

# ARTICLE II

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## **DEFINITIONS**

ACCESS EASEMENT. An easement which grants the right to cross property.

ACCESSORY BUILDING. A detached subordinate building, the use of which is incidental to that of the principal building and located on the same lot therewith.

ACCESSORY DWELLING. Any portion of a principal building which is used and designed for human habitation including living, sleeping, cooking and eating activities excluding dormitories, hotels, motels, shelters for the homeless or other structures designed for transient residents.

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

APPROVED ACCOUNTING TOOL. The accounting tool for nutrient loading approval by the EMC for the relevant geography and development type under review. [Adopted 6/12/12; effective postponed to 8/10/14]

ALLEY. A roadway which affords only a secondary means of access to abutting property.

ATHLETIC FIELD. Outdoor sites, often requiring equipment, designed for formal athletic competition in field sports (e.g. softball, soccer, football).

AUTO WRECKING. A person or business that provides open storage, disassembling, or salvaging for more than two (2) junked motor vehicles.

AUTOMOBILE REPAIR SERVICES, MAJOR. An establishment primarily engaged in one or more of the following activities: 1)general repair or service, 2)engine repair, 3)installation or repair of transmissions, 4)installation or repair of automotive glass, 5)installation or repair or exhaust systems, 6)repair of tops, bodies and interiors, and 7)automotive painting and refinishing.

AUTOMOBILE REPAIR SERVICES, MINOR. An establishment primarily engaged in one or more of the following activities: 1) diagnostic service and tune-ups, 2)installation or repair of air-conditioners, brakes, carburetors, electrical systems, fuel systems, generators and starters, and radiators, 3) lubricating service, and 4)front end and wheel alignment.

BAR. An establishment primarily engaged in the retail sale of beer or wine for consumption on the

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

BASE FLOOD ELEVATION. The elevation to which structures and uses regulated by this Ordinance are required to be elevated or flood proofed.

BASE FLOOD. The flood having a one percent chance of being equalled or exceeded in any given year (100-year flood).

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

BEST MANAGEMENT PRACTICE (BMP). A structural or nonstructural management-based practice used singularly or in combination to reduce nonpoint source inputs to receiving waters in order to achieve water quality protection goals. [Adopted 6/12/12; effective postponed to 8/10/14]

BERM, EROSION CONTROL. A mound of material and/or ditch the purpose of which is to divert the flow of run-off water.

BLOCK. The land lying within an area bounded on all sides by streets.

BOARD OF ADJUSTMENT. A quasi-judicial body, in Whitsett comprised of the same individuals as the Town Council, that is given certain powers under this Ordinance.

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

BOOKSTORE, ADULT. A bookstore: 1) which receives a majority of its gross income during any calendar year from the sale of publications (including books, magazines and other periodicals) which are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual activities or anatomical area, or ½ having a preponderance of its publications, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to sexual activities or anatomical areas.

BUFFER. An area of land planted or constructed to separate uses.

BUFFER ZONE. The strip of land adjacent to a lake or natural watercourse, the width of which is measured from the edge of the water to the nearest edge of the disturbed area, with the twenty five (25%) percent of the strip nearer the land-disturbing activity containing natural or artificial means of confining visible siltation.

BUILDABLE OR ZONING LOT. One or more lots of record in one undivided ownership with sufficient total area, sufficient area exclusive of easement, flood hazards, well and septic tank fields, total dimensions, and street access to permit construction thereon of a principal building together

with its required parking and planting yards.

**BUILDING.** Any structure having a roof supported by walls or columns constructed or used for residence, business, industry or other public or private purposes.

**BUILDING HEIGHT.** The vertical distance measured from the average elevation of the finished grade to the topmost section of the roof.

**BUILDING LINE.** A line perpendicular to the lot depth which establishes the horizontal distance between the structure and the front property line excluding the outermost steps, uncovered porches, gutters, and similar fixtures.

**BUILDING SEPARATION.** The minimum required horizontal distance between buildings.

**BUILT-UPON AREA.** That portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel (for pedestrian or vehicular use), recreation facilities (e.g. tennis courts), etc “Built-upon area” does not include a wooden slatted deck, the water are 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. The project site or area must exclude any land adjustment to the area disturbed by the project that has been counted as pervious by any other development regulated under a federal, state or local stormwater regulation. [Adopted 6/12/12; effective postponed to 8/10/14]

**CANOPY [STRUCTURE].** A free-standing roof structure without side walls which may or may not be attached to the roof of an adjacent building and which shall include, but shall not be limited to, canopies over gas station pumps or canopies at convenience stores. [Adopted by Whitsett Town Council 7/12/11.]

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

**CERTIFICATE OF COMPLIANCE/OCCUPANCY.** A statement, signed by the Enforcement Officer, setting forth either that a building or structure complies with the provisions of this Ordinance, or that the building, structure, or parcel of land may lawfully be employed for specified uses, or both.

**COMMISSION.** The North Carolina Environmental Management Commission. [Adopted 6/12/12; effective postponed to 8/10/14]

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

**COMPLETION OF CONSTRUCTION OR DEVELOPMENT.** No further land-disturbing activity

is required on a phase of a project except that which is necessary for establishing a permanent ground cover.

CONDOMINIUM. Portions of real estate which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

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

COUNTY. Refers to Guilford, North Carolina.

DAY. Any reference to days shall mean calendar days unless otherwise specified. A duration of days shall include the first and last days on which an activity is conducted and all days in between, unless otherwise specified by state law.

DENSITY CREDIT. The potential for the development or subdivision of part or all of a parcel of real property, as permitted under the terms of this Ordinance, expressed in dwelling unit equivalents or other measures of development density or intensity or a fraction or multiple of that potential that may be transferred to other portions of the same parcel or to contiguous land that is part of a common development plan.

DEPARTMENT. The North Carolina Department of Environment and Natural Resources. [Adopted 6/12/12; effective postponed to 8/10/14]

DESIGN MANUAL. The stormwater design manual approved for use in this part of the Jordan Watershed and Water Supply Watershed by the Department for the proper implementation of the requirements of the Jordan Watershed and Water Supply Watershed Stormwater program. All references herein to the Design Manual are to the latest published edition or revision. [Adopted 6/12/12; effective postponed to 8/10/14]

DETENTION POND. A pond which collects stormwater runoff, filters the water and releases it slowly over a period of hours or days. It does not have a permanent pool and is sometimes referred to as a dry pond or wet weather pond.

DEVELOPER. A person engaging in development.

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures mining, dredging, filling, grading, paving, excavation, or

drilling operations or storage of equipment or materials.

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

DISCHARGE POINT. That point at which runoff leaves a tract of land.

DISCHARGING LANDFILL. A facility with liners, monitoring equipment, and other measures to detect and/or prevent leachate from entering the environment and in which the leachate is treated on site and discharged to a receiving stream. These facilities require approval and a discharge permit from the N.C. Department of Environmental Management for legal operation.

DISPOSAL (OF HAZARDOUS OR TOXIC SUBSTANCE(S)). The destruction, discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous waste or toxic substance into or on any air, land, or water.

DISPOSAL FACILITY. A facility or part of a facility at which hazardous waste or toxic substance is intentionally placed into or on any land or water, and at which hazardous waste or toxic substance will remain after closure.

DISTRICT, SOIL AND WATER CONSERVATION. The Guilford Soil and Water Conservation District created pursuant to NCGS 139.

DRAINAGEWAY. Any natural or man-made channel that carries surface runoff from precipitation.

DRAINAGE WAY AND OPEN SPACE AREA, DEDICATED. The area designated for floodplain and open space purposes on a recorded subdivision plat and thereby dedicated to the public for such purposes.

DRAINAGEWAY, IMPROVED. Drainage channeled by impervious surfaces such as curb and gutter or concrete (gunite, bituminous, etc.) channels.

DRAINAGEWAY, PROTECTED. Drainage channeled by pervious devices such as sod waterways, berms, channels or swales which have been constructed to resist soil erosion by either vegetating, netting, rip-rapping or a combination of these, and which allows infiltration of water into the soil.

DWELLING UNIT. One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided therein. Units in dormitories, hotels, motels, shelters for the homeless or other structures designed for transient residents are not dwelling units.

EASEMENT. A grant of one or more of the property rights, by the property owner to, or for use by the public, a corporation, or other entity.

ENFORCEMENT OFFICER. The person appointed by the Whitsett Town Council to enforce the provisions of this Ordinance and to grant permits within the Town's jurisdiction.

ENGINEERED STORMWATER CONTROL. A physical device designed to trap, settle out, or filter pollutants from stormwater runoff; to alter or reduce stormwater runoff velocity, amount, timing, or other characteristics; to approximate the pre-development hydrology on a developed site; or to achieve any combination of these goals. Engineered stormwater control includes physical practices such as constructed wetlands, vegetative practices, filter strips, grassed swales, and other methods installed or created on real property. “Engineered stormwater control” is synonymous with “structural practice,” “stormwater control facility,” “stormwater control practice,” “stormwater treatment practice,” “stormwater management practice,” “stormwater control measures,” “structural stormwater treatment systems,” “runoff control structure” and similar terms used in this ordinance. [Adopted 6/12/12; effective postponed to 8/10/14]

EROSION. The wearing away of land surface by the action of wind, water, gravity or any combination thereof.

EXISTING DEVELOPMENT.

Development not otherwise exempted by this ordinance that meets one of the following criteria:

- 1) It either is built or has established a statutory or common-law vested right as of the effective date of this ordinance; or
- 2) It occurs after the effective date of this ordinance, but does not result in a net increase in built-upon area and does not decrease the infiltration of precipitation into the soils.

[Adopted 6/12/12; effective postponed to 8/10/14]

FAMILY. One (1) or more persons occupying a dwelling unit and living as a single household.

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

FENCE. A physical barrier or enclosure consisting of wood, stone, brick, block, wire, metal or similar material used as a boundary or means of protection or confinement, but not including a hedge or other vegetation.

FLOOD AND FLOODING. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or the unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD PLAIN. The relatively flat area or low land adjacent to the channel of a river, stream, or watercourse, lake or other body of standing water, which has been or may be covered by flood water.

FLOOR. The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

GRADE. A reference plane representing the average of finished ground level adjacent to any structure.

GRADING. Any operation or occurrence by which the existing site elevations are changed, or where any ground cover, natural or man-made, is removed, or any buildings or other structures are removed, or any water course or body of water, either natural or man-made, is relocated on any site, thereby creating an unprotected area. The term "grading" is interchangeable with "land-disturbing activity".

GRADING PLAN. The graphic plan, including narrative where appropriate, required by this Ordinance as a prerequisite for a grading permit, the purpose of which is to explain existing conditions and proposed grading of land including any development and to describe the activities and measures to be undertaken to control accelerated soil erosion and sedimentation.

GREENWAY. Public open space owned and maintained by the local government which has been designated on an officially adopted greenway plan.

GROUND COVER. Any vegetation, masonry, paving, riprap, or other material or materials which render the soil surface stable against accelerated erosion.

GROUP CARE FACILITY. A facility licensed by the State of North Carolina, (by whatever name it is called, other than "Family Care Home" as defined by this Ordinance), with support and supervisory personnel that provides room and board, personal care or habilitation services in a family environment for not more than (30) people.

GROUP DEVELOPMENT. A development in which, in lieu of division of a tract of land into separate lots of record for separate principal buildings, a tract of land is divided into two (2) or more principal building sites for the purpose of building development (whether immediate or future) and occupancy by separate families, firms, businesses, or other enterprises.

HAZARDOUS OR TOXIC SUBSTANCE. Any solid waste as defined in NCGS 130A-290(18), or any substance regulated under the Federal Toxic Substance Control Act of 1976, (PL 94-476), as amended from time to time, which because of its quantity, concentration, or physical chemical or infectious characteristic(s) may: 1.) cause or significantly contribute to an increase in serious irreversible or incapacitating illness, or; 2) pose a substantial present or potential threat to the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

HAZARDOUS WASTE GENERATOR. Any person whose act or process produces hazardous waste or toxic substance identified or listed in Part 261 of the North Carolina Hazardous Waste Management Rules or whose act first causes a hazardous waste or toxic substance to become subject to regulation provided that, "generator" does not include a facility which accepts hazardous waste or toxic substances for the purpose of treatment, storage, or disposal, and in that process creates a different hazardous waste or toxic substance.

HAZARDOUS WASTE LONG-TERM STORAGE FACILITY. Any facility or any portion of a facility constructed for storage of the residuals of the treatment of hazardous waste, on or in land.

HAZARDOUS WASTE MANAGEMENT. The systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery and disposal of hazardous wastes.

HAZARDOUS WASTE TREATMENT FACILITY. A facility which is established and operated for the recovery, recycling, treatment, storage during collection and prior to treatment, short-term storage after treatment, collection, processing, volume reduction, source separation, or transportation used exclusively in connection with the facility, of hazardous waste; and which facility includes several of the following equipments and processes: Incinerators, rotary kilns, drum handling, washing and crushing facilities, raw waste tank storage, reduction, neutralization, detoxification, wastewater treatment facilities including settling systems, aerobic digester, anaerobic digester, clarifiers, neutralization facilities, solidifying facilities, evaporators, reactions to facilitate "reuse" or recycling, analytical capabilities, and other similar appropriate technologies, activities and processes as may now exist or be developed in the future.

HISTORICAL STRUCTURE. Any structure that is: 1) listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register; 2) 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; 3) individually listed on a state inventory of historic places; 4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (a) by an approved state program as determined by the Secretary of Interior or (b) directly by the Secretary of Interior in states without approved programs.

HIGH DENSITY OPTION. A density or intensity option for development wherein the density or intensity exceeds the applicable limit for development under the Low Density Option (see Performance Tables in Article VII), thereby imposing a requirement for engineered stormwater controls (runoff control structures) in conformance with the requirements of Article VII (Environmental Regulations) of this Ordinance. [Adopted 6/12/12; effective postponed to 8/10/14]

HOME OCCUPATION. Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is incidental and secondary to the use of the dwelling for residential

purposes and does not change the character thereof. The floor area used for a home occupation shall not exceed 25% of the total floor area of a dwelling unit except where lodging is provided for a resident guest. (See Development Standards, Section 4-6)

IMPERVIOUS SURFACE COVERAGE. That portion of a lot covered by buildings, structures, paving or other impervious surface materials.

JUNK/SALVAGE YARD. Any land or area used, in whole or in part, for the storage, keeping, or accumulation of material, including scrap metals, waste paper, rags, or other scrap materials, or used building materials, for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

LAKE or NATURAL WATERCOURSE. Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, lake or pond, natural or impounded, in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.

LAND-DISTURBING ACTIVITY. Any use of the land that results in a change in natural cover or topography that may cause or contribute to sedimentation. [Adopted 6/12/12; effective postponed to 8/10/14]

LANDFILL, DEMOLITION AND CONSTRUCTION DEBRIS (MAJOR). A disposal site other than minor demolition and construction debris landfill as defined in this ordinance for stumps, limbs, leaves, concrete, brick, wood and uncontaminated earth. Disposal of any other types of wastes must be approved by the State Division of Health Services.

LANDFILL, DEMOLITION AND CONSTRUCTION DEBRIS (MINOR). A disposal site for stumps, limbs, leaves, concrete, brick, wood and uncontaminated earth which is less than three acres in size and is in operation for less than one year.

LANDFILL, SANITARY/SOLID WASTE. A site for solid waste disposal from residential, industrial or commercial activities.

LARGER COMMON PLAN OF DEVELOPMENT, REDEVELOPMENT OR SALE. Any area where multiple separate and distinct construction or land-disturbing activities will occur under one plan. A plan is any announcement or piece of documentation (including but not limited to a sign, public notice or hearing, sales pitch, advertisement, loan application, drawing, permit application, zoning request, or computer design) or physical demarcation (including but not limited to boundary signs, lot stakes, or surveyor markings) indicating that construction activities may occur on a specific plot. [Adopted 6/12/12; effective postponed to 8/10/14]

LIGHTING DEFINITIONS (*Adopted June 12, 2007*)

1. Foot-candle-Quantitative units of measure referring to the measurement of illumination

incident at a single point. One foot-candle is equal to one lumen uniformly distributed over an area of one square foot.

2. Full Cutoff Angle. The angle formed by a line drawn from the light source and a line perpendicular to the ground from the light source, beyond which no light is emitted. Refer to example graphics. (Refer to Section 7-2, Figure 2)

3. Installed shall mean the initial installation of outdoor fixtures defined herein, following the effective date of this Article, but shall not apply to those outdoor light fixtures installed prior to such date.

4. Initial Lumens. The lumens emitted from a lamp, as specified by the manufacturer of the lamp.

5. Isofootcandle. A line plotted on any appropriate set of coordinates to show all the points on a surface where the illuminance is the same. A series of such lines for various illuminance values is called an Isolux (isofootcandle) diagram

6. Lamp. The component of a luminaire that produces light. A lamp is also commonly referred to as a bulb.

7. Lumen. A standard unit of measurement referring to the amount of light energy emitted by a light source, without regard to the effectiveness of its distribution.

8. Luminaire. A complete lighting unit consisting of a lamp or lamps together with the components designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. A luminaire is also commonly referred to as a fixture.

9. Outdoor Light Fixtures shall mean outdoor artificial illuminating devices, outdoor fixtures, lamps or other devices, permanent or portable, used for illumination, direction or advertisement. Such devices shall include, but are not limited to search, spot, or flood lights for:

- a. buildings and structures, including canopies and overhangs
- b. recreational areas
- c. parking lot lighting
- d. landscape lighting
- e. signs
- f. display and service areas

10. Outdoor Luminaire. A luminaire which is permanently installed outdoors including, but not limited to, devices used to illuminate any site, structure, or sign.

11. Photometric Plan. A point-by-point plan depicting the intensity and location of lighting on the property.

12. Shielded Fully shall mean fixtures that are shielded in such a manner that light emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted. This means that a fully shielded fixture is one used in such a way that it allows no direct or internally reflected light to shine above the light fixture.

LOT. A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership or for development or both. The word "lot" includes "plot", "parcel," or "tract."

LOT, CORNER. A lot abutting two or more streets at their intersection.

LOT, COVERAGE. The portion of a lot covered by buildings(s) and/or structure(s).

LOT, DEPTH. The distance measured along the perpendicular bisector of the smallest possible rectangle enclosing the lot.

LOT, FLAG. A lot, created by a subdivision, with less street frontage than is required by Article IV (Zoning) and composed of a narrow "flagpole" strip extending from the street and a much wider "flag" section lying immediately behind a lot or lots having the required street frontage for a conventional lot. In the case of a flag lot, the lot line at the end of the flag pole lying generally parallel to the street to which the flagpole connects shall be considered to be the front lot line for setback purposes.

LOT OF RECORD. A lot, plot, parcel or tract recorded in the Office of the Register of Deeds in conformance with the ordinance(s) in effect at the time of recordation.

LOT, REVERSE FRONTAGE. A through lot which is not accessible from one of the parallel or non intersecting streets upon which it fronts.

LOT, THROUGH. A lot abutting two (2) streets that do not intersect at the corner of the lot.

LOT WIDTH. The mean width measured at right angles to its depth at the building line.

LOW DENSITY OPTION. A density or intensity option for development wherein the density, expressed in dwelling units per acre, and/or the intensity, expressed in percentage of the land surface covered by built-upon area, does not exceed certain limits established in Article VII of this Ordinance. The limits vary depending upon the classification of the watershed and upon which overlay zone. Stormwater runoff from the development shall be transported by vegetated conveyances to the maximum extent practicable. [Adopted 6/12/12; effective postponed to 8/10/14]

LOWEST FLOOR. 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 storage in an area other than a basement area is not considered a building's lowest floor provided

that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

MAJOR VARIANCE. A variance from the minimum statewide watershed protection or Jordan rules that results in the relaxation, by a factor greater than five percent of any buffer, density or built-upon area requirement under the high density option; any variation in the design, maintenance or operation requirements of a wet detention pond or other approved stormwater management system; or relaxation by a factor greater than 10 percent, of any management requirement under the low density option. For provisions in this ordinance that are more stringent than the state's minimum water supply protection rules and Jordan rules, a variance to this ordinance is not considered a major variance as long as the result of the variance is not less stringent than the state's minimum requirements. [Adopted 6/12/12; effective postponed to 8/10/14]

MANUFACTURED DWELLING. (*Amended and Approved 6/11/96*) A dwelling that 1) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own *non removable steel* chassis; 2) exceeds forty feet in length and fourteen (14) feet in width; 3) is constructed in accordance with the National Manufactured Home Construction and Safety Standards; and 4) is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for One - and Two - Family Dwellings.

- 1) Class AA: A manufactured home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U. S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the following additional criteria:
  - a) Is occupied only as a single family dwelling;
  - b) Has a minimum width of *fourteen (14)* feet;
  - c) Has a minimum of seven hundred (700) square feet of enclosed and heated living area;
  - d) Has the towing apparatus, wheels, axles, and transporting lights removed and not included in length and width measurements;
  - e) Has the longest axis oriented parallel or within a ten (10) degree deflection of being parallel to the lot frontage, unless other orientation is permitted by the Board of Adjustment following a public hearing;
  - f) Has exterior siding, comparable in composition, appearance durability to the exterior siding commonly used in standard residential construction, consisting of one or more of the following: 1) vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint); 2) cedar or other wood siding; 3) wood grain, weather resistant press board siding; 4) stucco siding; or 5) brick or stone siding;

- g) All roof structures shall provide an eave projection of no less than six inches, which may include a gutter; and
- h) Stairs, porches, entrance platforms, ramps and other means of entrance and exit are installed or constructed in accordance with the standards set by the North Carolina State Building Code, attached firmly to the primary structure and anchored securely to the ground. Wood stairs shall only be used in conjunction with a porch or entrance platform with a minimum of twenty-four (24) square feet.

MANUFACTURED DWELLING PARK. A group development site with required improvements and utilities for the long-term location of manufactured dwellings which may include services and facilities for the residents.

MANUFACTURED DWELLING PARK. A parcel (or contiguous parcels) of land divided into two or more manufactured dwelling spaces for rent. (This definition applies only with respect to flood damage prevention regulations.)

MINOR VARIANCE. A variance from the minimum statewide watershed protection or Jordan rules that results in a relaxation, by a factor of up to five percent of any buffer, density or built-upon area requirement under the high density option; or that results in a relaxation by a factor up to 10 percent, of any management requirement under the low density option. [Adopted 6/12/12; effective postponed to 8/10/14]

MODULAR DWELLING. A dwelling constructed in accordance with the standards set forth in the N.C. State Residential Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

MOTOR VEHICLE, JUNKED. A motor vehicle that does not display a current license plate and is one or more of the following: 1)is partially dismantled or wrecked; or 2)cannot be self-propelled or moved in the manner in which it originally was intended to move; or 3)more than five (5) years old and appears to be worth less than one hundred dollars (\$100.00); provided that any motor vehicle used on a regular basis for business or personal use shall not be caused to be removed or disposed.

MULTI-FAMILY DWELLING. A building or portion thereof used or designed as a residence for three (3) or more families living independently of each other with separate housekeeping and cooking facilities for each, and includes apartment, townhouses and condominiums.

NEW DEVELOPMENT. Any development project that does not meet the definition of existing development set out in this Ordinance. [Adopted 6/12/12; effective postponed to 8/10/14]

NEW CONSTRUCTION. Structures for which the "start of construction" commenced on or after the effective date of this Ordinance, including any subsequent improvements to such structures.

NONCONFORMING. A lot, structure, sign, or use of land which is now prohibited under the terms of this Ordinance but was lawful at the date of this Ordinance's enactment or any amendment or revision thereto.

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

NONCONFORMING STRUCTURE(S). A structure that does not conform to the requirements of this ordinance. The nonconformity may result from adoption of this ordinance or any subsequent amendment.

NONCONFORMING USE. A use which was a permitted use on a parcel of land or within a structure but which is not now a permitted use. The nonconformity may result from the adoption of this Ordinance or any subsequent amendment.

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

ONE-YEAR, 24-HOUR STORM. The surface runoff resulting from a 24-hour rainfall of an intensity expected to be equaled or exceeded, on average, once in 12 months and with a duration of 24 hours. [Adopted 6/12/12; effective postponed to 8/10/14]

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

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

PLAN, SKETCH. A rough sketch map of a proposed subdivision or site showing streets, lots, and any other information required in Map Standards (Appendix 2), of sufficient accuracy to be used for discussion of the street system and the proposed development pattern.

PLANNED UNIT DEVELOPMENT. An area of land under unified ownership or control to be developed and improved as a single entity under a Unified Development Plan in accordance with and subject to the requirements of this Ordinance.

PLANNING DEPARTMENT. The Planning and (Community) Development Department of Guilford County.

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

PLAT, FINAL. The final map of all or a portion of a subdivision or site plan, showing the

boundaries and location of lots, streets, easements and any other requirements of os this Ordinance which is presented for local government approval and subsequent recordation in the Guilford County Register of Deeds Office.

PLAT, PRELIMINARY. A map indicating the proposed layout of the subdivision or site showing lots, streets, water, sewer, storm drainage and any other requirements of of this Ordinance, which is presented for preliminary approval.

PRINCIPAL BUILDING. A building in which is conducted the principal use of the zoning lot on which it is located or, in a group development, of the building site on which it is located. Any dwelling is considered a principal building unless it is an accessory dwelling as defined in this Article, a farm tenant dwelling, a residence for a pastor or a caretaker dwelling accessory to a nonresidential use (limited to one such residence per lot).

PUBLIC SEWER. A system which provides for the collection and treatment of sanitary sewage from more than one property and is owned and operated by a government organization or sanitary district.

PUBLIC WATER. A system which provides distribution of potable water from more than one property and is owned and operated by a government organization or sanitary district

RECREATIONAL VEHICLE. A vehicle which is built on a single chassis, designed to be self-propelled or permanently towable by a light duty vehicle, and designed primarily for use not as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

RECREATIONAL VEHICLE PARK. Any site or tract of land, of contiguous ownership, upon which fifteen (15) or more recreational vehicles or tent spaces are provided for occupancy according to the requirements set forth in this ordinance.

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

RECYCLING COLLECTION POINT. An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources.

RESERVATION. A obligation shown on a plat or site plan to keep property free from development and available for public acquisition for a stated period of time. It is not a dedication or conveyance.

RESTAURANT (SERVING MIXED ALCOHOLIC BEVERAGES). An establishment primarily engaged in the retail sale of prepared food and mixed alcoholic beverages (including liquor, beer, ale or wine) for on-premise or immediate consumption. Such establishments must: obtain an ABC

license for on-premise mixed beverage consumption; have more than fifty (50%) percent of the gross receipts result from the sale of prepared food on-premise; and have permanent on-premise beer or wine consumption only shall be classified as a bar for the purposes of the Ordinance.

SALVAGE YARD, AUTO PARTS. Any establishment listed in the Standard Industrial Classification manual under Industry Number 5015. Also, any land or area used, in whole or part, for the storage, keeping accumulation, dismantling, demolition, or abandonment of inoperable vehicles or parts therefrom.

SALVAGE YARD, SCRAP PROCESSING. Any establishment listed in the Standard Industrial Classification Manual under Industry Number 5093. Also, any land or area used, in whole or part, for the storage, keeping, accumulation of scrap or waste materials, including scrap metals, waste paper, rags, building materials, machinery, or other scrap materials.

SEATING CAPACITY. The actual seating capacity of an area based upon the number of seats or one seat per eighteen (18) inches of bench or pew length. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the NC Building Code.

SEDIMENT. Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.

SEDIMENTATION. The process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land-disturbing activity or into a lake or natural watercourse.

SETBACK. The minimum required horizontal distance between a structure or activity and the property line, street right-of-way line, or street centerline.

SETBACK, INTERIOR. A setback from any property line not alongside a street.

SETBACK, REAR. A setback from an interior property line lying on opposite side of the lot from the front street setback.

SETBACK, SIDE. Any interior property line setback other than a rear setback.

SETBACK, STREET. Any setback from a street, road or lane.

SETBACK, ZERO SIDE. An alternate form of dimensional requirements that allows a dwelling unit to have one side setback of zero (0) from a side property line. This definition does not include townhouses.

SHELTER, EMERGENCY (*Adopted December 10, 1996*) A facility providing, without charge, temporary sleeping accommodations, with or without meals, for individuals and/or families displaced from their residences as a result of sudden natural or man-made catastrophe including, but not limited to, earthquake, fire, flood, tornado, hurricane, or the release of hazardous or toxic

substance(s) into the environment. Such a natural or man made catastrophe must be designated by the responsible local, state, or federal official or an emergency agency such as the American Red Cross or the Emergency Management Assistance Agency.

**SIGN.** A sign is any words, lettering, parts of letters, pictures, figures, numerals, phrases, sentences, emblems, devices, design, trade names, or trade marks by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or product, which are visible from any public way and used to attract attention.

*(Def. adopted November 14, 2006)*

A) **Principal Sign:** *Principal sign indicates an independent role to the principal use or occupancy of the land. Billboards are a type of principal sign and are banned in the town of Whitsett.*

B) **Accessory Sign:** *Accessory sign indicates a subordinate role to the principal use or occupancy of the land. There can be a wide range of “accessory” signs, including wall signs, banners, and detached, free-standing signs. The use or underlying zoning district dictates the types and size of signs permitted.*

C) **Outparcel Sign:** *Outparcel sign is an accessory sign for a business that is separate from the main strip of connected commercial properties, (i.e. shopping center); the main connected properties normally have one large entrance sign displaying all the business names located in the connected group of commercial properties. For example-there may be Food Lion, CVS, and Subway connected to one another and across the parking lot is Bojangles- Bojangles’ sign would be an outparcel sign.*

D) **Indirect Illumination signs:** *Indirect illumination signs are signs that have spotlights aimed at the signboard message for illumination.*

E) **Direct Illumination signs:** *Direct illumination signs are signs that contain the light source inside the sign housing itself.*

**SIGN, FREE-STANDING:** A sign attached to, erected on, or supported by a structure whose primary function is to support a sign and which is not itself an integral part of a building or other structure and including signs attached to or painted on a motor vehicle if such motor vehicle is located on a site in such a way as to serve as a sign, as defined above.

**SIGN PROJECTING.** A sign attached to and supported by a building and extending beyond the building to which it is attached at a right angle.

**SIGN, WALL.** A sign attached to or painted on a wall of a building, with the exposed display surface of the sign in a plane parallel to the plane of the wall to which it is attached or painted, and including signs affixed to or otherwise displayed on or through a facade window.

A. **ANIMATED SIGN:** Any sign which flashes, revolves, rotates or swings by mechanical

means or which uses a change of lighting to depict action or to create a special effect or scene, *including electronic messages.*(Amended June 12, 2007)

B. BANNER: A temporary 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 edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

C. BILLBOARD: A freestanding sign designed for the display of information and/or advertising and erected as a principal use in accordance with the provisions of this Ordinance.

D. BUILDING MARKER: A sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

E. CANOPY SIGN: Any sign which is apart of or attached to an awning, canopy, or other fabric-like or plastic protective structure which is extended over a door, window, or entranceway. A marquee is not a canopy.

F. COMMERCIAL MESSAGE: Any sign, wording, logo, or other representation that directly or indirectly names, advertises, or calls attention to a business, product, service, or other commercial activity. This definition does not include company nameplates or logos on instructional signs.

G. DIRECTIONAL SIGN: Any sign with no commercial message that indicates the direction to churches, hospitals, colleges, and similar institutional uses.

H. ELECTRONIC CHANGEABLE COPY SIGN: A sign on which the copy changes automatically on a lampbank, such that the message or display does not run continuously in the travel mode and any display or message remains stationary for a minimum of one (1) second on streets where the speed limit is fifty-five (55)mph or greater, or two (2) seconds on streets where the speed limit is less than fifty-five (55) mph. Any sign on which the display or message runs continuously in the travel mode and/or on which the message or display does not meet the above time/speed limit requirement as shall be considered a flashing sign.

I. FLASHING SIGN: A type of animated sign which contains an intermittent, blinking, scintillating, or flashing light source, or which includes the illusion of intermittent or flashing light, or an externally mounted intermittent light source. An electronic changeable copy sign is not a flashing sign.

J. FREESTANDING SIGN: Any sign which is supported by structures or supports which are placed on, or anchored in the ground, and which structures or supports are independent from any building or other structure.

K. **GOVERNMENTAL SIGN:** Any sign erected by, or on behalf of, a governmental body to post a legal notice, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.

L. **IDENTIFICATION SIGN:** Any sign used to display: the name, address, logo, or other identifying symbol of the individual, family, business, institution, service, or organization occupying the premises; the profession of the occupant, the name of the building on which the sign is attached; or directory information in group development buildings with multiple tenants.

M. **INFORMATION BOARD:** Signs which display messages in which the copy may be arranged, or rearranged by hand.

N. **INSTRUCTIONAL SIGN:** Any sign with no commercial message that provides assistance with respect to the premises on which it is maintained, or for instruction, safety, convenience of the public such as "entrance", "exit", "one-way", "telephone", "parking", and similar information.

O. **MARQUEE:** Any permanent roof-like structure projecting beyond a building or extending beyond the wall of a building, generally designed and constructed to provide protection from the weather.

P. **MARQUEE SIGN:** Any sign attached in any way, or made part of a marquee.

Q. **NONCONFORMING SIGN:** Any sign which does not conform to size, height, location, design, construction, or other requirements of this Ordinance. The nonconformity may result from the adoption of this Ordinance, or any subsequent amendments.

R. **PENNANT:** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

S. **PLAYBILL:** Any sign announcing entertainment offered, or to be offered, at a business location on the site where the sign is displayed.

T. **PORTABLE SIGN:** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to signs; designed to be transported by means of wheels, converted to A-, or T-Frames; menu and sandwich boards, gas or hot air filled balloons, umbrellas used for advertising, signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business.

U. **PROJECTING SIGN:** Any sign which is end mounted, or otherwise attached to an exterior wall of a building, which forms an angle with said wall.

V. ROOF SIGN: Any sign erected and/or constructed wholly on or over the roof on a building, supported by the roofstructure, and extending vertically above the highest portion of the roof.

Y. SPECIAL PROMOTION: An advertising activity or circumstance of a business which is not part of its daily activities or normal routine and in which the display or sale of merchandise, wares, or other tangible items is the sole purpose for the promotion. Special promotions include grand openings or closeout sales but do not include reoccurring sales advertisements or other similar publicity.

Z. SUSPENDED SIGN: Any sign which is suspended from the underside of a horizontal plane surface and is supported by such surface.

AA. TEMPORARY SIGN: Any sign that is displayed for a limited period of time and is not permanently mounted.

AB. TEMPORARY EVENT: An activity sponsored by a governmental, charitable, civic, educational, religious, business, or trade organization which is infrequent in occurrence and limited in duration. Examples include arts and crafts shows, athletic events, community festivals, carnivals, fairs, circuses, concerts, conventions, exhibitions, trade shows, outdoor religious events and other similar activities.

AC. VEHICLE SIGN: Any sign on a vehicle which is parked in a location which is visible to the public and for a period of time which indicates that the principal use of the vehicle is for advertising rather than transport.

AD. WALL SIGN: Any sign attached parallel to, painted on the wall surface of, or erected and confined within the limits of the outside wall, mansard roof structure, penthouse, or parapet of any building or structure, which is supported by such wall, building, or structure, but does not extend vertically above the highest portion of the roof, and which displays only one sign surface.

AE. WARNING SIGN: Any sign with no commercial message that displays information pertinent to the safety or legal responsibilities of the public such as signs warning of high voltage, "no trespassing", and similar directives.

AF. WINDOW SIGN: Any sign, pictures, symbols, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, placed inside a window or upon the window panes or glass and which is visible from the exterior of the window.

SINGLE-FAMILY DETACHED DWELLING. A separate, detached building designed for and occupied exclusively by one (1) family.

SITE or TRACT. All contiguous land and bodies of water in one ownership, or contiguous property in diverse ownership graded or proposed for grading or development as a unit.

SITE SPECIFIC DEVELOPMENT PLAN. A plan of land development submitted to the appropriate approval authority for the purpose of obtaining one of the following zoning or land use permits or approvals pursuant to NCGS 160A-385.1:

- 1)a Special Use Permit;
- 2)a conditional use zoning sketch or site plan;
- 3)a Planned Development - Residential or Planned Development - Mixed unified development plan;
- 4)a preliminary plat for a major subdivision;
- 5)a major site plan;
- 6)a preliminary plat for a minor subdivision;
- 7)a plot plan;
- 8)a minor site plan;
- 9)a master or common sign plan;
- 10)a watershed control plan; or
- 11)a landscaping plan.

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

SOLID WASTE. Garbage, refuse and other discarded solid materials.

STORM DRAINAGE FACILITIES. The system of inlets, conduits, channels, ditches and appurtenances which serve to collect and convey stormwater through and from a given drainage area.

STORM, TEN (10)--YEAR. The surface runoff resulting from a rainfall of an intensity that has a ten (10) percent chance of being equaled or exceeded in any given year and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions. [Adopted 6/12/12; effective postponed to 8/10/14]

STORM, ONE-HUNDRED (100)-YEAR. The surface runoff resulting from a rainfall of an intensity that has a one (1) percent chance of being equaled or exceeded in any given year and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions. [Adopted 6/12/12; effective postponed to 8/10/14]

STORMWATER RUNOFF. The direct runoff of water resulting from precipitation in any form.

STORMWATER SYSTEM. All engineered stormwater controls owned or controlled by a person that drain to the same outfall, along with the conveyances between those controls. A system may be made up of one or more stormwater controls. [Adopted 6/12/12; effective postponed to

8/10/14]

STREAM. A water course that collects surface runoff.

STREAM BUFFER. A natural or vegetated area 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 width is measured landward from the normal pool elevation of impoundments and from the top of bank of each side of streams or rivers. (This definition applies only with respect to watershed protection regulations.) [Adopted 6/12/12; effective postponed to 8/10/14]

STREET, PRIVATE. A vehicular travelway not dedicated or offered for dedication as a public street but resembling a cul-de-sac or a local street by carrying traffic from a series of driveways to the public street system.

STREET, PRIVATE DRIVE. A vehicular travelway not dedicated or offered for dedication as a public street, providing access to parking lot(s) for two (2) or more principal buildings in a group housing or group nonresidential development.

STREET, PRIVATE LANE. A private cul-de-sac for vehicular traffic serving four or fewer residential lots in a minor subdivision and maintained pursuant to NCGS 136-102.6.

STREET, PUBLIC. A dedicated public right-of-way for vehicular traffic which (1) has been accepted by NCDOT for maintenance, or (2) is not yet accepted, but in which the roadway design and construction have been approved under public standards for vehicular traffic. Alleys are specifically excluded.

STREET, RIGHT-OF-WAY. A strip of land occupied or intended to be occupied by a travelway for vehicles and also available, with the consent of the appropriate governmental agency, for installation and maintenance of sidewalks, traffic control devices, traffic signs, street name signs, historical marker signs, water lines, sanitary sewer lines, storm sewer lines, gas lines, power lines, and communication lines.

STREET, SUBCOLLECTOR. A street whose principal function is to provide access to abutting properties but which is also designed to be used or is used to connect local streets with collector or higher classification streets.

STRUCTURE. Anything constructed, erected, or placed.

SUBDIVIDER. Any person who subdivides land.

SUBDIVISION. All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future and includes all division of land involving the dedication of a new street or a change in existing streets;

however, the following are not included within this definition and are not subject to any subdivision approval regulations in this Ordinance:

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

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

SUBDIVISION, MINOR (PRIVATE). A subdivision involving not more than four lots, all or some of which may have access on a private lane, and not requiring a waiver or variance from any requirement of this Ordinance.

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

SWIMMING POOL. A water-filled enclosure, permanently, constructed or portable, having a depth of more than eighteen (18) inches below the level the surrounding land, or an above-surface pool, having a depth of more than thirty (30) inches designed, used and maintained for swimming and bathing.

TEMPORARY BUILDING. Any building of an impermanent nature or which is designed for use for a limited time, including any tent or canopy.

TEMPORARY STRUCTURE. Any structure for an impermanent nature or which is designed for use for a limited time, including any tent or canopy.

THEATER, ADULT. An enclosed building or premises used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical areas.

THOROUGHFARE PLAN. A plan adopted by the governing body for the development of existing and proposed major streets that will adequately serve the future travel needs of an area in an efficient and cost effective manner.

TOURIST HOME (BED & BREAKFAST). *(Adopted October 13, 2003)* Tourist Home (Bed & Breakfast), a private residence in which accommodations are provided for lodging and may include meals for overnight guest for a fee. Length of stay not to exceed ten (10) consecutive days by same guest.

TOWNHOUSE DWELLING. Single family residences attached to one another in which each unit is located on an individually owned parcel, generally within a development containing drives, walks and open areas owned in common.

TOWNHOUSE LOT. A parcel of land intended as a unit for transfer of ownership and lying underneath, or underneath and around, a townhouse, patio home, or unit in nonresidential group development.

TRACT. All contiguous land and bodies of water in one ownership, or contiguous land and bodies of water in diverse ownership being developed as a unit, although not necessarily all at one time.

TREE, CANOPY. A species of tree which normally grows to a mature height of forty (40) feet or more with a minimum mature crown of thirty (30) feet.

TREE, UNDERSTORY. A species of tree which normally grows to a mature height of fifteen (15) to thirty-five (35) feet in height.

TWIN HOME DWELLING. A building consisting of two single-family units connected along a common party wall with no interior circulation between the two. Each dwelling unit occupies its own conventional lot and is conveyed by deed in fee simple.

TWO-FAMILY DWELLING. A building on one lot arranged and designed to be occupied by two (2) families living independently of each other.

UNPROTECTED AREA. Any ground surface area disturbed to such an extent that twenty (20) percent or more of the soil surface of any square is exposed to the physical forces of meteorological elements.

USE. The purpose or activity for which land or structures are designed, arranged or intended, or for which land or structures are occupied, or maintained.

USE, ACCESSORY(S). A structure or use that: 1) is clearly incidental to and customarily found in connection with a principal building or use; 2) is subordinate to and serves a principal building or a principal use; 3) is subordinate in area, extent, or purpose to the principal building use served; 4) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the

principal building or principal use served; and 5) is located on the same zone lot as the principal building or use served.

USE, MIXED. Occupancy of building or land by more than one use.

USE(S), PRINCIPAL. The primary purpose or function that a lot or structure serves or is proposed to serve.

UTILITY EASEMENT. An easement which grants to the Governing Body or other utility providers the right to install and thereafter maintain any and all utilities including, but not limited to, water lines, sewer lines, septic tank drain fields, storm sewer lines, electrical power lines, telephone lines, natural gas lines and community antenna television systems.

VARIANCE. Official permission from the Board of Adjustment to depart from the requirements of this ordinance.

WAIVER. Official permission from any designated body other than the Board of Adjustment to depart from the requirements of this Ordinance.

WALL, RETAINING. A structure, either masonry, metal, or treated wood, designed to prevent the lateral displacement of soil, rock, fill or other similar material.

WASTE. Surplus materials resulting from on-site construction and disposed of at other locations.

WATERSHED CRITICAL AREA. That portion of the watershed extending outward one-half mile from the normal pool elevation of a water supply reservoir.

WATERSHED, WATER SUPPLY. The entire area contributing drainage to a public water supply.

WET DETENTION POND. A pond that has a permanent pool and also collects stormwater runoff, filters the water and releases it slowly over a period of days.

WORKING DAYS. Days exclusive of Saturday and Sunday during which weather conditions or soil conditions permit land-disturbing activity to be undertaken.

ZONING DISTRICTS. An area defined by this Ordinance and delineated on the Official Zoning Maps in which the requirements for the use of land and building and development standards are prescribed.

ZONING VESTED RIGHT. A right pursuant to NCGS 160A-385.1 to undertake and complete the development and use of property under the terms and conditions of an approved site development plan.