, tracks, or other similar features. Retail sales of hand-held fitness equipment, clothing, or health foods may occur as an accessory use.
H	
HABITABLE SPACE	A space in a building for living, sleeping, eating or cooking, or used as a home occupation.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Hair, Nails, and Skin-Related Services

DEFINITIONS

HAIR, NAILS, AND SKIN-RELATED SERVICES	A commercial establishment engaged in the provision of services pertaining to hair care, hair styling, hair removal, nail care, makeup, facial treatments, tanning, massage therapy, and similar cosmetic treatments. Such uses may or may not include other spa or salon facilities such as showers, baths, and the incidental sales of food for on-site consumption and personal skin or hair care products.
HALF STREET	See "Street, Half."
HALFWAY HOUSE	A licensed home for juveniles or adult persons on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling is provided to assist residents back into society, enabling them to live independently.
HARDSHIP	Special or specified circumstances that place an unreasonable or disproportionate burden on one applicant or landowner over another.
HAZARDOUS WASTE FACILITY	For the purposes of the FHO, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.
HEAVY EQUIPMENT, SALES, RENTAL, AND REPAIR	Premises on which new or used heavy equipment (tractors, loaders, excavators, backhoes, cranes, lifts, rollers and similar devices) are displayed for sale, lease, or rental. On-site repair and service to heavy equipment is also provided.
HELICOPTER LANDING PAD	An area, either on ground level or elevated on a structure, licensed or approved for the landing and takeoff of helicopters and which may include auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.
HELISTOP	An area of land, water, or structural surface designed for discharge or pick-up of passengers or cargo from or by helicopters, but excluding field service or maintenance.
HIGH INTENSITY LED	One or more light emitting diodes that are optimized for providing an extra-bright, highly visible light.
HIGH PRESSURE SODIUM LAMP	A lamp of lightbulb that uses sodium under pressure to produce a broad spectrum of visible light for the purposes of providing exterior illumination.
HIGHEST ADJACENT GRADE	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Historic Structure

DEFINITIONS

HISTORIC STRUCTURE	<p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>:</p> <p>Any structure that is:</p> <ul style="list-style-type: none">(a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;(b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;(c) Individually listed on a state inventory of historic places;(d) Individually listed on a local inventory of historic places in communities with historic preservation programs; that have been certified by an approved state program as determined by the Secretary of Interior, or directly by the Secretary of Interior in states without approved programs.
HOME OCCUPATION	Any activity carried out for gain by a resident and conducted in the resident's dwelling unit or accessory structures.
HOME OFFICE	The use of a portion of a principal residence for conducting office or commercial-related activity.
HOME OWNERS' ASSOCIATION	An organization of homeowners or property owners of lots or land in a particular subdivision, condominium, or planned development. The owners' association is responsible for maintaining and enhancing the shared private infrastructure (e.g., stormwater, streets, and sidewalks) and common elements such as recreation areas.
HORIZON YEAR	As used in <u>Section 6.13, Transportation Impact Analysis</u> : Unless otherwise specified or approved by the Planning Director, the HORIZON YEAR shall be the build out year plus one year into the future from the year during which a traffic impact study is being prepared.
HORIZONTAL FAÇADE MODULATION	Projections, recesses, ribs, fins, or building wings distributed evenly across the façade of a building.
HOSPITAL	An institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to human patients and injured persons, that is licensed by state law to provide facilities and services in surgery, obstetrics, or general medical practice. Such institutions may include in-patient medical or surgical care for the sick or injured and related facilities such as laboratories, out-patient departments, training facilities, central services facilities, and staff offices that are an integral part of the facilities.
HOTEL OR MOTEL	A building or group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental for temporary occupancy by persons on an overnight basis. Hotels or motels may including an associated eating establishment, conference facilities, and on-site recreational amenities. Hotels or motels regularly offering extended duration stay facilities to patrons are extended stay facilities. Hotel, motel, resorts, lodges, and similar overnight lodging uses are to be considered synonymous uses

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Human-Scaled Development

DEFINITIONS

HUMAN-SCALED DEVELOPMENT	Features of a building or built environment that are sized and configured in accordance with the typical human frame. Human-scale details and features are most often configured for observation and recognition by people who are walking.
ICE HOUSE	A manned or unmanned facility selling packaged ice manufactured off-site to members of the public at retail or wholesale.
IMPERVIOUS COVERAGE	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : Any land that is covered by impervious or partially impervious cover including buildings, pavement, gravel roads, recreation facilities (e.g., tennis courts and the like). (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.) Measurements of Impervious Coverage shall be based upon net project area excluding land within existing street rights-of-way.
IMPERVIOUS SURFACE	Any material that reduces and prevents absorption of stormwater runoff into previously undeveloped land.
IMPOUNDED VEHICLE	A private vehicle that is being stored in a controlled location pending action by the vehicle's owner.
IMPROVEMENT	The construction of buildings and the establishment of basic services and amenities associated with development, including, but not limited to streets and sidewalks, parking areas, water and sewer systems, drainage system, property markers and monuments, recreation facilities (i.e., lakes, swimming pools, tennis courts, golf courses, riding stables, club houses, cabanas, marinas, docks and the like) and other similar construction or establishment.
INDOOR ATRIUM	An interior court enclosed by building walls with or without a roof.
INDOOR COMMERCIAL RECREATION	A commercial establishment located entirely indoors that provides recreational, amusement, and entertainment opportunities for patrons, including activities such as billiards, bingo, bowling, video games, escape rooms, fortune tellers, skating rinks, laser tag, trampolines, and climbing walls.
INFILL	The process of developing vacant or under-used parcels within existing developed areas that are already largely developed.
INGRESS	Access or entry to a building or site.
IN-LIEU FEE	Monetary compensation offered by a landowner or applicant as an alternative to provision of some other required site or development feature.
INTERNALLY ILLUMINATED	An awning, sign, or canopy with an internal source of illumination.
INTERNATIONAL BUILDING CODE	The model building code developed by the International Building Code Council.
INTERPRETATION	A determination, made in writing, by the Planning Director regarding the proper application of provisions in the UDO, the boundaries on the Official Zoning Map, a prior-approved condition of approval, or any other planning document.
INTERSTATE	See "Street, Interstate."
ITINERANT MERCHANT SALES	An individual or business offering goods or services for sale at retail to members of the general public either in their homes, their place

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Junkyard

DEFINITIONS

of business, or from a vehicle on a lot with an established use or a vacant lot.

J

JUNKYARD	See "Salvage or Junkyard."
JURISDICTION	The official power to make legal decisions and judgements. The term can also be used to describe the geographic boundaries of a municipal corporation or the extent over which a particular agency has control.
JURISDICTIONAL STREAM	A stream or other waterbody that meets the definition of "waters of the United States" or "waters of the state," and is thus subject to the jurisdiction of the US Army Corps of Engineers or the NC Department of Environmental Quality.
JURISDICTIONAL WETLAND	Land having the vegetative, soil, and hydrologic characteristics to be regulated under Sections 401 and 404 of the Clean Water Act as defined by the U.S. Army Corps of Engineers and the North Carolina Division of Water Quality.
JUST CAUSE	Legitimate cause; legal or lawful ground for action.

K

KENNEL, INDOOR/OUTDOOR	A facility where dogs, cats, or other domestic animals over six months of age are kept, raised, sold, boarded, bred, shown, treated, or groomed. The facility may be indoors, outdoors, or both.
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L

LABORATORY	An institutional use type engaged in the analysis, testing, identification, or research of chemicals, compounds, tissue, animals, or equipment.
LAND TRUST	A legal agreement in which a property owner transfers the title to a property to a trustee. The property owner is typically the beneficiary and directs the trustee in all matters relating to the management of the property, as outlined in the trust agreement or deed.
LAND-DISTURBING ACTIVITY	Any use of the land by any person in residential, industrial, education, institutional, or commercial development, highway and road construction and maintenance that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.
LANDFILL	A facility for the disposal of solid waste other than compost on land in a sanitary manner in accordance with Chapter 130A, Article 9, of the North Carolina General Statutes.
LANDOWNER	As applied to the standards related to vested rights, an owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and personal representative of the owner.
LANDSCAPE FABRIC	A geotextile material used to control weeds by inhibiting their exposure to sunlight.
LANDSCAPE ISLAND	The portion of a parking lot intended for landscaping material and pervious surfaces.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Landscape Strip

DEFINITIONS

LANDSCAPE STRIP	Linear landscape islands located between two parallel rows of off-street parking spaces.
LANDSCAPING	The improvement of a lot, parcel or tract of land with grass, shrubs, and trees. Landscaping may include pedestrian walks, flower beds, ornamental objects such as fountains, statuary, and objects designed and arranged to produce an aesthetically pleasing effect.
LARGE FORMAT RETAIL	A retail establishment consisting of a single or multiple tenants in one or more buildings totaling 70,000 square feet or more in area with 70 percent or more of the total floor area occupied by retail sales activities.
LAUNDRY OR CLEANING SERVICE	A commercial establishment engaged in the cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in water or volatile solvents. Such uses may provide cleaning and laundering services on-site or in off-site locations.
LEVEE	A manmade 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.
LEVEL OF SERVICE (LOS)	<p>As used in Section 6.13, Transportation Impact Analysis, a quantitative and qualitative measure of how well traffic flows on a given street or highway. LEVEL OF SERVICE relates to such factors as highway width, number of lanes, percentage of trucks, total traffic volume, turning movements, lateral clearances, grades, sight distance, capacity in relation to volume, travel speed and other factors which affect the quality of flow. LEVEL OF SERVICE is typically summarized by letter grades described as follows:</p> <ul style="list-style-type: none">(a) Level "A" is a condition with low traffic volumes, high speeds and free-flow conditions.(b) Level "B" is a condition with light traffic volumes, minor speed restrictions and stable flow.(c) Level "C" is a condition with moderate traffic volumes, where speed and maneuvering are restricted to a limited degree by the amount of traffic.(d) Level "D" is a condition with heavy traffic operating at tolerable speeds, although temporary slowdowns in flow may occur.(e) Level "E" is a condition of very heavy flow and relatively low speeds. Under Level "E," the traffic is unstable and short stoppage may occur.(f) Level "F" is a condition of extremely heavy flow, with frequent stoppage and very slow speeds. It is an unstable traffic condition under which traffic often comes to a complete halt.
LIBRARY	A public facility for the use, but not sale, of literary, historical, scientific, musical, artistic, or other reference materials.
LIGHT TRESPASS	Unwanted light that shines from one lot to another.
LIGHTING PLAN	A graphic deposition of proposed exterior lighting fixture locations, height, anticipated luminance, and cones of illumination.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Live/Work Dwelling

DEFINITIONS

LIVE/WORK DWELLING	A structure or portion of a structure combining a dwelling unit with an integrated nonresidential work space typically used by one or more of the residents. The nonresidential work space is found on the building's ground floor.
LOADING SPACE (FACILITY)	Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles, and not considered as part of the minimum required off-street surface parking.
LOCAL STREET	See "Street, Local."
LETTER OF MAP CHANGE (LOMC)	<p>An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:</p> <p>Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.</p> <p>Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.</p> <p>Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.</p> <p>Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.</p>
LIGHT DUTY TRUCK	<p>For the purposes of Section 3.8.2, Flood Hazard Overlay (FHO) District: any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:</p> <ul style="list-style-type: none">(a) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or(b) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or(c) Available with special features enabling off-street or off-highway operation and use.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Lot

DEFINITIONS

LOT	A parcel of land not divided by streets that is or will be occupied by a building and its accessory building(s) or an open air use of land, together with all required yard and other required open spaces, with all forms of required access and necessary utilities.
LOT DEPTH	See <u>Section 9.3.3.A.2, Lot Depth.</u>
LOT FRONTAGE	For the purposes of the subdivision regulations, the distance for which the front boundary line of a lot and the street line are coincident. In the case of corner lots, this shall be the street boundary line having the shortest distance coincident with a street line.
LOT OF RECORD (EXISTING LOT)	A lot that has been recorded in the office of the Wake County Register of Deeds and which was in conformance with the development regulations in effect at the time of recording.
LOT WIDTH	See <u>Section 9.3.3.A.3, Lot Width.</u>
LOT, CORNER	See <u>Section 9.3.3.C.1, Corner Lot.</u>
LOT, DOUBLE FRONTAGE	A lot with frontage on streets located at the front and rear of the lot.
LOT, FLAG	An irregularly shaped lot where the buildable portion of the lot is connected to its street frontage by an arm. Further, in cases where a minimum lot width is prescribed, the arm is less than the presumptive minimum required lot width.
LOT, THROUGH	A lot having frontage on two parallel or approximately parallel streets.
LOTS	For the purposes of the subdivision regulations, a parcel, piece, portion or tract of land separated from other parcels, pieces, portions and tracts of land by description on a subdivision plat or any plat recorded or to be recorded in the office of the Register of Deeds or any description by metes and bounds or other means.
LOUVERS	A set of angled slats or flat strips fixed or hung at regular intervals in a door, shutter, or screen to allow air or light to pass through.
LOWEST ADJACENT GRADE	The elevation of the ground, sidewalk, or patio slab immediately next to the building, or deck support, after completion of the building.
LOWEST FLOOR	<p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District:</u></p> <p>The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure constructed of flood resistant materials is designed to automatically allow for entry or exit of flood water in A zones. The definition of Lowest Floor includes:</p> <ul style="list-style-type: none">(a) The basement (if one exists);(b) The top of the lowest floor in A Zones;(c) The bottom of or lowest structural member in V Zones;(d) The elevated floor of a building (not the ground floor, provided the ground floor is only used for parking, limited storage, or building access and meets other ordinance criteria).
LUMEN	A quantitative unit measuring the amount of light emitted by a light source.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Luminous Tube Lighting

DEFINITIONS

LUMINOUS TUBE LIGHTING

Tubing, whether flexible or rigid, mounted to a building wall or other building feature for the purposes of providing illumination, security, attracting attention, or displaying a message.

M

MAJOR CHANGE

A significant deviation in an application, proposed development, or portion of a development that impacts the operation, appearance, function, value, or compatibility of proposed development with its surroundings.

MAJOR VARIANCE (WATERSHED)

A variance from the minimum statewide watershed protection rules that results in the relaxation by a factor of greater than 10 percent of any of the management requirements. Major variances shall be approved by the North Carolina Environmental Management Commission after initial review and recommendation from the Town of Zebulon. The Stormwater Administrator shall notify in writing each local government having jurisdiction in the watershed and the entity using the water supply for consumption.

MAKERSPACE

A collaborative workspace that includes shared tools, workspaces, technology, and knowledge in order to assist participants working alone or with collaborators to create and produce ideas, products, and services. Makerspaces can be formed for the purpose of instruction, creation of material for sale, or a combination of the two.

MANUFACTURED DWELLING OR MANUFACTURED HOME

A factory-built structure, transportable in one or more sections, that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. This includes any structure with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.), as amended. This does not include travel trailers or recreation vehicles.

For the purposes of Section 3.8.2, Flood Hazard Overlay (FHO) District: 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 Manufactured Home does not include a recreational vehicle.

MANUFACTURED DWELLING PARK OR MANUFACTURED HOME PARK OR SUBDIVISION

A commercial use where land is divided into individual leaseholds but not individual lots owned in fee simple that are intended for occupation by individual manufactured homes. Manufactured home parks may include shared or individual accessways, recreation facilities, and other shared accessory uses like laundries, storage, or refuse collection areas.

For the purposes of Section 3.8.2, Flood Hazard Overlay (FHO) District: Parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Manufacturing, Heavy

DEFINITIONS

MANUFACTURING, HEAVY	Uses that tend to require large amounts of bulk or unrefined materials which are typically processed and stored outdoors on the site. These uses require a significant amount of energy for the processing of raw materials, and are likely to generate significant noise, vibration, dust, glare, heat, odor, smoke, truck traffic, in the immediate vicinity of the use. Heavy manufacturing uses include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; the processing of food and related products; lumber mills, pulp and paper mills, and the manufacture of other wood products; and electric power generation plants.
MANUFACTURING, HEAVY	Uses that tend to require large amounts of bulk or unrefined materials which are typically processed and stored outdoors on the site. These uses require a significant amount of energy for the processing of raw materials, and are likely to generate significant noise, vibration, dust, glare, heat, odor, smoke, truck traffic, in the immediate vicinity of the use. Heavy manufacturing uses include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; the processing of food and related products; lumber mills, pulp and paper mills, and the manufacture of other wood products; and electric power generation plants.
MANUFACTURING, LIGHT	Uses that involve indoor processing or assembly of finished or partially finished goods and do not require large stockpiles of raw material. Processing and storage activities take place solely within enclosed buildings, which helps limit (but does not completely prevent) the creation of noise, vibration, dust, glare, heat, odor, and smoke. Examples include, but are not limited to: production or repair of small machines or electronic parts and equipment; woodworking and cabinet building; publishing and lithography; computer design and development; research, development, testing facilities and laboratories; apparel production; sign making; assembly of pre-fabricated parts, manufacture of electric, electronic, or optical instruments or devices; manufacture and assembly of artificial limbs, dentures, hearing aids, and surgical instruments; manufacture, processing, and packing of food products, cosmetics, and manufacturing of components, jewelry, clothing, trimming decorations, and any similar item.
MAP AMENDMENT	See "Zoning Map Amendment."
MAP REPOSITORY	For the purposes of the FHO, the location of the official flood hazard data to be applied for floodplain management. It is a central location in which flood data is stored and managed; in North Carolina, FEMA has recognized that the application of digital flood hazard data products have the same authority as hard copy products. Therefore, the NCEM's Floodplain Mapping Program websites house current and historical flood hazard data. For effective flood hazard data the NC FRIS website (http://FRIS.NC.GOV/FRIS) is the map repository, and for historical flood hazard data the FloodNC website (http://FLOODNC.GOV/NCFLOOD) is the map repository.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Market Value

DEFINITIONS

MARKET VALUE	For the purposes of the FHO, the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal, replacement cost depreciated for age of building and quality of construction (Actual Cash Value), or adjusted tax assessed values.
MASTER PLAN	A conceptual plan associated with an application to establish a planned development district that sets out the general location, type, and configuration of proposed development within the district.
MATERIAL CHANGE	A change in the meaning or language of a legal document, such as a contract, agreement, or approval that is made by one party to the document without the consent of the other after it has been signed or completed.
MATERIAL RETURN	The continuation of one or more exterior building materials on one building façade beyond an inside or outside building corner to a logical termination point on a different wall plane.
MATURE TREE	A tree that has reached more than one-third of its expected maximum size.
MAXIMUM EXTENT PRACTICABLE	No feasible or practical alternative exists, as determined by the town, and all possible efforts to comply with the standards or regulation to minimize potential harmful or adverse impacts have been undertaken by an applicant. Economic considerations may be taken into account but shall not be the overriding factor determining "maximum extent practicable."
MECHANICAL EQUIPMENT	Equipment and fixtures used for HVAC, fabrication, assembly, or production purposes.
METAL FABRICATION	An industrial establishment engaged in the production, assembly, and configuration of metal products through the use of mechanical presses, forms, welding, grinding, and other mechanical processes that form, join, or alter the shape of metal but that do not include the creation or production of metal.
MICROBREWERY, MICROWINERY, OR MICRODISTILLERY	An establishment engaged in the production and packaging of malt beverages, wine or spirits for distribution, retail, or wholesale both on and off-premise. A microbrewery is a facility that produces less than 15,000 barrels of beer per year and sells the majority of the beer it produces for off-site resale and consumption. A microwinery produces less than 100,000 gallons of wine per year. A microdistillery produces less than 15,000 gallons of alcoholic spirits per year. Accessory uses may include a taproom, seating areas, ancillary sales of related merchandise, event space, and warehouse space for stored product.
MICRO-WIRELESS FACILITY	A wireless telecommunications facility that is no larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that may have up to one exterior antenna, no longer than 11 inches.
MINOR CHANGE	An insignificant deviation in an application, proposed development, or portion of a development that does not impact the operation, appearance, function, value, or compatibility of proposed development.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Minor Variance (Watershed)

DEFINITIONS

MINOR VARIANCE (WATERSHED)	A variance from the minimum statewide watershed protection rules that results in a relaxation by a factor of up to 10 percent of any management requirements.
MIXED USE DEVELOPMENT	A format that integrates some combination of residential, commercial, industrial, or institutional development in one single building or within one single development. Mixed use development may be vertically integrated, where two or more differing types of land use are located on the different floors of a single building, or horizontally integrated where a single development contains two or more buildings, each one devoted to different type of land use. For example, a typical vertically-integrated mixed use development is a single building with retail on the ground floor and residential development (apartments) on the upper floor(s). A typical horizontally-integrated mixed-use development may be a shopping mall that includes an apartment complex on the same lot or development site.
MOBILE HOME	A detached residential dwelling unit constructed prior to July 15, 1976 that does not bear a certification of compliance with National Manufactured Housing Construction and Safety Standards Act of 1974. A mobile home is designed for transportation after fabrication on streets or highways on its own wheels or a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and similar features.
MOBILE HOME PARK	A commercial use where land is divided into individual leaseholds but not individual lots owned in fee simple that are intended for occupation by individual mobile, manufactured, or modular homes. Mobile home parks may include shared or individual accessways, recreation facilities, and other shared accessory uses like laundries, storage, or refuse collection areas.
MOBILE HOME PARK	A commercial use where land is divided into individual leaseholds but not individual lots owned in fee simple that are intended for occupation by individual mobile, manufactured, or modular homes. Mobile home parks may include shared or individual accessways, recreation facilities, and other shared accessory uses like laundries, storage, or refuse collection areas.
MOLDING	An ornamentally shaped outline as an architectural feature, especially in a cornice.
MONUMENT	A permanent marker, typically inserted into the ground, showing the location of a lot line, lot corner, or other demarcation associated with a lot or right-of-way.
MOTEL	See "Hotel or Motel."
MOTOR VEHICLE	Every self-propelled vehicle designed to run upon the highways and every vehicle designed to run upon the highways that is pulled by a self-propelled vehicle.
MULTI-FAMILY DEVELOPMENT	A development that includes five or more dwelling units configured in on or more buildings on the same lot or development site. The development includes shared parking areas, shared open spaces around the development, active recreation features, and centralized waste/refuse collection facilities.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Multi-family Dwelling

DEFINITIONS

MULTI-FAMILY DWELLING	A structure containing five or more dwelling units that are not located on individual lots. Units may be located side by side in a horizontal configuration or stacked one above the other in a vertical configuration, sharing common vertical walls or horizontal floors and ceilings. Multi-family dwellings include what are commonly called apartments, or condominium units, but not single-family attached dwellings.
MULTIPLE LOT DEVELOPMENT	Developments that include two or more buildings on two or more lots that is planned, organized, and managed as a single development for the purposes of the development standards.
MULTI-USE PATH	a form of infrastructure that supports multiple recreation and transportation opportunities, such as walking, bicycling, inline skating and people in wheelchairs. Paths re typically surfaced with asphalt, concrete, or firmly packed crushed aggregate.
MURAL	A painting or other work of art executed directly on a wall.
MUSEUM	A building serving as a repository for a collection of natural, scientific, historical, or literary curiosities or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the limited retail sale of goods, services, or products such as prepared food to the public.
N	
NATIONAL FLOOD INSURANCE PROGRAM	A program operated by the Federal Emergency Management Agency that provides flood insurance for development within areas that are susceptible to flooding and establishes a set of standards for development as a condition of participation in the program.
NATIONAL GEODETIC VERTICAL DATUM (NGVD)	As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.
NATIVE TREE	See "Tree, Native."
NATURAL HERITAGE AREA	A site designated by federal government to encourage historic preservation of the area and an appreciation of the history and heritage of the site.
NEIGHBORHOOD MEETING	A meeting conducted by the applicant of a proposed development with those in the area around the proposed development.
NEON LIGHTING	See "Luminous Tube Lighting."
NEW CONSTRUCTION	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : Structures for which the start of construction commenced on or after the effective date of this part and includes any subsequent improvements to such structures.
NEW MANUFACTURED HOME PARK OR SUBDIVISION	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after the effective date of this part.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Nightclub or Dance Hall

DEFINITIONS

NIGHTCLUB OR DANCE HALL	Any establishment, whether public or a private club, serving a predominantly adult clientele, and whose primary business is the sale of alcoholic beverages, including beer and wine, for consumption on the premises in conjunction with dancing or live performances, and which sets a minimum age requirement for entrance. An establishment is not a nightclub if the establishment: (1) has a Class A restaurant license from the State of North Carolina; (2) maintains a full service restaurant on its premises at all times when it is open to the public for business; or (3) provides facilities for seating not less than 40 persons simultaneously at tables for the service of meals. The establishment is also not a nightclub if the establishment allows entrance at all times to any person regardless of age.
NONCONFORMING BUILDING OR USE	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : Any legally existing building or use which fails to comply with the provisions of the ordinance.
NONCONFORMING LOT	A lot of record that that was lawful at the date on which it was established, but does not conform to the current dimensional requirements of the zoning district in which it is located.
NONCONFORMING SIGN	Any sign that was lawfully established, but does not meet the standards of this Ordinance.
NONCONFORMING SITE	A site that was legally established, but that is not presently in full compliance with elements of this Ordinance pertaining to landscaping, lighting, access and on-site circulation, parking areas, and screening.
NONCONFORMING STRUCTURE	A structure that was lawful on the date on which it was established, but does not conform to current dimensional, elevation, location, or other requirements of this Ordinance.
NONCONFORMING USE	A use type which was lawful on the date on which it was established, but is now no longer a permitted use of that lot, building, or structure under this ordinance. A use that when established did not require a special use permit, but now requires a special use permit shall be considered a nonconforming use until special use permit approval is obtained.
NONCONFORMITY	Any land use, development, structure, or site, including any lot of record, that was legally established, but that is not presently in full compliance with the provisions of this Ordinance.
NON-CONVERSION AGREEMENT	A document stating that the owner will not convert or alter what has been constructed and approved. Violation of the agreement is considered a violation of the ordinance and, therefore, subject to the same enforcement procedures and penalties. The agreement must be filed with the recorded deed for the property. The agreement must show the clerk's or recorder's stamps and/or notations that the filing has been completed.
NON-ENCROACHMENT AREA	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 as designated in the Flood Insurance Study report.
NON-STRUCTURAL BMP	As used in Section 7.4, Stormwater, non-structural BMPs are preventive actions that involve management and source controls such as:

ARTICLE 9: MEASUREMENT AND DEFINITIONS

DEFINITIONS

	<p>(1) Policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space, provide buffers along sensitive water bodies, minimize impervious surfaces, and/or minimize disturbance of soils and vegetation;</p> <p>(2) Policies or ordinances that encourage infill development in higher density urban areas, and areas with existing storm sewer infrastructure;</p> <p>(3) Education programs for developers and the public about minimizing water quality impacts;</p> <p>(4) Other measures such as minimizing the percentage of impervious area after development, use of measures to minimize directly connected impervious areas, and source control measures often thought of as good housekeeping, preventive maintenance and spill prevention.</p>
NORTH CAROLINA BUILDING CODE	The most-recently adopted construction code for buildings adopted by the North Carolina Department of Insurance.
NOTICE OF PUBLIC HEARING	The formal legal notification of a public hearing on a proposed development application. A "published notice" is one required to be printed in a newspaper of general circulation. A "mailed notice" is one delivered to specified individuals by US Mail. A "posted notice" is a sign posted on or near the property subject to the application.
NOTICE OF VIOLATION	A notice indicating a violation of this Ordinance.
NURSING HOME	An institution that is licensed or approved to provide health care under skilled medical supervision for 24 hours a day.
OATH	The term "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in like cases the terms "swear" and "sworn" shall be equivalent to the terms "affirm" and "affirmed."
OCCUPANCY	The act, state, or condition of holding, possessing, residing, or otherwise using a premises, lot, site, building, or dwelling.
OFFICE, MEDICAL	A room or group of rooms used for the purpose of providing medical care or treatment, including therapeutic services and counselling. Examples of medical offices include physicians, dentists, ophthalmologists, chiropractors, psychologists, and similar medical specialists. Medical offices may or may not include laboratories, medication sales, and physical therapy facilities as an accessory use. Use types where medical professionals from differing firms or practices provide services or where patients receive treatment or services beyond the scope of a typical office visit are health care uses.
OFFICE, PROFESSIONAL	A room or group of rooms used for conducting the affairs of a business, profession. Examples of professional offices include offices for lawyers, accountants, engineers, architects, and similar professions. Professional offices may include a shared kitchen, lobby area, meeting rooms, and document production areas.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Office, Sales or Service

DEFINITIONS

OFFICE, SALES OR SERVICE	A room, or group of rooms used for conducting the affairs of a general business establishment, including financial services or sales of real estate or other personal property, but not professional services. Examples of sales and service office uses include offices for retail and wholesale establishments, banking services, investment banking, stock brokerage, investment services, credit card services, real estate sales, artwork, artifacts, or other specialized items.
OFFICIAL ZONING MAP	The Official Zoning Map upon which the boundaries of various zoning districts are drawn and which is an integral part of this Ordinance.
OFF-SITE VIEWS	Views of or into a development site from off-site locations such as other lots, rights-of-way, or locations within the public realm.
ON-CENTER SPACING	Placement of landscape material in a regularly-spaced pattern of equal distance between plants.
ON-SITE SEWAGE DISPOSAL SYSTEM	A wastewater treatment system serving an individual lot or site.
OPACITY	A measurement indicating the degree of obscuration of light or visibility.
OPAQUE	A building, structure, building material, vegetation, or other site feature that forms a solid visual barrier.
OPEN AIR USE OF LAND	A use type that does not include an habitable buildings or structures.
OPEN SPACE SET-ASIDE	Land or water areas within the site designated for a particular development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development, but not including any lands occupied by streets, street rights-of-way or off-street parking.
ORDINANCE	A legislative enactment of the Town of Zebulon, North Carolina.
ORDINARY REPAIRS AND MAINTENANCE	Work done on a sign or structure to prevent deterioration or to replace any part thereof in order to correct any deterioration, decay, or damage to any part thereof in order to restore same as nearly as practical to its condition prior to such deterioration, decay or damage.
OTHER RETAIL USE	Commercial enterprises that provide goods at retail directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser. Examples include stores selling, leasing, or renting consumer, home, and business goods such as art, art supplies, bicycles, cameras, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries and food sales, hardware, home improvements, household products, jewelry, pets, pet food, plants, printed material, stationary, and videos. Retail establishments meeting the threshold requirements for large format retail are treated as large format retail uses.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Outdoor Commercial Recreation

DEFINITIONS

OUTDOOR COMMERCIAL RECREATION	A commercial establishment located entirely primarily outdoors that provides recreational, amusement, and entertainment opportunities for patrons, including activities such as: water parks, miniature golf, go cart racing, obstacle or ropes courses, zip lines, paintball, mechanical rides, and similar attractions. Outdoor commercial recreation uses may include buildings or structures that also provide indoor recreational activities.
OUTDOOR DINING	The provision of on-site outdoor seating areas by a commercial or institutional use type where food or beverages are served for consumption. The accessory use also may include outdoor seating areas on public sidewalks in front of or to the side of the establishment.
OUTDOOR DISPLAY	The keeping of any goods, merchandise, or vehicles, in an unroofed area for marketing or sales purposes.
OUTDOOR SEASONAL SALES	The temporary sale of goods or products associated with the season or a cultural event, such as the sale of Christmas trees, pumpkins, or seasonal produce. Such sales typically take place outdoors and in locations not devoted to such sales for the remainder of the year.
OUTDOOR STORAGE	The keeping, in an unroofed area, of any goods or materials, particularly goods and materials that have a large size, mass, or volume and are either not easily moved or carried or require a mechanical lifting device (e.g., non-bagged mulch and lumber). This use does not include a junkyard or recycling facility, vehicle fleet storage, or the display and storage of vehicles as part of an automobile sales or rental use.
OUTPARCEL	A lot located within a multi-tenant development (e.g., a shopping center) which may or may not have access from a public road abutting the development. The lot is treated as part of the larger development with respect to applicable yard and dimensional requirements.
OUTPATIENT TREATMENT FACILITY	A small-scale facility where patients are admitted for examination and treatment by one or more physicians, dentists, or psychologists on a short-term basis. Patients may or may not receive care or lodging overnight, but the facility is not intended for long-term overnight care. Such facilities may include sleeping rooms for care workers and members of patient's families.
OVERHANG	The edge of a roof or upper building story projecting outwards.
OVERLAY ZONING DISTRICT	A zoning district designation that is applied over one or more previously established general or conditional zoning district designations. Overlay districts modify the existing zoning district provisions by either adding additional regulations or providing greater flexibility in deviations from the existing applicable standards. Typically, when overlay district standards conflict with the underlying general or conditional zoning district standards, the overlay zoning district standards control.
OWNER	The legal or beneficial owner of land, including a mortgagee or vendee in possession, receiver, executor, trustee, or long-term or commercial lessee, or any other person or entity holding proprietary rights in the property or having legal power of management and control of the property.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

DEFINITIONS

OWNER ASSOCIATION

An organization of homeowners or property owners of lots or land in a particular subdivision, condominium, or planned development. The owners' association is responsible for maintaining and enhancing the shared private infrastructure (e.g., stormwater, streets, and sidewalks) and common elements such as recreation areas.

P

PACKAGE AND PRINTING SERVICE

A commercial establishment providing printing, faxing, copying, document binding, photographic processing, packing, mailbox, mailing, and related services. Printing, document production, and processing services may be provided either on- or off-site. Such uses may also provide computer terminals, copiers, and similar equipment for self-service use by customers.

PAD SITE

See "Outparcel."

PARAPET WALL

See "Wall, Parapet."

PARENT PARCEL

A tract of land further subdivided into one or more additional lots.

PARK (PUBLIC OR PRIVATE)

Land used for recreation, exercise, sports, education, rehabilitation, or similar activities, or a land area intended to enhance the enjoyment of natural features or natural beauty, specifically excluding commercially operated amusement parks.

PARK AND RIDE FACILITY

Parking facilities close to or connected with public transport facilities that allow commuters and other transit users to leave their private vehicles and transfer to a bus, rail, ferry, or carpool for the remainder of the journey.

PARK LAND

Land intended for development as a public park or recreation area.

PARKING AREA

See "Parking Lot."

PARKING LOT

The portion of a site or development dedicated to vehicular ingress and egress, off-street parking, parking aisles, internal travel ways, fire lanes, and other areas dedicated to vehicular use, but not necessarily including vehicular storage areas.

PARKING LOT CONNECTION

Vehicular access provided between the vehicular use areas of two or more development sites or parcels of land intended to allow travel between the sites without the use of a street.

PARKING LOT STEM

A point of ingress into a parking lot from a street. A parking lot stem does not accommodate parking areas or access to drive aisles within its minimum length.

PARKING OF HEAVY TRUCKS, TRAILERS, OR MAJOR RECREATIONAL EQUIPMENT

The temporary storage of motor vehicles over 10,000 pounds of gross vehicle weight and associated trailers or equipment, including recreational vehicles, campers, or travel trailers.

PARKING PLAN

A plan or diagram prepared by an applicant for development that depicts the required and provided number of parking spaces (if different from the required number of parking spaces). The plan also shows points of vehicular ingress and egress, drive aisles, the locations of parking lot landscaping islands, pedestrian circulation features, and off-street loading facilities.

PARKING SPACE

A location where an automobile or passenger truck is temporarily stored.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Parking Space, Reverse Angle

DEFINITIONS

PARKING SPACE, REVERSE ANGLE	On-street parking spaces configured at an angle to the direction of travel for the street where located. Vehicles back into reverse angle parking spaces.
PARKING STRUCTURE	A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes parking garages and deck parking.
PARKING STRUCTURE	A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes parking garages and deck parking.
PARKING STUDY	An analysis of the minimum number of off-street parking spaces necessary to serve a proposed use type.
PASSENGER TERMINAL	A facility that receives and discharges passengers and at which facilities and equipment required for their operation are provided. Examples include terminals for bus, trolley, taxi, railroad, shuttle van, or other similar vehicular services.
PASSIVE OPEN SPACE SET-ASIDE	Open space areas designated for passive recreation uses including walking trails, pathways, gazebos, picnic areas, fountains, and similar areas. Such areas may also include undisturbed natural vegetation.
PAWN SHOP	An establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property. This shall not include specific item businesses such as book stores, music stores, or similar retail establishments.
PEAK HOUR TRIPS	As used in <u>Section 6.13, Transportation Impact Analysis</u> , the number of traffic units generated by and attracted to the proposed development during its heaviest hour of use.
PEDESTRIAN LIGHTING	Exterior lighting scaled to pedestrians.
PEDESTRIAN WALKWAY	An on-site pedestrian access way connecting building entrances, parking areas, and the larger sidewalk network around the site.
PEDIMENT	The triangular upper part of the front of a building in classical style, typically surmounting a portico of columns.
PENALTY	Punishment for violation of a law or rule.
PENNANT	A 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.
PERFORMANCE GUARANTEE	Cash or other guarantee provided by an applicant in-lieu of completion of public infrastructure or required public site feature prior to issuance of a building permit or other development approval.
PERIMETER BUFFER	See "Buffer, Perimeter."
PERIMETER PARKING LOT LANDSCAPING	Required landscaping located around the perimeter of a parking lot.
PERSON	Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, or other legal entity.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Person Conducting Land-Disturbing Activity

DEFINITIONS

PERSON CONDUCTING LAND-DISTURBING ACTIVITY	Any person who may be held responsible for violation of any regulations governing land-disturbing activity, unless expressly provided otherwise.
PERSONAL PROPERTY	All forms of property, except real property.
PERVIOUS	A substance that allows water to pass through it.
PHARMACY	A commercial establishment engaged in the storage, preparation, and sale of drugs and other medications to customers at retail. Pharmacy uses may also offer a wide variety of food, household goods, or other personal products for sale. A pharmacy may also incorporate a medical technician who provides on-site medical assistance and counselling to patrons. Pharmacies that exceed the floor area thresholds for large format retail uses shall be considered as a large format retail use.
PHASE	The discrete portion of a proposed development.
PILASTER	A rectangular column with a capital and base that is attached or affixed to a wall as an ornamental design feature.
PLANNED DEVELOPMENT	An area of land under unified ownership or control to be developed and improved as a single entity under a planned development master plan in accordance with this Ordinance.
PLANNING BOARD	An advisory body responsible for making recommendations on certain applications for development approval to the Board of Commissioners. The Planning Board also makes special studies of land use and assists in the preparation and revision of the comprehensive plan.
PLANTING SEASON	The dormant time of the year for trees beginning with leaf drop and ending with bud break; generally late fall to early spring.
PLANTING STRIP	Required landscaping material configured in a linear strip.
PLAT	A surveyed map or plan for a parcel of land.
PLAY EQUIPMENT	Recreational equipment, whether temporary or permanent, placed for the exercise and enjoyment of persons on the site of a different principal use.
PLAY STRUCTURE	A non-habitable structure intended for recreational purposes.
PLAZA	An open space at the intersection of important streets or adjacent to important structures, set aside for civic purposes and commercial activity, which may include parking, consisting of durable pavement, and formal landscaping or tree plantings.
PLOT PLAN	A simple drawing or sketch depicting compliance with one or more requirements of this Ordinance.
POCKET NEIGHBORHOOD	A cohesive development of at least four but no more than 12 single-family detached dwellings, each on their own lot, located around a common open space and served by either on-street, on-site, or shared off-street parking. Each home fronts the common open space, and is configured with a front porch and windows on the front facade.
POLICE /FIRE TRAINING FACILITY	A facility that includes equipment and structures used to train police, fire, and other emergency services personnel in the execution of their duties. Such facilities may include meeting rooms, gun ranges, burn rooms, training structures, and mobile training facilities.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Pool Hall

DEFINITIONS

POOL HALL	A commercial establishment providing one or more tables for use by patrons to play billiards. Such uses may include darts or other games and may include the accessory sale of food or beverages. A pool hall earns at least 50 percent of its revenue from billiards or other games and not the accessory sale of food or beverages.
PORCH	A covered projection (can be glazed or screened) from the main wall of a building, with a separate roof, that is not used for livable space.
PORTABLE STORAGE CONTAINER	A moveable container intended for storage of personal property, waste, or debris, that is brought to a site on a temporary basis.
PORTICO	A large porch usually with a pediment usually associated with an entrance, supported by columns.
POST OFFICE	An office or station of a government postal system at which mail is received and sorted, from which it is dispatched and distributed, and at which stamps are sold or other services rendered.
POST-FIRM	Construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map for the area.
PRE-APPLICATION CONFERENCE	A meeting or conference conducted by a potential applicant for a permit or development approval and town staff for the purposes of discussing a potential application or town rules regarding development.
PRE-CONSTRUCTION GRADE	For the purposes of the standards in <u>Section 4.3.4.S, Wireless Telecommunication Facilities</u> , Pre-construction Grade means the finished ground level elevation prior to construction. In cases where there is significant change in elevation over the course of a lot or site, the median elevation of the lot or site may be used.
PRE-FIRM	Construction or other development for which the "start of construction" occurred before the effective date of the initial Flood Insurance Rate Map for the area.
PRELIMINARY PLAT	A drawing or plan showing the proposed organization of lot boundaries, streets, public infrastructure, open space, and other site configuration features associated with a proposed development.
PRIMARY BUILDING WALL	See "Wall, Primary."
PRIMARY CONSERVATION AREA	The portion of a conservation subdivision required to be included within the conservation or set-aside area where development will not take place.
PRIMARY ENTRANCE	The place of ingress and egress to a building, parcel, or development used most frequently by the public.
PRIMARY ROOF RIDGELINE	The longest ridgeline on a building with a pitched roof.
PRIMARY WALL PLANE	See "Wall Plane, Primary."
PRIME AGRICULTURAL LAND	Resource land best suited for agricultural activity.
PRINCIPAL BUILDING	See "Principal Structure."
PRINCIPAL STRUCTURE	A structure in which is conducted the principal use(s) of the lot on which it is located.
PRINCIPAL USE	A primary or predominate use of a lot or parcel.
PRINCIPALLY ABOVE GROUND	For the purposes of the FHO, a condition where at least 51 percent of the actual cash value of the structure is above ground.
PRIVATE STREET	See "Street, Private."

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Produce Stand

DEFINITIONS

PRODUCE STAND	A building or structure used for the retail sales of fresh fruits, vegetables, flowers, herbs or plants grown on the same parcel of land where the stand is located. Such use may also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces or baked goods, and homemade handicrafts. No commercially packaged handicrafts or commercially processed or packaged foodstuffs shall be sold. Such uses also include "pick your own" establishments where customers gather their own produce from the fields for purchase and off-site consumption.
PROFESSIONAL ENGINEER	A civil, structural, or traffic engineer licensed by the State of North Carolina.
PROJECTED TRAFFIC	As used in <u>Section 6.13, Transportation Impact Analysis</u> , the number of traffic units that is projected to exist at a given point in time on an existing or proposed street.
PROJECTION	Habitable space projecting outwards from the main wall of a building.
PROPERTY	All real property subject to land-use regulation by a local government. The term includes any improvements or structures customarily regarded as a part of real property.
PROTECTED TREE	See "Tree, Protected."
PROTOTYPICAL ARCHITECTURE	Exterior building materials and architecture that is standardized for a particular use type or franchise operation.
PSYCHIATRIC TREATMENT FACILITY	Inpatient facility which provides care for persons with psychiatric problems and which may include outpatient follow-up care to the facility's patients.
PUBLIC ART	Art, in any media, that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all.
PUBLIC CONVENIENCE CENTER/TRANSFER STATION	A publicly-owned and operated facility for the purposes of collection of trash and waste for relocation to a sorting facility or permanent long term storage location.
PUBLIC GATHERING AREA	See "Gathering Area."
PUBLIC HEARING, LEGISLATIVE	A public hearing held for the purpose of soliciting public comments on a proposed development application. Reasonable time limits on speakers may be imposed and responsible decorum maintained. However, unlike quasi-judicial hearings, there is no requirement for oaths, no limits on expression of personal opinions, and no limit on discussing the matter outside the context of the hearing.
PUBLIC HEARING, QUASI-JUDICIAL	A public hearing involving the legal rights of specific parties conducted by the Board of Commissioners, the Board of Adjustment, or the Planning Board based on evidence and sworn testimony presented during the public hearing. Decisions made during such hearings are based upon and supported by the record developed at the hearing, and involve findings of fact and conclusions of law made by the review authority.
PUBLIC INFRASTRUCTURE	Infrastructure or facilities (such as water lines, streets, storm drainage, sidewalks, trails, etc.) owned by the public and intended for use by the public.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Public Meeting

DEFINITIONS

PUBLIC MEETING	A gathering of town officials and interested members of the public to discuss an action of the town or consider a development application. Unlike a public hearing, no prior public notification is required for a public meeting, and the acceptance of testimony from meeting attendees is at the discretion of the review authority conducting the public meeting.
PUBLIC REALM	Land, buildings, and structures owned by the government or a governmental entity that is made available for use by all persons.
PUBLIC RIGHT-OF-WAY	A right-of-way owned, leased, or operated by the Town, but not including any street or alley that is a part of the State highway system.
PUBLIC SAFETY OR NUISANCE	Anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.
PUBLIC STREET	See "Street, Public."

Q

QUADPLEX	A single detached dwelling on one lot that contains four dwelling units. The units may be located side by side in a horizontal configuration or stacked one above the other in a vertical configuration, sharing common vertical walls or horizontal floors and ceilings.
QUASI-JUDICIAL	See "Public Hearing, Quasi-Judicial."
QUORUM	The minimum number of council, board, or commission members that must be present in order to conduct official business or take official action.

R

RACETRACK	A track, whether paved or unpaved, for the competitive racing of automobiles, motorcycles, trucks, tractors, dogs, or horses. Such uses may also include seating for spectators, equipment and staging areas, and concessions areas.
RADII	Curves or bends in a street, sidewalk, greenway, or other travel route.
RAIN GARDEN	See "Bio-retention Cell."
RAW OR SEMI-FINISHED MATERIALS	Products, materials, or components in an original or unrefined state that are altered through the manufacturing process.
REAL PROPERTY	All land, all buildings, all structures, and other fixtures firmly attached thereto.
REAR FACADE	See "Façade, Rear."
REASONABLE ACCOMMODATION	Any change or adjustment to a provision of this Ordinance or condition of approval that would allow an individual with a disability to enjoy equal access to a dwelling, structure or site that is available to other individuals.
RECESS	Habitable space that is recessed inwards from the main wall of a building.
RECORD DRAWING	See "As-Built Plans."

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Recreational Vehicle

DEFINITIONS

RECREATIONAL VEHICLE	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : A vehicle, which is: (a) Built on a single chassis; (b) Four hundred square feet or less when measured at the largest horizontal projection; (c) Designed to be self-propelled or permanently towable by a light duty truck; and (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.
RECREATIONAL VEHICLE PARK	A commercial establishment offering individual spaces or "sites" for short term rental to owners or operators of recreational vehicles or travel trailers. Such uses typically have shared or common restroom, showering, and laundry facilities, and may also include recreational features and incidental sale of food, travel supplies, and recreational vehicle equipment. Rental of an individual site for a period of more than three continuous months, or uses that allow vehicles to be modified in ways that result in permanent, non-mobile structures are considered mobile home parks.
RECYCLING CENTER	A facility engaged solely in the storage, processing, resale, or reuse of recyclable and recovered materials.
REDEVELOPMENT	Any development on previously developed land, other than a rebuilding activity that results in no net increase in built-upon area and provides equal or greater stormwater control than the previous development.
REFERENCE LEVEL	The top of the lowest floor for structures within special flood hazard areas designated as Zone A1-A30, AE, A, A99, or AO.
REFORESTATION	The re-establishment of trees or tree canopy cover to land area that was cleared prior to or as part of the development process.
REFORESTATION AREA	The portion of a lot or site designated for the retention of or planting of trees in accordance with the reforestation requirements.
REFUSE COLLECTION CONTAINER	A metal or plastic container used for the collection and temporary storage of refuse or waste for pickup by the Town or a solid waste management contractor.
REGISTER OF DEEDS	A public officer designated by Wake County to register documents, mainly related to real estate. The register of deeds verifies mortgage ownership and property ownership in official record books.
REHABILITATION	The act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural and cultural values.
RELIGIOUS INSTITUTION	A structure or place in which worship, ceremonies, rituals, and education are held, together with its accessory buildings and uses (including buildings used for educational and recreational activities), operated, maintained, and controlled under the direction of a religious group.
REMEDY	The manner in which a right or law is enforced or satisfied when a violation of the UDO or related law has occurred.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Remedy a Violation

DEFINITIONS

REMEDY A VIOLATION	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : To bring the structure or other development into compliance with state or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.
REPAIR SHOP	An establishment primarily engaged in the provision of repair services for electronics, bicycles, clocks, watches, shoes, guns, canvas products, appliances, and office equipment; including tailor; locksmith; and upholsterer. Repair establishments do not include outdoor storage of goods, materials, or equipment. Repair of cars, trucks, or similar heavy equipment is a vehicle-related establishment.
REQUIRED LANDSCAPE AREA	An area required to be planted with trees, shrubs, or ground cover as required by <u>Section 5.6, Landscaping</u> .
RESEARCH AND DEVELOPMENT	A business that engages in research, or research and development, of innovative ideas in technology-intensive fields. Examples include research and development of prototypical devices as well as the creation and testing of drugs and compounds, vehicles, equipment, and industrial processes.
RESERVATION	An obligation, shown on a subdivision or site plan, to keep land free from development and available for public acquisition for a stated period of time.
RESERVE FUND	A bank account containing reserve funds for the purpose of maintaining commonly-held land, infrastructure, or facilities.
RESERVE STRIPS	Strips of land that are not developed as a means of limiting or preventing vehicular access.
RESIDENTIAL DEVELOPMENT	Buildings for residence such as attached and detached single-family dwellings, apartment complexes, condominiums, townhouses and cottages and their associated outbuildings such as garages, storage buildings and gazebos and customary home occupations.
RESOLUTION	The official written expression of the opinion or the will of the Board of Commissioners, Board of Adjustment, or Planning Board.
RESTAURANT INDOOR/OUTDOOR SEATING	An establishment where meals or prepared food, including beverages and confections, are served to customers for consumption on or off the premises. Seating for patrons consuming products on site are located either indoors or outdoors, and the use does not provide drive-through service. Such uses may include a bar or cocktail lounge as an accessory use.
RESTAURANT WITH DRIVE- THROUGH/DRIVE-UP SERVICE	An establishment where meals or prepared food, including beverages and confections, are prepared and made available to customers for on-site or off-site consumption. Seating for on-site consumption of products may be located either indoors or outdoors. The use also includes a window intended to serve patrons who do not leave their vehicles to order, receive, and consume order products. Such uses typically do not include a bar or cocktail lounge.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Restaurant, Walk-up Only

DEFINITIONS

RESTAURANT, WALK-UP ONLY	An establishment where meals or prepared food, including beverages and confections, are prepared and made available to customers for on-site or off-site consumption. However, ordering and receipt of ordered products take place through a window or other opening that separates restaurant employees from customers. While restroom facilities may be included in a principal or accessory structure, on-site consumption of products takes place solely outdoors or in a structure that is accessory to and detached from the principal building where products are prepared.
RESTORATION	The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.
RETAIL USE, OTHER	Commercial establishments engaged in the retail sale of goods, including, but not limited to: florists, grocery stores, department stores, discount stores, thrift stores, and pawnshops.
RETAIL, BULKY ITEM	A retail establishment engaged in the retail sale of large or bulky items that are not commonly constructed or maintained indoors, such as truck camper tops, bed liners, prefabricated outdoor buildings, manufactured homes, modular homes, play equipment, portable storage containers, or hot tubs. Such uses may include on-site assembly or fabrication of such items for sale.
RETAIL, LARGE FORMAT	A retail establishment consisting of a single or multiple tenants in one or more buildings totaling 70,000 square feet or more in area with 70 percent or more of the total floor area occupied by retail sales activities.
RETAINING WALL	A structure, either masonry, metal, or treated wood, designed to prevent the lateral displacement of soil, rock, fill, or other similar material.
RETENTION POND	A stormwater control measure consisting of a depression in the land that retains stormwater flow for gradual release into the surrounding soil.
REVEGETATION PLAN	A plan depicting the re-establishment or replanting of required vegetation or landscaping material on a lot or site where clearing has taken place in violation of this Ordinance or a condition of approval.
REVERSE ANGLE PARKING SPACE	See "Parking Space, Reverse Angle."
REVERSE FRONTAGE	A lot with two or more street frontages that includes a building or structure that is oriented in a manner that differs from other existing structures or from the development patterns indicated by adopted policy guidance or good planning practice.
REZONING	See "Zoning Map Amendment."
RIBS	See "Fins."
RIGHT-OF-WAY	Shall mean that property located within and adjoining the streets, roads and highways within the town, which rights-of-way are owned by the town or the state or are otherwise maintained by the town or the state.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Riparian Buffer

DEFINITIONS

RIPARIAN BUFFER	A vegetated area proximate to and parallel with a stream that helps shade and partially protect the stream and water quality from the impact of adjacent land uses.
RIVERINE	Terms relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
ROADWAY	The paved portion of right-of-way over which vehicular traffic travels.
ROOF GARDEN	Landscaping material, whether in a formal or informal arrangement located on the roof of a building or structure.
ROOF PITCH	The amount of rise or the vertical increase in elevation over the run or the horizontal distance of a roof.
ROOF PLANES	Portions of a roof constructed at different angles to one another.
ROOF RAKE	The portion of a gabled roof that extends past the exterior wall of the building.
ROOM	Any floor space exceeding 40 square feet enclosed by partitions or walls having cased openings or doors but excluding areas devoted exclusively to kitchen and bath facilities.
ROOMING HOUSE	See "Boarding House."
ROPE LIGHTING	See "Luminous Tube Lighting."
ROUTINE MAINTENANCE	For the purposes of the standards in <u>Section 4.3.4.S, Wireless Telecommunication Facilities</u> , Routine Maintenance means simple, small-scale activities (usually requiring only minimal skills or training) associated with regular (daily, weekly, monthly, etc.), recurring, and preventative upkeep of a building, equipment, or machine against normal wear and tear. For the purposes of this section, routine maintenance includes cleaning, repair, and replacement of existing antennas, antenna support structures, wireless telecommunications equipment, equipment cabinets, equipment compounds, telecommunications towers, utility poles, or other vertical projections used to deliver wireless telecommunications services. Activities that result in larger, taller, more visible, more impactful, or additional wireless telecommunications equipment are not considered routine maintenance.
RURAL CHARACTER	Patterns of land use and development in which open space, the natural landscape, and vegetation predominate over the built environment.

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ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Salvage or Junkyard

DEFINITIONS

SALVAGE OR JUNKYARD	An establishment where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, and the like, are brought, sold, exchanged, baled, packed, disassembled, stored, or handled, including used lumber and building material yards, housewrecking yards, heavy equipment wrecking yards, and yards or places where salvaged house wrecking or structural steel materials are stored, handled, and sold. This definition includes automobile wrecking or automobile wrecking yards and establishments for the sale, purchase, or storage of second-hand cars, clothing, salvaged machinery, furniture, radios, stoves, refrigerators, or similar household goods and appliances, all of which shall be usable, nor shall it apply to the processing of used, discarded, or salvaged materials incident to manufacturing activity on the same site where such processing occurs.
SCENIC CORRIDOR	The portion of a street subject to additional standards intended to protect or preserve the appearance of the land along the designated corridor from development that blocks or is inconsistent with the established character.
SCHOOL, ELEMENTARY	A public or private school offering general, technical, or alternative instruction at the elementary school level that operates in buildings or structures or on premises on land leased or owned by the educational institution for administrative purposes. Such uses include classrooms, vocational training (including that of an industrial nature for instructional purposes only), laboratories, auditoriums, libraries, cafeterias, after school care, athletic facilities, dormitories, and other facilities that further the educational mission of the institution.
SCHOOL, HIGH/MIDDLE	A public or private school offering general, technical, or alternative instruction at the middle, and/or high school levels that operates in buildings or structures or on premises on land leased or owned by the educational institution for administrative purposes. Such uses include classrooms, vocational training (including that of an industrial nature for instructional purposes only), laboratories, auditoriums, libraries, cafeterias, after school care, athletic facilities, dormitories, and other facilities that further the educational mission of the institution.
SCHOOL, VOCATIONAL	An educational institution providing secondary or post-secondary education designed to provide vocational education, or technical skills required to perform the tasks of a particular and specific job or trade.
SCREENING WALL	A wall, whether part of habitable space or not, that interrupts off-site views into a site.
SECONDARY BUILDING WALL	See "Wall, Secondary."
SECONDARY CONSERVATION AREA	The portion of a conservation subdivision containing resources to be retained as conservation land or open space after development that is not as imperative to retain as the primary conservation land,
SECONDARY ENTRANCE	An entrance into a building located on a side or rear building façade.
SECURITY LIGHTING	Exterior illumination of a building, parking area, or other site feature for the purposes of security.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Sediment

DEFINITIONS

SEDIMENT	Solid particulate matter, both mineral and organic, that is transported by water, air, gravity, or ice from its site of origin.
	The process by which sediment resulting from accelerated erosion is transported off-site by land-disturbing activity.
SEDIMENTATION	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : 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 wetland, stream, or floodplain.
SELF SERVICE STORAGE, EXTERNAL ACCESS ONLY	A storage building or buildings that are divided into sections or compartments for the storage of business or personal items on a temporary or long-term basis only where all units have individual exterior access. Such uses may also include facilities for outdoor storage.
SELF SERVICE STORAGE, INTERNAL ACCESS ONLY	A storage building or buildings that are divided into sections or compartments for the storage of business or personal items on a temporary or long-term basis only where all units are accessed by one or more shared entrances. Such uses do not typically include outdoor storage.
SEMI-PERVIOUS	A material that allows some, but not all, stormwater to flow through it.
SENIOR CENTER	A facility typically for use by citizens of 60 years of age, or older, dedicated to the provision of services, activities, or facilitation of interaction between older citizens and the community at large. Such centers may be publicly owned or operated for a profit.
SEPTIC TANK	An on-site sewage treatment or storage device.
SETBACK	A required distance from a lot line or development boundary for a principal or accessory building and some required site features, as determined in accordance with <u>Section 9.3.4, Setbacks</u> .
SEVERE PRUNING	The pruning, cutting, or otherwise damaging of the natural form of a tree or shrub, whether existing or planted, such that a significant or noticeable portion of the crown system is removed (e.g., 25 percent of the crown removed from a tree, or the continued cutting/trimming of trees previously pruned illegally, or pruning of trees that must grow naturally to meet the landscaping requirements), and/or if more than 1/3 of the overall circumference of a tree is exposed by pruning cuts.
SHADE TREE	See "Tree, Shade."
SHIELDING (OR SHIELDED)	A light fixture constructed and installed in such a manner that all light emitted by it, either directly from the lamp (bulb) or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane of the fixture.
SHOOTING RANGE, INDOOR	A commercial operation that provides an indoor location where gun owners or others may practice discharging firearms as well as maintain firearms and learn about firearm safety.
SHRUB	A woody plant, smaller than a tree, consisting of several small stems emerging from the ground, or small branches near the ground. Shrubs may be deciduous or evergreen.
SIDE FAÇADE	See "Façade, Side."

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Sidewalk

DEFINITIONS

SIDEWALK	A paved area running parallel to the street for the purposes of pedestrian travel and to facilitate pedestrian access to adjacent streets and land.
SIGHT DISTANCE TRIANGLE	The triangular area formed by a diagonal line connecting two points located at designated locations on intersecting right-of-way lines or a right-of-way line and the curb or a driveway.
SIGN	Any words, lettering, numerals, parts of letters or numerals, figures, phrases, sentences, emblems, devices, designs, trade names or trademarks by which any message is made known, including any surface, fabric or other material or structure designed to carry such devices that are used to designate or attract attention to an individual, firm, event, association, corporation, profession, business, or commodity or product that are exposed to public view. The definition of a sign does not include flags, badges, or insignias of any governmental unit.
SIGN CABINET	A metal enclosure housing sign face displays and methods of internal illumination, when provided.
SIGN FACE AREA	The portion of sign that contains the message being conveyed, as determined in accordance with <u>Section 9.3.13, Signage Measurement</u> .
SIGN HEIGHT	The height to the tallest point of a sign structure, as determined in <u>Section 9.3.13, Signage Measurement</u> .
SIGN PERMIT	A development approval associated with the erection, alteration, continuation, or removal of signage or ancillary features associated with a sign.
SIGN PERMIT	A development approval associated with the erection, alteration, continuation, or removal of signage or ancillary features associated with a sign.
SIGN SUPPORT STRUCTURE	The framework and structural support for a sign.
SIGN, AWNING	See <u>Table 5.11.9, Sign Standards by Sign Type</u> .
SIGN, BANNER	See <u>Table 5.11.9, Sign Standards by Sign Type</u> .
SIGN, BILLBOARD	See "Sign, Outdoor Advertising."
SIGN, BOW	A feather flag sign with an elongated mounting post that curves at the top to form a circular shape within which the sign material is mounted.
SIGN, CHANGEABLE COPY	A sign with a portion of the face area that accommodates the regular or occasional manual modification to the message or copy.
SIGN, DILAPIDATED	A sign that is old or that has been poorly maintained that poses a public safety hazard or is difficult to read.
SIGN, ELECTION	See "Sign, Political."
SIGN, FEATHER FLAG	A sign made of fabric or similar material in a curvilinear shape that is mounted to a pole along the long edge of the sign.
SIGN, FENCE WRAP	A temporary sign affixed to fencing surrounding an active construction site.
SIGN, FLASHING	A sign with a message that is intermittently on and off or supplemented with lights that turn on and off in rapid succession.
SIGN, FREESTANDING	See "Sign, Pole."
SIGN, GOVERNMENT	Any temporary or permanent sign erected and maintained for any government purposes.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Sign, Ground

DEFINITIONS

SIGN, GROUND	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, INCIDENTAL	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, INFLATABLE	A hollow sign that is intended to expand as air is pumped inside of it. Inflatable signs are tethered to the ground or some other structure.
SIGN, MONUMENT	See "Sign, Ground."
SIGN, MOVING	A sign that moves or has moving parts, including but not limited to the sign face area, the sign support structure, or some other element of the sign. Flags and banners are not considered moving signs.
SIGN, OBSOLETE	A sign advertising a use or establishment that is no longer present.
SIGN, OUTDOOR ADVERTISING	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, POLE	A sign which is placed on or anchored in the ground with one or more supports that are not part of a building or other structure and with open space between the bottom of the sign face area and the grade beneath it.
SIGN, POLITICAL	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, PROJECTING	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, SHINGLE POST	A sign affixed to a horizontal cross arm that is mounted to a vertical or upright pole or post.
SIGN, SIDEWALK	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, SUBDIVISION	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, SUPPLEMENTAL	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, SUSPENDED	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, TEMPORARY	See "Sign, Supplemental."
SIGN, TRAFFIC WARNING	Signage devoted to warning motorists, pedestrians, or bicyclists of a potential traffic hazard or other danger.
SIGN, WALL	See Table 5.11.9, Sign Standards by Sign Type .
SIGN, WINDOW	See Table 5.11.9, Sign Standards by Sign Type .
SINGLE-FAMILY ATTACHED DWELLING	A dwelling unit that is physically attached to one or more other dwelling units, each on its own lot. Individual lots may or may not be surrounded by a larger tract that incorporates shared parking, recreation features, or access. The larger tract may or may not be owned in common by the landowners of individual lots.
SINGLE-FAMILY DETACHED DWELLING	A dwelling containing one principal dwelling unit meeting the minimum size requirements in the State Building Code(s) that is occupied by one family and that is not physically attached to any other principal structure on an individual lot. For regulatory purposes, this term does not include manufactured dwellings, mobile homes, recreational vehicles, or travel trailers. An accessory dwelling unit may be within, attached to, or on the same lot as a single-family detached home.
SITE AMENITY	A utility or functional aspect of a site that is designed or configured in some way to be beneficial to pedestrians or aesthetically pleasing.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Site Features

DEFINITIONS

SITE FEATURES	Structures or elements (not including principal or accessory structures) required or authorized to accompany a development, such as off-street parking, landscaping, exterior lighting, or signage.
SITE PLAN	A graphical depiction of proposed development that may or may not be accompanied by a textual description, material samples, models, photographs, or other materials intended to demonstrate the appearance or function of the development.
SLATS, FENCE	Thin strips of wood, plastic, or other material woven between the components of a chain link-style fence or gate.
SMALL WIRELESS FACILITY	A wireless telecommunications facility consisting of an antenna and associated wireless telecommunications equipment installed on a utility pole, public utility pole, building, or other vertical projection not specifically intended for the accommodation of wireless telecommunications facilities (e.g., a traffic signal mast arm, a light standard, sign pole, etc.) that does not exceed the maximum size requirements for such facilities as listed in Section 160D-931 of the North Carolina General Statutes.
SMOOTH-FACED CONCRETE BLOCK	Concrete blocks that do not include adornment or any surface relief.
SOFFIT	The exterior material mounted to the underside of the roof rafters that project past the edge of an exterior building wall.
SOLAR ENERGY SYSTEM	A system consisting of solar panels, modules, and related equipment (e.g., heat exchanger, pipes, inverter, wiring, storage) that collects solar radiation and transfers it as heat to a carrier fluid for use in hot water heating or space heating and cooling, and/or that collects solar energy and converts it into electricity. As an accessory use, a solar energy system is designed to primarily meet on-site demands (but may include transfer of excess electricity to an electric utility grid) and components are typically mounted on the roof(s) of principal or accessory structures, but may be mounted on other parts of structures, or on the ground.
SOLAR FARM	A group or series of photovoltaic (or solar) panels placed to convert solar radiation into usable direct current electricity and provide that electricity to a use on-site or to the larger electrical network. Such uses may include batteries for energy storage.
SOLDIER COURSE	One or more courses of bricks or blocks that are installed within a masonry wall in a vertical instead of horizontal alignment. Soldier courses are often used to denote differing floors of a multi-story building.
SOLID WASTE MANAGEMENT FACILITY	Land, personnel and equipment used in the management of solid waste as defined in Title 15A of the North Carolina Administrative Code.
SPECIAL EVENT	Temporary activities or events conducted by civic, philanthropic, educational, or religious organizations, or activities of a business or organization that is not part of its daily activities and are open to the public. Such activities include, but are not limited to, closeout sales, grand openings, fundraising or membership drives, carnivals, fairs, circuses, and tent revivals.
SPECIAL FLOOD HAZARD AREA	The land area anticipated to be covered by the floodwaters associated with a base flood event.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Special Use Permit

DEFINITIONS

SPECIAL USE PERMIT	An authorization to establish a particular use in a particular area subject to extra scrutiny by a review authority to ensure the proposed use can maintain compatibility with its surroundings while also minimizing all potential negative impacts of the development on its surroundings.
SPECIALTY EATING ESTABLISHMENT	Establishments selling specialty food items that normally do not constitute a full meal, including but not limited to: ice cream parlors, dessert cafes, snack shops, juice bars, and bakeries.
SPEED BUMP S(OR HUMPS)	A ridge set into the paving of a road surface, typically at intervals, to control the speed of vehicles
SPEED TABLES	Traffic calming devices similar to speed bumps except that the tables raise the wheelbase of the entire vehicle at once instead of when each axel passes over it.
SPIRE	A tapering, conical, or pyramidal structure on the top of a building, typically a church tower.
SPLASH PAD	An outdoor play area with sprinklers, fountains, nozzles, and other devices or structures that spray water into the air.
STABLE (FOR HORSES)	A building or structure devoted to the care and keeping of horses or other livestock.
STACKING SPACE	A portion of the vehicular use area on a site that is dedicated to the temporary storage or "standing" of vehicles engaged in drive-through use of the site or development.
START OF CONSTRUCTION	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348)), includes substantial improvement, and means the date the building permit was issued, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual START means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slab or footings, installation of piles, construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include excavation for a basement, footings, piers or installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual Start of Construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.
STATE BUILDING CODE(S)	The North Carolina State Building Code(s).
STATEMENT OF CONSENT	A statement signed by the landowner of a single-family detached, attached, or duplex dwelling development that records the landowner's willingness to voluntarily comply with the single-family design guidelines in this Ordinance.
STOP WORK ORDER	An order issued by the town to a landowner or developer to cease and desist all land-disturbing or development activity on a site pending resolution of a problem or conflict.
STOP WORK ORDER	An order issued by the City to a landowner or developer to cease and desist all land-disturbing or development activity on a site pending resolution of a problem or conflict.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Stopping Site Distance

DEFINITIONS

STOPPING SITE DISTANCE	The minimum amount of physical space necessary for a driver operating a vehicle at the street's design speed to bring the vehicle to a complete stop before colliding with a pedestrian, stopped vehicle, animal, or debris in the roadway.
STORM SEWER	A stormwater conveyance system that is integral to a street or sidewalk.
STORMWATER CONTROL MEASURE	A physical device, site feature, or construction technique intended to eliminate or reduce contact or exposure of pollutants to stormwater or remove pollutants from stormwater prior to discharge from the measure.
STORMWATER RETENTION POND	See "Retention Pond."
STORMWATER RUNOFF	The surface flow of water resulting from precipitation in any form and occurring immediately after rainfall or melting.
STREAM	As used in the riparian buffer standards, a body of concentrated flowing water in a natural low area or natural channel on the land surface.
STREAM, INTERMITTENT	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : Streams that have regular flow only at certain times of the year as determined by the U.S. Army Corps of Engineers and North Carolina Division of Water Quality. Wake County soil survey maps can be used for planning purposes to identify the impact of Intermittent Streams, but these features must be qualified on the ground following the guidelines set above prior to approval of new developments.
STREAM, PERENNIAL	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : Streams that have regular flow only at certain times of the year as determined by the U.S. Army Corps of Engineers and North Carolina Division of Water Quality. USGS 7.5-minute topographic maps can be used for planning purposes to identify the impact of Perennial Streams, but these features must be qualified on the ground following the guidelines set above prior to approval of new developments.
STREAMER	A long, narrow strip of material used as a decoration or symbol.
STREET	A publicly dedicated and maintained thoroughfare more than 20 feet in width.
STREET BULB OUT	A street intersection where one or more corners is rounded into a circle similar to a cul-de-sac turnaround.
STREET CENTER LINE	A line lying halfway between the two edges of a street right-of-way, or in some other location as determined by the Planning Director.
STREET CONNECTION	A location where one or more planned or existing streets join together.
STREET CONNECTIVITY	A measure of the overall connectedness of the streets in a street network that is largely control by individual block length.
STREET DESIGN SPEED	A selected speed used by an engineer to determine the various geometric features of a street. The design speed should be a logical one with respect to the topography, anticipated operating speed, the adjacent land use, and the functional classification of the roadway.
STREET FRONTAGE	A strip or extent of land abutting and extending along a street.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Street Grade

DEFINITIONS

STREET GRADE	The magnitude of a street's incline or decline over a specified lateral distance.
STREET INTERSECTION APPROACH	The portion of a street proximate to an intersection.
STREET KNUCKLE	See "Street Bulb Out."
STREET LIGHT	Exterior illumination located within or adjacent to a street right-of-way and intended to illuminate the street and sidewalk.
STREET STUB	A nonpermanent dead end street intended to be extended in conjunction with development on adjacent lots or sites.
STREET TREE	See "Tree, Street."
STREET WIDTH	The horizontal distance between parallel right-of-way lines of a street measured at right angles to such lines.
STREET, ALLEY	A local access street used for service access to the back or side of properties otherwise abutting on a street.
STREET, ARTERIAL (PRINCIPAL OR MINOR)	A street whose principal function is to carry large volumes of traffic at higher speeds through the county or from one part of the Town to another.
STREET, COLLECTOR (MAJOR OR MINOR)	A street whose principle function is to carry traffic between local streets and arterial streets but that may also provide direct access to abutting properties.
STREET, COMMERCIAL	Commercial streets provide access to abutting commercial property, circulate traffic in commercial areas and provide direct access to off-street parking facilities. Commercial streets have at least two traffic lanes with provisions for curb parking if desirable and feasible.
STREET, CUL-DE-SAC	A local access street having access from one end only and having a circular or other expanded surface for turning around at the closed end.
STREET, DEAD-END	A street that terminates with a street stub or vehicular turn around.
STREET, FRONTAGE	A local access street that parallels and is adjacent to expressways or arterial streets for the purposes of providing access to abutting properties and separation of traffic seeking such access from through-traffic.
STREET, HALF	A street right-of-way dedicated for a new street by a developer along the developer's perimeter property line in an amount equal to only one-half of the total right-of-way width required by this Ordinance. Dedication of a half street presumes future dedication of a corresponding amount of right-of-way from adjoining land on the other side of the right-of-way in order to provide the total right-of-way required for a proposed street.
STREET, INTERSTATE	Those streets used or to be used primarily to carry traffic and having few points of access and no intersections at grade and designated or to be designated as interstates or expressways on the Transportation Plan.
STREET, LOCAL	Streets which are used primarily for access to abutting properties.
STREET, PRIVATE	A vehicular travelway not dedicated or offered for dedication to the Town or the NCDOT as a public street.
STREET, RESIDENTIAL	Residential streets provide access to abutting residential property and discourage through-traffic movements by design as short

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Street, State-Maintained

DEFINITIONS

	loops, curvilinear streets or cul-de-sacs. These streets have two traffic lanes and may have on-street parking.
STREET, STATE-MAINTAINED	A street, its right-of-way, and all street-related infrastructure that is owned, operated, and maintained by the North Carolina Department of Transportation.
STREETSCAPE BUFFER	Landscaping provided on individual lots abutting arterial and collector streets, but located outside the street right-of-way.
STRUCTURAL SOIL	A planting medium that can be compacted to pavement design and installation requirements while permitting root growth.
STRUCTURE	<p>An object, including a mobile object, constructed or installed by man, including but without limitation to buildings, towers, cranes, smokestacks, earth formations and overhead transmission lines.</p> <p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: For floodplain management purposes, a walled and roofed building, a manufactured home, including a gas or liquid storage tank, or other manmade facilities or infrastructures that are principally above ground.</p>
STUMP DIAMETER	As used in the riparian buffer standards, the diameter of a tree measured at six inches above the ground surface level.
SUBDIVIDER	A person, firm, or corporation having a proprietary interest in land and acting to subdivide that land under the applicable provisions of this Ordinance.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Subdivision

DEFINITIONS

SUBDIVISION	<p>As used in this ordinance means 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 shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition provided, however, that any subdivision document or plat to be recorded pursuant to such exclusions shall have the notation of "No Approval Required" and the signature of the Planning Director or their designated agent before filing in the office of the Wake County Register of Deeds.</p> <p>A "Subdivision" shall not include the following:</p> <ol style="list-style-type: none">1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the town as shown in this Ordinance.2. The division of land into parcels greater than ten acres where no street right-of-way dedication is involved.3. The public acquisition by purchase of strips of land for the widening or opening of streets.4. The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way or easement dedication is involved and where the resultant lots equal or exceed the standards set forth in this Ordinance.5. The trading or exchanging of portions of previously platted and recorded properties that are contiguous and that necessitate the creation of parcels not conforming to the requirements of this Ordinance provided that a statement is placed on the plat to be recorded to the effect that such parcels are not created as individual building lots and are not approved as such and that no building permit shall be issued for construction on such parcels.
SUBSIDIARY	<p>As used in Section 7.5, Soil Erosion and Sedimentation, an affiliate that is directly, or indirectly through one or more intermediaries, controlled by another person.</p>
SUBSTANTIAL DAMAGE	<p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. See definition of Substantial Improvement.</p>
SUBSTANTIAL DAMAGE	<p>For the purposes of the FHO, damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25</p>

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Substantial Improvement

DEFINITIONS

	percent of the market value of the structure before the damage occurred.
SUBSTANTIAL IMPROVEMENT	<p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:</p> <p>(a) Any project of improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or</p> <p>(b) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.</p>
SUBSTANTIAL MODIFICATION	<p>For the purposes of the standards in <u>Section 4.3.4.S, Wireless Telecommunication Facilities</u>, Substantial Modification means the collocation of antenna and related wireless telecommunications equipment on an existing telecommunications tower that necessitates replacement of the existing tower, structural additions to the existing tower that increase its height or the length of protrusions from the tower, or increases in the size of the equipment compound by an amount specified in Section 160D-931 of the North Carolina General Statutes. Collocations requiring structural modifications are reviewed and decided in accordance with the procedures for a major collocation. Collocations involving changes to an existing telecommunications tower or equipment compound beyond those identified as "substantial modifications" in Section 160D-931 in the North Carolina General Statutes are reviewed and decided in accordance with the procedures for a major telecommunications tower.</p>
SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARK OR SUBDIVISION	<p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: Where the repair, reconstruction, rehabilitation, or improvement of the streets, utilities and pads equals or exceeds 50% of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.</p>
SUPERIOR COURT	The Superior Court for Wake County, North Carolina.
SUSTAINABLE DEVELOPMENT INCENTIVE	An incentive or reward, often in the form of additional allowable residential density or building height that is offered to an applicant proposing to include sustainable development practices.
SUSTAINABLE DEVELOPMENT PRACTICE	One or more development features voluntarily provided by an applicant or developer as a means of promoting sustainable development and/or taking advantage of available sustainable development practice incentives.
SWALE	A depression in the land that collects stormwater runoff and conveys it to another location.
SWIMMING POOL/HOT TUB	An above- or below-ground structure that is filled with water and used for swimming or relaxing.
SYNTHETIC STUCCO	A multi-layered application of polystyrene, fiberglass mesh, and atop coat of cement.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Tangent

DEFINITIONS

T

TANGENT	A straight line or plane that touches a curve or curved surface at a point, but if extended does not cross it at that point.
TATTOO AND PIERCING ESTABLISHMENT	<p>An establishment whose principle business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:</p> <ol style="list-style-type: none">1. Placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; or2. Performance of body modification including puncturing or cutting a part of the human body so as to create an opening in which jewelry may be worn.
TECHNICAL BULLETIN & TECHNICAL FACT SHEET	<p>A FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.</p> <p>It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.</p>
TECHNICAL REVIEW COMMITTEE	A group of town staff members and others associated with development review in the town.
TELECOMMUNICATIONS TOWER	A vertical projection, typically comprised of steel, designed to support antenna and associated wireless telecommunications equipment for the purpose of sending and receiving wireless telecommunications signals. Utility poles or other vertical projections intended for a purpose other than provision of wireless telecommunications services are not considered to be telecommunications towers.
TELECOMMUNICATIONS TOWER, CONCEALED	A telecommunications tower and associated wireless telecommunications equipment that is integrated as an architectural feature into an existing structure (such as a steeple, bell tower, clock tower, silo, etc.), or that is designed to conceal the presence of the tower, antennas, and related wireless telecommunications equipment in a manner so that the purpose of the tower is obscured.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Telecommunications Tower, Major

DEFINITIONS

TELECOMMUNICATIONS TOWER, MAJOR	The construction or installation of a new telecommunications tower with a height of 30 feet or more above the adjacent pre-construction grade and associated equipment, including the equipment compound, access, electrical service, and other related facilities.
TELECOMMUNICATIONS TOWER, MINOR	The construction or installation of a new telecommunications tower with a height of less than 30 feet above the adjacent pre-construction grade or that meets the definition of a concealed telecommunications tower.
TEMPERATURE CONTROLLED	Having the temperature regulated by a heating and/or cooling system, built-in or appliance.
TEMPORARY DWELLING	An emergency shelter or other structure established to serve as a temporary domicile while an existing principal residence is constructed, repaired, or located.
TEMPORARY REAL ESTATE OFFICE	A temporary commercial establishment, typically associated with a residential subdivision or building that serves as a base of operations for persons selling real estate or for potential buyers to inspect model dwelling units.
TEMPORARY ROAD	As used in the riparian buffer standards, a road constructed temporarily for equipment access to build or replace hydraulic conveyance structures such as bridges, culverts, pipes or water dependent structures, or to maintain public traffic during construction.
TEMPORARY USE PERMIT	A permit authorizing the operation of a temporary use, structure, or special event.
TEMPORARY WIRELESS FACILITY	A portable, self-contained wireless facility that provides wireless telecommunications services on a temporary or emergency basis. A temporary wireless facility may include a generator to provide power to the facility.
TERRACE	A level, surfaced area or platform next to a building used as a gathering area.
TERTIARY BUILDING WALL	See "Wall, Tertiary."
TEXT AMENDMENT	See "UDO Text Amendment."
THEATRE	A building, or part thereof, which contains an assembly hall with or without stage which may be equipped with curtains and permanent stage scenery or mechanical equipment adaptable to the showing of plays, operas, motion pictures, performances, spectacles, and similar forms of entertainment. Theatres that also serve meals at tables prior to or during a performance are specialty eating establishments.
THROUGH LOT	"See Lot, Through."
TILT-UP CONCRETE PANEL	A reinforced concrete panel used to form the exterior walls of a building.
TOOL/STORAGE SHED	An accessory structure with or without electricity used for the keeping of tools and equipment or general storage purposes.
TOP OF BANK	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : The landward edge of the stream channel during high water, bankfull conditions at the point where water begins to overflow onto the floodplain.
TOWN	The Town of Zebulon, North Carolina and its extraterritorial planning jurisdiction.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Traffic Impact Analysis

DEFINITIONS

TRAFFIC IMPACT ANALYSIS	As used in <u>Section 6.13, Transportation Impact Analysis</u> , an analysis and assessment, conducted by a qualified professional that assesses the effects that a discretionary development proposal's traffic will have on the transportation network in a community or portion thereof. TRAFFIC IMPACT STUDIES vary in their range of detail and complexity depending on the type, size and location of the proposed development.
TRANSPORTATION IMPACT ANALYSIS	A study conducted to evaluate the capacity and safety impacts on the transportation system from a proposed development and identify necessary improvements or management strategies to mitigate negative impacts. Such studies shall be performed by a licensed professional engineer in accordance with the Procedures Manual and this Ordinance.
TRANSPORTATION IMPACT ANALYSIS	A study conducted to evaluate the capacity and safety impacts on the transportation system from a proposed development and identify necessary improvements or management strategies to mitigate negative impacts. Such studies shall be performed by a licensed professional engineer in accordance with the Procedures Manual and this Ordinance.
TRAVEL TRAILER	A portable structure built on a chassis and towed by an automobile that is designed to be used as a temporary dwelling for travel, recreational and vacation uses. When equipped for the road, it shall have a body width not exceeding eight feet and a body length not exceeding 32 feet. A travel trailer does not have its own source of locomotion.
TREE	As used in the riparian buffer standards, a woody plant with a DBH equal to or exceeding five inches or a stump diameter exceeding six inches.
TREE CANOPY	The layer of vegetation formed by the crowns of mature trees.
TREE CANOPY COVER	See "Tree Canopy."
TREE PIT	A depression in or adjacent to a sidewalk intended for the placement of a street tree and associated ground cover.
TREE PROTECTION AREA	The portion of a lot or site with existing trees located inside tree protection fencing.
TREE PROTECTION FENCING	Fencing or other barrier provided to protect trees to be retained from damage or encroachment during the development process.
TREE RETENTION AREA	The portion of a lot or site with existing trees to be retained during and after development.
TREE TOPPING	The removal of the central leader and primary upper branches of a tree.
TREE, CANOPY	A species of tree which normally grows to a mature height of 40 feet or more with a minimum mature crown width of 30 feet.
TREE, DROUGHT TOLERANT	A species of tree that is capable of surviving in an environment with no artificial irrigation and with only limited amounts of rain.
TREE, EVERGREEN	A woody plant with one or more stems that does not lose the majority of its leaves during winter or dormancy.
TREE, HARDWOOD	A deciduous tree with broad leaves that produces fruit or a nut and goes dormant during winter months.
TREE, NATIVE	Trees that have originated from or occur naturally without being introduced in a particular area.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Tree, Protected

DEFINITIONS

TREE, PROTECTED	A tree that is present prior to the commencement of development or land disturbance that is required or intended to remain after completion of development or land disturbing activities.
TREE, SHADE	A tree with a crown that provides shade to the surface area within a parking lot and associated parking spaces.
TREE, STREET	A canopy or understory tree planted or existing within or along either side of a street right-of-way. Understory trees are typically used in locations where there are overhead utilities, sidewalks, or underground utilities proximate to the tree planting area.
TREE, UNDERSTORY	A species of tree which normally grows to a mature height of 15 to 35 feet.
TRELLIS	A framework of light wooden or metal bars, chiefly used as a support for fruit trees or climbing plants.
TRIP	As used in <u>Section 6.13, Transportation Impact Analysis</u> , a single or one-directional travel movement with either the origin or destination of the trip inside the study site.
TRIP GENERATION	As used in <u>Section 6.13, Transportation Impact Analysis</u> , an estimate of the number of vehicle trips that will be generated due to the new development, which is calculated based on the type and amount of land uses in the proposed development and professionally accepted trip generation rates for each such land use. TRIP GENERATION may be expressed on an average daily basis or average peak hour (a.m., p.m. or both).
TRIPLEX	A single detached dwelling on one lot that contains three dwelling units. The units may be located side by side in a horizontal configuration or stacked one above the other in a vertical configuration, sharing common vertical walls or horizontal floors and ceilings.
TRUCK OR FREIGHT TERMINAL	A use where trucks, trailers, and cargo are stored, where loading and unloading is carried on regularly, and where minor maintenance of these types of vehicles is performed.
TRUCK STOP	An establishment typically engaged in fuel sales that serve commercial truck drivers. The use may provide food, maintenance services, overnight parking, showering rooms, laundry facilities, basic convenience retail items and other services related to the use.
TURRET	A cylindrical architectural feature typically located at the corner or near the primary entrance of a building.
U	
UDO TEXT AMENDMENT	A change to the language of this Ordinance.
UNDERGROUND STORAGE TANK	A container used for the storage of gas, liquid, powder, or other substance that is all or partially below grade. Pipes, pumping equipment, and ventilation features are considered part of an underground storage tank.
UNDERSTORY TREE	See "Tree, Understory."
UNLICENSED VEHICLE	See "Inoperable/Unlicensed Vehicle."
UPPER-STORY RESIDENTIAL	Multi-family residential dwelling units located on the second or higher floors of a building with some form of nonresidential use on the first or ground floor. Dwelling units may be configured as apartments or condominiums.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Urban Forest

DEFINITIONS

URBAN FOREST	A densely wooded area located in a city or town.
URBAN HEAT ISLAND	A portion of an urban or metropolitan area that is significantly warmer than its surroundings due to additional paving, building mass, and lack of shade. The temperature difference usually is larger at night than during the day, and is most apparent when winds are weak.
URBAN OPEN SPACE SET-ASIDE	A private common open space area located within an urban or higher density area that is intended to facilitate gathering of people, such as an outdoor dining area, plaza, or atrium.
URGENT CARE FACILITY	A walk-in clinic or medical facility focused on the delivery of ambulatory care for injuries or illnesses requiring immediate care, but not serious enough to require an hospital emergency department.
USABLE OPEN SPACE	A parcel or parcels of land or an area of water as a combination of both land and water and designed for the recreational use and enjoyment of residents of the proposed development, not including streets or off-street parking areas. Not more than one half of the required usable open space may be areas covered by water. Usable open space shall be substantially free of structures but may contain such improvements as are appropriate for the benefit of residents. A maximum of five percent of the area designated as usable open space may be covered by structures clearly ancillary to the recreational use of the space. Except for such structures, all usable open space shall be unobstructed except for plants, lawn furniture, swimming pools, terraces, walkways, play equipment, etc., so arranged to provide for the free movement of the people within the space. No portion of any such usable open space shall be located in any required yard area adjacent to a public street. Parking areas, vehicle drives and storage areas shall not be included in the calculation of usable open space.
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.
UTILITY POLE	A structure that is designed for and used to carry cables, wires, lighting facilities, or small wireless facilities for telephone, cable television, electricity, lighting, or wireless telecommunication services that is located outside the public right-of-way.
UTILITY POLE, PUBLIC	A utility pole owned, leased, or operated by the Town that is located in the public right-of-way.
UTILITY, MAJOR	Infrastructure services providing regional or community-wide service that normally entail the construction of new buildings or structures such as water towers, waste treatment plants, potable water treatment plants, natural gas city gates, and solid waste facilities.
UTILITY, MINOR	Infrastructure services that need to be located in or near the neighborhood or use type where the service is provided. Examples of minor utilities include water and sewage pump stations, storm water retention and detention facilities, telephone exchanges, electrical substations, and surface transportation stops such as bus stops and park-and-ride facilities.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Vape, Tobacco, and CBD Shop

DEFINITIONS

V

VAPE, TOBACCO, AND CBD SHOP	A retail establishment primarily dedicated towards the sale of tobacco, tobacco related products, vaping related products, cannabis products or cannabis related products or similar inhaled products and devices.
VARIANCE	<p>A grant of relief from the requirements of this Ordinance. A variance may grant relief from special flood hazard area standards or other zoning or subdivision standards in this Ordinance.</p> <p>For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u>: A grant of relief to a person from the requirements of this part which permits construction in a manner otherwise prohibited by this part where specific enforcement would result in unnecessary hardship.</p>
VEGETATIVE COVER	For the purposes of <u>Section 3.8.2, Flood Hazard Overlay (FHO) District</u> : Any native or non-invasive vegetative growth or other material that renders the soil surface stable against accelerated erosion.
VEHICULAR USE AREA	An off-street parking space or parking lot along with associated drive aisles and means on ingress or egress.
VERTICAL FAÇADE MODULATION	The organization of a an individual building façade into a base, middle, and cap configuration where there are discernable differences in exterior materials, building wall planes, or architectural detailing along the façade from the grade to the top of the building.
VERTICALLY-INTEGRATED MIXED-USE BUILDING	A two or more story development that includes residential and non-residential development. It is typical for vertically-oriented mixed-use development to include residential development on the upper floors and nonresidential development on the ground or street level.
VESTED RIGHT	A right pursuant to North Carolina General Statutes Section 160D-108 to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan.
VESTED RIGHT CERTIFICATE	An authorization granted by Board of Commissioners to an approved site-specific development plan that protects the development from the need to comply with some (but not all) regulatory changes that are adopted by the town during the period which the development is vested.
VETERINARY CLINIC	A facility for the care and treatment of animals, including household pets and larger domesticated animals. Such facilities may be entirely indoors or may have both indoor and outdoor components.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

violation

DEFINITIONS

VIOLATION

A breach, infringement, or transgression of a law or requirement in this Ordinance or a permit or other development approval.

For the purposes of Section 3.8.2, Flood Hazard Overlay (FHO) District: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Articles IV and V is presumed to be in violation until a time as that documentation is provided.

VISUALLY TRANSPARENT

Glass or glazing that does not obstruct the view into a structure.

W

WALL OFFSET

A projection or recess located in or along a building wall.

WALL PACK

An exterior lighting device that is flush-mounted on a vertical wall surface.

WALL PLANE

The exterior surface of a building wall relative to the lot line it abuts.

WALL PLANE, PRIMARY

The largest portion of a building wall in terms of area on a single building façade that maintains a uniform distance from the abutting lot line.

WALL, BUILDING

The entire surface area, including windows and doors, of an exterior wall of a building.

WALL, GREEN

A building wall that is partially or completely covered with greenery that includes a growing medium, such as soil, water or a substrate and an integrated water delivery system.

WALL, PARAPET

A building façade that rises above the roof level, typically obscuring a gable or flat roof as well as any roof-mounted equipment.

WALL, PRIMARY

The architectural front façade of the building that faces the street from which the building is addressed.

WALL, SECONDARY

Exterior building walls that correspond to the side or rear of a building that are visible from public recreation lands or streets other than the street that the building is addressed from.

WALL, TERTIARY

Building walls that are not primary or secondary building walls.

WAREHOUSE, DISTRIBUTION

An industrial use engaged in distribution of manufactured products, supplies, and equipment.

WAREHOUSE, STORAGE

A use engaged in storage of manufactured products, supplies, and equipment excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

WASTE COMPOSTING

Uses where solid wastes are composted using composting technology. Accessory uses may include offices and repackaging and transshipment of by-products.

WASTE-RELATED SERVICES

The waste-related services use category includes use types that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. This use category also includes use types that receive wastes from others.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Water Dependent Structure

DEFINITIONS

WATER DEPENDENT STRUCTURE	Any structure or facility which cannot be used for its intended purpose unless it is in close proximity to water, such as a boat dock. The term does not include ancillary parking or boat storage facilities, manufacture, sales, or service facilities.
WATER SUPPLY WATERSHED	The entire land area contributing surface drainage to a designated water supply reservoir.
WATER SURFACE ELEVATION	The height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of riverine areas.
WATERSHED	The entire land area contributing stormwater drainage to a specific point (i.e., receiving streams and floodplains).
WATERSHED CRITICAL AREA	The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed. The critical area is defined as extending one mile from the normal pool elevation of a water supply reservoir or to the ridge line of the watershed (whichever comes first); or one mile upstream from the intake located directly in the stream or river (run of the river), or the ridge line of the watershed (whichever comes first).
WATERSHED MANAGEMENT PLAN	A plan that documents industries that are located within watershed boundaries that use, store or manufacture chemicals that could potentially pose a threat to water quality and the response procedures for handling spills and/or discharges.
WATERSHED PROTECTION PERMIT	An approval to execute proposed development or land-disturbing activity in proximity to a water supply watershed, subject to protection measures intended to preserve surface water quality.
WEEKEND DAY	Saturday or Sunday.
WETLANDS (INCLUDING 404 WETLANDS)	Wetlands either with or without a surface or subsurface connection to a larger body of water under the permitting jurisdiction of the U.S. Army Corps of Engineers.
WHOLESALE SALES	Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers. Wholesale establishment does not include contractor's materials or office or retail sales uses.
WIND ENERGY CONVERSION	A power generating use that converts kinetic energy from the wind into mechanical energy through the use of a wind turbine. The mechanical energy can then be used to power on-site equipment or an electrical generator to create electricity for on-site or off-site use. Such uses may include batteries for the storage of electrical energy.
WIRELESS TELECOMMUNICATIONS EQUIPMENT	Elements necessary for the function of a wireless telecommunications facility, including, but not limited to: equipment cabinets or racks, computers, wireless signal processors, telephone interfaces, GPS equipment, power supplies, batteries, climate control devices, cabling, cable mounting devices, ice shields or bridges, grounding systems, and similar features. Wireless telecommunications equipment does not include antennas or antenna support structures.

ARTICLE 9: MEASUREMENT AND DEFINITIONS

9.4. Definitions

Wireless Telecommunications Facility

DEFINITIONS

WIRELESS TELECOMMUNICATIONS FACILITY	A facility dedicated to the broadcast and/or receiving of wireless telecommunications signals for the purpose of communication, public safety, or data transfer. Wireless telecommunications facilities consist of one or more antenna, cabling or other means to send to telecommunications signals to associated equipment, a support structure, and a dedicated power source. Wireless telecommunications facilities include the following: telecommunications towers (concealed, major, minor), collocations (major and minor), small wireless facilities, and temporary wireless facilities.
WIRELESS TELECOMMUNICATIONS SERVICES	Any services, using licensed or unlicensed wireless spectrum, including the use of telephone, data transmission, Wi-Fi, whether at a fixed location or mobile, provided to the public.
WORKING DAYS	As used in Section 7.5, Soil Erosion and Sedimentation, days exclusive of Saturday and Sunday during which weather conditions or soil conditions permit land-disturbing activity to be undertaken.
WRIT OF CERTIORARI	A writ of superior court to call up the records of an inferior court or a body acting in a quasi-judicial capacity.
X	
XERISCAPE	The use of plant materials and planting techniques that conserve water.
Y	
YARD	An open space on the same lot with a building or group of buildings which open space lies between the building or group of buildings and the nearest lot line and is occupied and unobstructed from the ground upward by buildings or structures except by permitted accessory buildings or uses.
YARD OR GARAGE SALE	A temporary sale of used goods conducted by the resident of a dwelling. Yard or garage sales may include used goods from more than one family.
YOUTH CENTER	An institutional or not-for-profit establishment that provides recreational and various leisure activities to persons under 18 years of age.
Z	
ZONING COMPLIANCE PERMIT	A permit used to ensure proposed development is consistent with all requirements of this Ordinance as well as any conditions of approval.
ZONING MAP	See "Official Zoning Map."
ZONING MAP AMENDMENT	An application for an amendment to the Official Zoning Map. It includes applications for establishing an initial zoning designation following annexation.

