

# 17

## DEFINITIONS & ACRONYMS

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# CHAPTER 17 DEFINITIONS & ACRONYMS<sup>1</sup>

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## 17.1 ACRONYMS<sup>2</sup>

### (A, B, C)

**BMP:** Best Management Practice

**BUA:** Built-upon area

### (D, E, F)

**DBH:** Diameter at breast height

**FAA:** Federal Aviation Administration

**FC:** Footcandle

**FCC:** Federal Communications Commission

### (G, H, I)

**GFA:** Gross floor area

**HID:** High intensity discharge lighting

**IESNA:** Illuminating Engineering Society of North America

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<sup>1</sup> This Chapter is a working draft that will continue to be updated throughout the UDO drafting process. It tracks changes and additions to current definitions in the County's zoning- and development-related ordinances.

<sup>2</sup> This new section defines acronyms used in the UDO.

## (J, K, L)

**LID:** Low Impact Development

## (M, N, O)

**NCDEQ:** North Carolina Department of Environmental Quality

**N.C.G.S:** North Carolina General Statutes

**NPDES:** National Pollutant Discharge Elimination System Permit

**NTS:** Not to scale

## (P, Q, R)

**PUD:** Planned unit development

**RV:** Recreational vehicle

## (S, T, U)

**SCM:** Stormwater control measure

**SES:** Solar energy system

**SWCC:** Soil & Water Conservation Commission

**UDO:** Unified Development Ordinance

## (V, W, X, Y, Z)

## 17.2 DEFINITIONS<sup>3</sup>

For the purpose of this Ordinance, certain words and terms used are defined as herein indicated. Words and terms used in this Ordinance have their commonly accepted, dictionary meaning unless specifically defined in this Chapter or the context in which they are used in this UDO clearly indicates otherwise.

### (1, 2, 3, 4, 5...)

**1-year, 24-hour storm:** The surface runoff resulting from a rainfall lasting 24 hours of an intensity expected to be equaled or exceeded on the average of once in 1 year, and of a duration ~~which~~that will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions. [CCO]

**401 Certification:** The state certification required pursuant to Section 401 of the Clean Water Act (33 U.S.C. 1341) that the proposed activity for which an applicant is seeking a federal permit or approval will not degrade Waters of the State or otherwise violate water quality standards (See 15A North Carolina Administrative Code 2H.0500).

**404 Permit:** A federal permit required pursuant to Section 404 of the Clean Water Act before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g. certain farming and forestry activities).

### (A)

**Access Trails:** Pedestrian trails constructed of pervious or impervious surfaces and related structures to access a surface water, including boardwalks, steps, rails, and signage. [WPO]

**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 Unit:** (i.e. guest house, pool house, garage apartment, in-house apartment): An accessory dwelling unit that is smaller than the principal residential~~

<sup>3</sup> This Section carries forward, consolidates, revises, and adds definitions for terms and phrases used in the UDO. It includes current code sections: ZO Sections 7: *Definitions*, 13.2: *Illuminating Engineering Society of North America (IESNA) Cutoff Classifications (Lighting)*, 13.3 *Definitions (Lighting)*, and 15.1 *Definitions (Signs)*; CCO Section 13: *Definition of Terms*; and SR Sections 2.1: *Meaning of Words Generally* and 2.3: *Meaning of Specific Words and Terms*. This Chapter shows changes to current definitions.

~~dwelling. The accessory dwelling unit is situated on the same lot as the principal residence and may be located within the principal residence or in a separate building with a separate access. The accessory dwelling unit is restricted to 1,500 square feet of heated living space. The use is to conform to the character of the existing structures and neighborhood, i.e. mobile homes are not allowed as an accessory dwelling unit on lots smaller than 80,000 square feet. [ZO, SR]~~

**Accessory Dwelling Unit:** A second dwelling unit, such as a garage apartment, that is located on the same parcel as the main dwelling unit. [CCO] An accessory dwelling unit is 1,500 square feet or less in heated living space, and may be located within the principal dwelling or in a separate building.

**Accessory Structure:** A detached subordinate structure, the use of which is incidental to that of the principal structure and located on the same lot therewith.

**Accessory Use:** Any use ~~which~~that is clearly incidental, secondary, and/or supportive of a principal use.

~~**Accessory Use Sign:** Any sign ~~which~~that is located on the same premises with a principal permitted use and ~~which~~that are clearly incidental, secondary and/or supportive of the principal use.~~

**Adjacent:** Having a common border such as a lot line or street right-of-way.

**Administrative Decision:** Decisions made in the implementation, administration or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in this ordinance.

**Adult Arcade:** Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of Specified Sexual Activities or Specified Anatomical Areas.

**Adult Cabaret:** A business operating in a building or portion of a building regularly featuring dancing or other live entertainment if the dancing or entertainment that constitutes the primary live entertainment is distinguished or characterized by an emphasis on the exhibiting of specified sexual activities or specified anatomical areas for observation by patrons therein.

**Adult Escort:** A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person for the purpose of participating in, engaging in, providing, or facilitating Specified Sexual Activities.

**Adult Escort Agency:** A person or business that furnishes, offers to furnish, or advertises to furnish adult escorts as one of its business purposes for a fee, tip, or other consideration.

**Adult Media Store:** A business: (a) Which receives a majority of its gross income during any calendar month from the sale or rental of publications (including books, magazines, other periodicals, videotapes, compact discs, other photographic, electronic, magnetic, digital, or other imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas, as defined in this article; or (b) Having as a preponderance (either in terms of the weight and importance of the material or in terms of greater volume of materials) of its publications (including books, magazines, other periodicals, videotapes, compact discs, other photographic, electronic, magnetic, digital, or other imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas.

**Adult Merchandise:** Any product dealing in or with explicitly sexual material as characterized by matter depicting, describing, or relating to Specified Sexual activities or Specified Anatomical Areas.

**Adult Mini Motion Picture Theater:** An enclosed building with viewing booths designed to hold patrons which is used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. A booth shall not mean a theater, movie house, playhouse, or a room or enclosure or portion thereof that contains more than 600 square feet.

**Adult Motel:** A hotel, motel, or similar commercial establishment that offers accommodation to the public for any form of consideration and: (a) Provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of Specified Sexual Activities or Specified Anatomical Areas; and has a sign visible from the public rights-of-way that advertises the availability of this adult type of photographic reproductions; or (b) Offers a sleeping room for rent for a period of time that is less than six hours; or (c) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than twelve hours.

**Adult Motion Picture Theater:** A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides, or similar photographic reproductions are regularly shown as one of its principal business purposes that depict or describe specified sexual activities and/or specified anatomical areas.

**Adult Patron:** Any person who is physically present on the premises of a sexually oriented business and who is not an owner, employee, agent, subcontractor, or independent contractor of said business, or any entertainer or performer at said business.

**Adult Theater:** A theater, concert hall, auditorium, or similar commercial establishment ~~which that~~ regularly features, exhibits, or displays as one of its principal business purposes, persons who appear in a state of nudity or semi-nudity, or live performances that expose or depict specified anatomical areas and/or specified sexual activities.

**Affordable:** Meeting the definition for “affordable housing, ownership” and/or “affordable housing, rental” provided in this Ordinance. [CCO]

**Affordable Housing:** A commonly accepted standard for affordability is that a household's monthly housing costs should not exceed 30 percent of its monthly net household income. Housing is usually considered "affordable" if it would meet this 30 percent standard for families considered "low-income," meaning they earn below 80 percent of the area median income (AMI). For example, the Raleigh-Durham-Chapel Hill MSA 2001 AMI is \$66,100; under this case  $\$66,100 \times .80 = \$52,880$   $\times .30 = \$15,864 / 12$  (months) = \$1,322 per month for housing cost. [SR]

**Affordable Housing, Ownership:** Housing that can be purchased by a household with an income no greater than sixty percent (60%) of the current HUD Area Median Family Income by family size, paying no more than thirty percent (30%) of its gross household income towards housing costs, including mortgage principle, mortgage interest, property taxes, and homeowners insurance. [CCO]

**Affordable Housing, Rental:** Housing that can be rented by a household with an income no greater than forty percent (40%) of the current HUD Area Median Family Income by family size, paying no more than thirty percent (30%) of its gross household income for rent and any required housing fees. [CCO]

**Agricultural:** See [Agriculture](#).

**Agricultural Processing, Storage, and/or Support Services:** [Establishments employed by the agriculture and forestry industries that perform activities associated with the processing, storage, production, and distribution of forest and agricultural products. Use examples include abattoirs; establishments where crops are cleaned, shelled, fumigated, cured, sorted, packed, cooled, or stored; distribution hubs for locally and regionally-produced food; and establishments that perform crop-related services, such as dusting, spraying, plowing, fertilizing, seed bed preparation, planting, and cultivating.](#)



**Agriculture:** For purposes of this Ordinance the terms "agriculture," "agricultural," and "farming" refer to all of the following:<sup>4</sup>

- A. The cultivation of soil for production and harvesting of crops including, but not limited to, fruits, vegetables, sod, flowers, and ornamental plants;
- B. The planting and production of trees and timber;
- C. Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing;
- D. Aquaculture as defined in [N.C.G.S. § 106-758](#);
- E. [The operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation;](#)
- F. [A public or private grain warehouse or warehouse operation where grain is held 10 days or longer and includes, but is not limited to, all buildings, elevators, equipment, and warehouses consisting of one or more warehouse sections and considered a single delivery point with the capability to receive, load out, weigh, dry, and store grain; and](#)
- G. When performed on the farm, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on a farm, and similar activities incident to the operation of a farm.

**Agricultural Areas:** [A type of open space in which a tract of land is used for agriculture and is permanently protected for agricultural use by homeowners association ownership, deed restriction, or agricultural conservation easement. Examples include agricultural conservation areas required by \[Section 5.4.3: Agricultural Subdivisions\]\(#\). Agricultural areas may contain agricultural structures, such as barns and sheds, and multi-use paths to accommodate pedestrians, bicyclists, and equestrians.](#)

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<sup>4</sup> This definition is revised to reflect the current definition of "agriculture" in N.C.G.S. [§ 106-581.1](#): *Agriculture defined*.

**Agritourism:** Any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.<sup>5</sup>

**Aircraft:** A device that is used or intended to be used for flight in the air.<sup>6</sup>

**Airport:** An area of land or water used or intended to be used for the landing and takeoff of aircraft and includes its buildings and facilities, if any.<sup>7</sup>

**Airport Facilities.** For purposes of Chapter 9 of this Ordinance only, this term as defined at 15A NCAC 02B .0610(1).<sup>8</sup>

**Airport, Private-Use:** An airport available for use by the owner only or by the owner and other persons authorized by the owner.<sup>9</sup> For the purposes of this definition, *airport* includes heliports, helistops, vertiports, gliderports, ultralight flightparks, manned balloon launching facilities, or other aircraft landing or takeoff areas.<sup>10</sup>

**Alley:** A strip of land, publicly or privately owned, set aside primarily for vehicular service access to the back or side of properties otherwise abutting a street. [SR]

**Alley:** A narrow access way along the rear property line of parcels that provides vehicle access and allows for services such as garbage collection, but that is not intended for general traffic circulation. [CCO]

**Amusements, Indoor:** A use classification for facilities offering sports, recreation, and entertainment activities that primarily occur inside a building, including game arcades, billiard halls, bowling centers, skating rinks, fitness and recreational sports centers, and fitness and dance studios. Such facilities may also engage in retail sales

<sup>5</sup> This definition is from N.C.G.S. § 160D-903(a). It appears in current ZO Section 3: *Bona Fide Farm Exempt* and is carried forward here instead. Note the statutory definition includes “hunting, fishing, [and] equestrian activities,” which are not included in current ZO Section 3.

<sup>6</sup> This definition is from 14 CFR Part 1: *Definitions and Abbreviations*.

<sup>7</sup> This definition is from FAA Advisory Circular 150/5300-19.

<sup>8</sup> This replaces the definition in the WPO, which applies only for riparian buffer permitting purposes. Because it is a lengthy definition and is of limited applicability, the definition in the WPO has been replaced with a reference to the updated definition in the NC Administrative Code.

<sup>9</sup> This definition is from 14 CFR Part 157: *Notice of Construction, Alteration, Activation, and Deactivation*.

<sup>10</sup> The second sentence in this definition is from 14 CFR Part 157: *Notice of Construction, Alteration, Activation, and Deactivation*.

of specialty products and services and provide ancillary indoor activities such as restaurants, concessions, and locker rooms. Indoor amusements do not include indoor shooting ranges.

**Amusements, Outdoor:** A use classification for establishments that operate facilities offering sports, recreation, and entertainment activities that primarily occur outside a building, including tennis courts, basketball courts, swimming pools, miniature golf courses, zip line facilities, skate parks, frisbee golf courses, water parks, velodromes, batting cages, and climbing wall facilities. Such facilities may also engage in retail sales of specialty products and services and provide ancillary indoor activities such as restaurants, concessions, and locker rooms.

**Animal Husbandry, Specialized:** The use of land for the raising and keeping of animals, fowl, reptiles, etc. which that are not general livestock or poultry and not classified as a bona fide farm. Specialized animal husbandry farming includes but is not limited to the following: fur-bearing animal farms, game bird farming and animal farms, wild animal farms, aviaries, snake, alligator and frog farms, laboratory animal farms, worm farms, and fish farms.

**Animal Unit:** A unit of measurement developed by the U.S. Environmental Protection Agency that is used to compare different types of animal operations.

**Apartment:** A dwelling unit located in a multi-family dwelling or in a mixed use building.

**Apartment Buildings:** A building containing three (3) or more residential dwelling units that are not on their own individual lot. Such units may be leased separately or developed as condominiums. Same as Multi-Family Dwelling.

**Apartment Complex:** A grouping of two or more apartment buildings multi-family dwellings.

**Appearance Commission:** An advisory commission appointed by the Board of Commissioners. [See 13.1.3: Appearance Commission]

**Applicant:** The owner of land proposed to be subdivided or his/her representative. Consent shall be required from the legal owner of the premises prior to the Board of Commissioners or staff granting final approval of a subdivision plat. See also **Subdivider**.

**Architect:** A person certified and currently licensed to practice architecture in North Carolina. This includes landscape architects.

**Area Median Family Income:** The average family income for different family sizes in an area as published annually by the U.S. Department of Housing and Urban Development.

**Artisan Workshop:** An establishment where articles of artistic quality or effect or handmade workmanship are produced. Examples include candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and other similar activities.

**Attached Sign:** An attached sign is an on-premises sign that is permanently affixed to a building or structure. Types of attached signs include wall signs, projecting signs, awning and canopy signs, window signs, and freestanding canopy signs. Any sign attached to, painted on the wall surface of, or erected and confined within the limits of the outside wall of any building or structure, which is supported by such wall or building.

**Auto Wrecking:** A commercial activity that provides open storage, disassembling, or salvaging for more than two junked motor vehicles.

**Automobile Graveyard:** Any tract of land, establishment, or place of business ~~and which that~~ is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts for profit. ~~and shall~~ An automobile graveyard includes any tract of land, establishment, or place of business upon which more than six motor vehicles which that cannot be operated under their own power, and that are not actively being restored to operable condition, and which are kept or stored for profit for a period of 90 days or more.<sup>11</sup>

**Automobile Service Station:** A commercial establishment that provides one or more types of maintenance services for motor vehicles. This definition includes facilities offering tune-ups or minor repairs, tire service, manual or automatic washing facilities, and similar services.<sup>12</sup> This definition does not include gas stations.

**Avocational Farming:** ~~The use of land for those activities which constitute farming, but does not meet the definition of a bona fide farm.~~

**Awning:** A structure made of cloth, metal, or other material affixed to a building in such a manner that it shades windows or doors below, but is not a constructed canopy.

<sup>11</sup> This definition is carried forward from the Junk Yard Control Ordinance. Note N.C.G.S. [§ 136-143\(1\)](#) specifies 15 days, rather than 90. This timeframe may be updated to align with the statute.

<sup>12</sup> These use examples are from ZO Section 10.13, Table 1: *Zoning Table of Permitted Uses*.

**(B)**

**Backlight:** For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.<sup>13</sup>

**Bank or Financial Institution:** An establishment that provides commercial banking, investment banking, consumer lending, credit, or similar financial services to an individual or business.

**Bankfull Discharge.** The flow of water which fills a stable alluvial channel to the elevation of the active floodplain. This discharge is morphologically significant because it identifies the bankfull elevation. On average, bankfull discharge occurs every 1.5 years in frequency. [WPO\

**Bankfull Elevation.** The elevation where flooding occurs on an active floodplain. This elevation may or may not be the top of bank. [WPO]

**Banner Sign:** A sign of lightweight fabric or similar material which is attached to a pole or a building, structure ~~and/or~~ vehicle by any means. ~~National, state or municipal flags shall~~ Flags are not ~~be~~ considered banners.

**Bed and Breakfast Home:** ~~Owner-occupied bed and breakfast homes with no more than two (2) rooms (units) for rent for stays no longer than seven (7) consecutive days and may be located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard setbacks as set in the district in which it is located.~~ A business located in a private, owner-occupied home that offers overnight guest accommodations and serves one or more meals only to overnight guests of the home.<sup>14</sup>

**Bed and Breakfast Inn:** ~~Small, owner-operated businesses where the owner usually lives on premises, but is not required to do so. The building's primary usage is for lodging of overnight guests and meals served in conjunction with the stay of guests. A business that offers overnight guest accommodations and serves one or more meals only to overnight guests.~~ Inns advertise, have business licenses, comply with government ordinances, pay all appropriate taxes, ~~and~~ and meet ~~The inn may host events such as weddings, small business meetings, et cetera, with~~

<sup>13</sup> This new definition is from the Joint International Dark-Sky Association – Illuminating Engineering Society Model Lighting Ordinance (MLO).

<sup>14</sup> This definition is revised to generally align with the definition in N.C.G.S. § 130A-247 (Part 6. *Regulation of Food and Lodging Facilities*). The other standards are carried forward in Chapter 4: *Use Regulations*.

~~up to 8 overnight rooms for rent to overnight guests, provided all other applicable local and state requirements are met.~~<sup>15</sup>

**Beneficial Fill:** A fill activity to level or bring an area to grade for the beneficial purpose of stabilizing the land or improving the land use potential using only inert debris waste.<sup>16</sup>

**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.

**Bicycle Pathways:** Bike lanes, paths, and trails that provide a safe and accessible place for people to bike throughout the neighborhood.

**Block:** A tract of land bounded by visible physical boundaries such as streets, public parks, cemeteries, railroad rights-of-ways, shorelines of waterways, or boundary lines of municipalities.

~~**Board:** The Chatham County Planning Board.~~

**Board of Adjustment:** The Chatham County Board of Adjustment, which is the board appointed by the Board of Commissioners in accordance with N.C.G.S. § 160D-302: Boards of adjustment. [See 13.1.2: Board of Adjustment]

**Board of Commissioners:** The Chatham County Board of Commissioners.

**Board of Commissioners Chair or Chairperson:** The person elected by the Chatham County Board of Commissioners to lead the Board or their designee.

~~**Bona Fide Farm:** The use of land for bona fide farm purposes. agriculture as defined in Section 3 of this Ordinance. [ZO]~~

~~**Bona Fide Farm:** The use of land for farming meeting one of the following criteria: 1) composing two or more acres on one or more tracts owned or leased by the bona fide farm unit; 2) average annual sales of one thousand dollars (\$1,000) or more for the preceding three (3) years; or a minimum of ten (10) acres of forest land for which a management plan has been prepared; or 3) having a farm land use exemption from the County Tax Supervisor. [CCO]~~

<sup>15</sup> This definition is revised to generally align with the definition in N.C.G.S. § 130A-247 (Part 6. *Regulation of Food and Lodging Facilities*). The other standards are carried forward in Chapter 4: *Use Regulations*.

<sup>16</sup> This definition is from 15A NCAC 13B .0562.

**Bona Fide Farm ~~Activities~~Purposes<sup>17</sup>:** Any activity including the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture real products as defined in N.C.G.S. § 106-581.1 ~~having a domestic or foreign market, except as provided in N.C.G.S. § 106-743.4 for farms that are subject to a conservation agreement under N.C.G.S. § 106-743.2. Activities incident to the farm include existing or new residences constructed to the applicable residential building code situated on the farm occupied by the owner, lessee, or operator of the farm and other buildings or structures sheltering or supporting the farm use and operation. For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:~~

~~A farm sales tax exemption certificate issued by the Department of Revenue;~~

~~A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to N.C.G.S. § 105-277.3;~~

~~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;~~

~~A forest management plan;~~

~~A Farm Identification Number issued by the United States Department of Agriculture Farm Service Agency.~~

**Bond:** Any form of security, including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Planning Department.

**Brewery:** An establishment that commercially produces less than 6,000,000 barrels<sup>18</sup> of malt beverages, as defined in N.C.G.S § 18B-101(9), per year. Such facilities include all aspects of production and may include administrative offices and a tap room. A brewery may be established in conjunction with a restaurant. A brewery that produces more than 6,000,000 barrels per year is considered "Beverage Manufacturing" (NAICS 312), which is categorized as a **Light Industrial Use**.

<sup>17</sup> This definition is revised to align with N.C.G.S. § 160D-903(a). The four types of evidence considered sufficient to establish that a property is being used for bona fide farm purposes are addressed in [Section 1.4: Applicability](#). Note the list of evidence now excludes "farm identification number," which was removed from the statute in 2017.

<sup>18</sup> This figure is derived from the Brewers Association definition of the craft beer industry market segments "microbrewery" and "regional brewery."

**Buffer:** An area of natural or planted vegetation measured landward from the normal pool elevation of impounded structures, the bank of each side of streams, the right of way of streets or boundary lines. See also “riparian buffer.”

**Building:** Any structure ~~having a roof supported by walls or columns constructed,~~ used or intended for supporting or sheltering any use or occupancy.<sup>19</sup> ~~[ZO]~~

~~**Building:** Any structure having a roof supported by columns or by walls, and intended for shelter, housing or enclosure of persons, animals, property, commercial, and/or civic activities. The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, makes them one building. [CCO]~~

~~**Building:** Any structure having a roof supported by columns or by walls, and intended for shelter, housing or enclosure of persons, animals or property. The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building. [WPO]~~

~~**Building:** Any structure having a roof supported by walls or columns constructed or used for residence, business, industry or other public or private purposes. [SR]~~

**Building Code:** The North Carolina State Building Code as adopted by the North Carolina Building Code Council.

**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 features. [ZO]

**Building Setback Line:** A line in the interior of a lot which is generally parallel to, and a specified distance from, the street right-of-way line or other lines; which creates a space between such lines in which no building shall be placed. [SR]

**Build Out:** The point at which all allowable residential, commercial, and civic structures in the community have been built and certified for occupancy. [CCO]

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<sup>19</sup> N.C.G.S. § 160D-706(b) prohibits a local government from using a definition of *building* that differs from the definition of the term “in another statute or rule adopted by a State agency, including the Building Code Council or Residential Code Council.” This definition is from the North Carolina Building Code.



**Built-Up Area:** ~~Built-up areas shall include that portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel roads, recreation facilities (e.g. tennis courts), etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.) [CCO, WPO] Built-up area means impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. "Built-up area" does not include a slatted deck; the water area of a swimming pool; a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric; a trail as defined in G.S. 113A-85 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 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 (except as exempted by State law).<sup>20</sup>~~

**Business and Facilities Support Services:** Establishments offering specialized sales and support services used in the conduct of commerce. These services may include employment services, copying and printing services, advertising and mailing services, building maintenance services, management and consulting services, protective services, equipment rental and leasing, and sales and service of office equipment and supplies.

## (C)

**Campground:** See Recreation Camps & Grounds.

~~**Candela:** A measure of luminous or light intensity in a certain direction. Useful in determining how much light is shining out of a fixture and in what direction.~~

**Candela per Square Meter:** A unit for measurement of luminous intensity (candelas) per unit area for signs, expressed in SI units as cd/m<sup>2</sup>, and in English units as foot lamberts. Sometimes also expressed as "nits", a colloquial reference to SI units. It can be measured by means of a luminance meter.

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<sup>20</sup> This definition is from the 2023 WSWP Model Ordinance and is consistent with N.C.G.S. § 143.214.7 (b2).

**Canopy:** A permanent structure, not enclosed and not retractable, attached or unattached to a building, for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall.

**Cemetery:** [Land used for the interment of human or animal remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof.<sup>21</sup> This definition excludes family cemeteries located on private lots, which are not regulated by this UDO.](#)

**Certificate of Occupancy:** A document issued by the **Chatham County Building Inspector** certifying compliance with all applicable state and local laws and authorizing occupancy of a building or structure.

**Chair or Chairperson of the Board of Commissioners:** [See Board of Commissioners Chair or Chairperson.](#)

**Channel.** A natural water-carrying trough eroded vertically into low areas of the land surface by erosive action of concentrated flowing water or a ditch or canal excavated for the flow of water. [WPO]

**Chatham County Code:** [The Code of Chatham County, North Carolina. This Unified Development Ordinance is separate and distinct from the Chatham County Code.](#)

**Child Care Center:** [An arrangement where, at any one time, three or more preschool-age children or nine or more school-age children receive child care. This does not include arrangements classified as a \*\*Family Child Care Home\*\*.<sup>22</sup>](#)

**Child Care Center Located in a Residence:** [A child care center located in a dwelling unit that is licensed to provide care for up to 12 children when any child present is of preschool age or up to 15 children when all children are school-age.<sup>23</sup>](#)

**Churches:** See **Place of Worship**.

**Civic-Commercial Component:** An area of concentrated activity that includes different uses such as living, working, learning, playing, shopping, and eating. [CCO]

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<sup>21</sup> This definition is from the Carroll County, MD, Zoning Regulations ([§158.002](#)) and is consistent with the definition in the [North Carolina Cemetery Act](#).

<sup>22</sup> [This definition is from 10A NCAC 09 .0102 \(Child Care Rules\).](#)

<sup>23</sup> [This definition is derived from the North Carolina Department of Health and Human Services Division of Child Development and Early Education handout "Child Care Centers: Basic Information for Potential Providers."](#)

**Civic Use:** A place for public use or gatherings. Examples include public open spaces such as parks and plazas, as well as schools, libraries, community centers, and athletic facilities. [CCO]

**Cluster Development:** The grouping of buildings in order to conserve land and provide for innovation in the design of the project. This term includes non-residential development as well as single-family residential subdivisions and multi-family developments that do not involve the subdivision of land. “Planned Residential Developments,” as provided for under the Chatham County Zoning Ordinance and “Planned Unit Developments,” as provided for under the Chatham County Subdivision Regulations, shall each be deemed to be Cluster Development under this Chatham County Watershed Protection Ordinance. [WPO]

**Coliving Dwelling Unit:** [A portion of a building containing private living spaces and shared common areas such as a kitchen, laundry room, and lounge area. Each private living space includes a bedroom, but may or may not include a private bathroom. Private living spaces do not include cooking facilities. A coliving dwelling unit contains a maximum of six private living spaces. Typically, private living spaces within a coliving dwelling unit are leased on an individual basis. A coliving dwelling unit is located in a multi-family dwelling or in a mixed use building.](#)

**Commercial Area:** Any area where the primary use involves an occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

**Commercial Design Guidelines:** The Chatham County Commercial Design Guidelines and Section 12 of this Ordinance.

**Commercial Kitchen, Caterer, & Banquet Services:** [Kitchen facilities for the preparation or catering of food to be served off-site and ancillary offices and other support facilities. This definition includes ghost kitchens, commissary kitchens, and delivery-only restaurants.](#)

**Common Area:** All areas, including private streets, conveyed to an owners' association in a townhouse development, residential development, or owned on a proportional undivided basis in a condominium.

**Common Plan of Development:** A group of two or more buildings constructed, planned, and developed with a unified design including coordinated parking and service areas, and may include associated out parcels. Shopping centers are examples of common plans of development.

**Communications & Information:** [A use classification for establishments that produce or distribute information, including publishing, motion picture and sound](#)

[recording, broadcasting, media streaming and distribution services, and information services industries.](#)

**Community Garden:** A community garden is any piece of land where plants are grown and maintained by a group of individuals from the community. Community gardens may produce food for individual consumption or for sale, may be designed for beautification of the community, and may be used for educational purposes. (from Public Health Law Center "Community Garden Policy Reference Guide"). [SR 7.7 Conservation Subdivision]

**Community Garden:** [A non-commercial private or public facility for the cultivation of fruits, flowers, vegetables, ornamental plants, honey, and/or eggs by more than one person or family. Community gardens may not be used to raise or keep livestock or domesticated animals, except for honey bees, chickens \(excluding roosters\), and ducks.](#)

**Community Water System:** A private water company formed by a developer to serve a new subdivision.

**Community Sewage System:** A private sewer system including collection and treatment facilities established by a developer to serve a new subdivision.

**Compact Community:** A compact residential development with a mixed commercial use village center with a special use permit required as a prerequisite to any use or development. [ZO, WPO]

**Compact Community:** A compact development with a mixed-use village center that is approved by the Chatham County Board of Commissioners as meeting the conditions specified in this ordinance. [CCO]

**Composting Facility.** [For purposes of Chapter 9 of this Ordinance only, a facility in which only stumps, limbs, leaves, grass and untreated wood collected from land clearing or landscaping operations is deposited. \[WPO\]](#)

**Comprehensive Plan.** [One or more documents adopted by the Chatham County Board of Commissioners in accordance with N.C.G.S. § 160D-501: Plans to set forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of Chatham County.](#)

**Concealed Wireless Facility:** Any tower, ancillary structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. There are two (2) types of concealed facilities: 1) Antenna Attachments, including painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or

proposed building or structure and 2) Freestanding. Freestanding concealed tower's usually have a secondary, obvious function which may include church steeple, bell tower, clock tower, light standard, flagpole, or tree.

**Concept Plan:** The initial map and supporting documentation submitted by a subdivision applicant for use by County staff, other agencies, and the public. This map will show general concepts and layout of streets, lots, open space, environmental constraints, and major easements for utilities or other associated common use such as drainage or pedestrian access. The Concept Plan is less detailed than the First Plat, which follows sequentially in the subdivision process.

**Conditional Use Permit:** See definition for *Special Use Permit*.

**Conditional Use District:** A zoning district requested by the property owner in which all uses are considered a special use. [CCO]

**Conditional Zoning District:** A zoning district in which the development and the use of the property included in the district is subject to the predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to the particular property. [ZO]

**Condominium:** A form of property ownership whereby the owner gains ownership of an interior space within a building. The building structure, the land under the building, and all of the surrounding land is commonly owned by all the inhabitants on a proportional basis.

**Congregate Care Facility:** A facility providing shelter and services for ambulatory individuals at least 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.

**Conservation Development:** A net density approach where lot sizes are reduced and the land that is saved through such reductions is preserved as open space on separate lots owned and maintained through a homeowner's association, a nonprofit land conservancy or unit of State or local government.

**Conservation Easement:** A legal agreement between a landowner and a qualified conservation overseer such as a land trust or government agency that permanently limits a property's use in order to protect its natural, agricultural, and/or historic features.

**Construction Plan:** This map is similar to the First Plat, but will be more refined and detailed in certain cases where outside agency permits required minor changes. This plan will be submitted with outside agency permits issued.

**Continuing Care Retirement Community:** A facility in which a provider provides continuing care to an individual. "Continuing care" is the furnishing to an individual other than an individual related by blood, marriage, or adoption to the person furnishing the care, of lodging together with nursing services, medical services, or other health related services, under a contract approved by the Department of Insurance of North Carolina in accordance with N.C.G.S. Chapter 58, Article 64: Continuing Care Retirement Communities effective for the life of the individual or for a period longer than one year.<sup>24</sup>

**Convalescent Home:** See **Nursing Home**.

**Convenience Store:** A small retail establishment that typically sells a limited range of prepackaged food and beverage items, household goods, and personal care items to customers who generally purchase only a few items at a time.

**County:** Chatham County, North Carolina or the governing body of.

**Corner Lot:** A lot abutting two or more streets at their intersection. The front of the lot shall be the portion on the highest order road, or when road types are equal, the length with the most frontage. Where there are equal frontage portions the owner shall designate the front.

**Corner Store:** A small retail or service business located on a corner lot at the street level.

**Cottage Court:** A type of residential development comprised of a group of small, cottage dwellings arranged around a shared courtyard that is visible from the street.

**Cottage Dwelling:** A detached house dwelling located in a cottage court.

**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 ~~at 15A NCAC 02B .0202 as extending either one mile from the normal pool elevation of the reservoir in which the intake is located 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). Local governments may extend the critical area as needed. Major landmarks such as highways or property~~

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<sup>24</sup> This definition is derived from N.C.G.S. § 58-64-1(1) and (3).

lines may be used to delineate the outer boundary of the critical area if these landmarks are immediately adjacent to the appropriate outer boundary of one mile.<sup>25</sup>

**CU-CC Conditional Use – Compact Community:** A compact residential development with a mixed commercial use village center with a conditional use permit required as a prerequisite to any use or development, as provided in the Compact Communities Ordinance.

**Cul-de-sac:** A street with only one end open to traffic and the other end being permanently terminated and a vehicular turn-around provided for the safe and convenient reversal of traffic movement. Length is measured from the center point of the turn-around to the center line of the connecting non-cul-de-sac street.

## (D)

**Data Processing, Web Hosting, & Related Services:** This use classification comprises establishments primarily engaged in providing computing infrastructure, data processing services, Web hosting services (except software publishing), and related services, including streaming support services (except streaming distribution services). Data processing establishments provide complete processing and specialized reports from data supplied by clients or provide automated data processing and data entry services. Examples include application hosting, cloud storage services, computer data storage services, computing platform infrastructure provision, infrastructure as a service (IaaS), optical scanning services, platform as a service (PaaS), video and audio technical streaming support services, and web hosting.<sup>26</sup>

**Day Care Center:** A facility that provides custodial care to people not related to the operator, whether for compensation, reward, or otherwise, during part of any 24-hour period; that does not include residential continuous care; and that is certified or licensed by the North Carolina Department of Health & Human Services.

**Dead-End Street:** A local access street that connects to another street at only one end.

**Dedication:** The object or the act of an owner offering property or property rights to the public. Since a transfer of property rights is involved, dedications must be made by written recorded instruments.

<sup>25</sup> Updated to replace detail criteria with reference to state regulations.

<sup>26</sup> This definition is from the 2022 North American Industry Classification System (NAICS) Manual (518210 Computing Infrastructure Providers, Data Processing, Web Hosting, and Related Services).

**Density:** The total number of dwelling units allowed per acre of land.

**Single-Family Detached House Dwelling:** A separate, detached building designed for and occupied exclusively by one family. [ZO] A residential building, other than a manufactured home, that contains one principal dwelling unit and is not attached to another principal dwelling unit.

**Single-Family Detached Dwelling:** A dwelling unit that entirely occupies a separate, individual building designed for and occupied exclusively by one family or household. [CCO]

**Developer:** The owner of land proposed to be subdivided or his/her representative. Consent shall be required from the legal owner of the premises. [SR]

**Developer:** The owner of land proposed to be developed as a compact community, or his representative. [CCO]

**Development:** The planning for or carrying out of a building activity, the making of a material change in the use or appearance of any structure or property, or the dividing of land into two or more parcels. When appropriate to the context, “development” refers to the planning for or the act of developing or to the result of development. Reference to a specific operation is not intended to mean that the operation activity, when part of other operations or activates/, is not development. Reference to particular operations is not intended to limit the generality of this item. [ZO]

**Development:** Any land-disturbing activity that adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil. [CCO, WPO]

**Development Approval:** An administrative or quasi-judicial approval made pursuant to this UDO 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 N.C.G.S. Chapter 160D, including plat approvals, permits issued, development agreements entered into, and building permits issued.<sup>27</sup>

**Diffuse Flow:** Non-concentrated, low velocity flow of storm water runoff that is spread out or distributed evenly along the same elevation. Diffuse flow prevents or

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<sup>27</sup> This definition is from N.C.G.S. § 160D-102(13).



reduces scour and erosion and provides for increased ground contact for infiltration and pollutant removal. [WPO]

**Diffusing Panel (lens):** A translucent material covering the lamps in a luminaire in order to reduce the brightness by distributing the light flux over an extended area.

**Direct Lighting/Illumination:** Lighting involving luminaries that distribute 90 to 100% of the emitted light in the general direction of the surface to the illuminated. The term usually refers to light emitted in a downward direction.

**Director of Public Utilities:** The administrative head of the Chatham County Public Utilities Department or their designee.

**Directional Sign:** ~~A sign which has use incidental to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives, and may include certain signs with commercial messages that are not legible from a location off the lot.~~

**Distillery:** An establishment that commercially produces a maximum quantity of 125,000 cases<sup>28</sup> of spiritous liquor, as defined in N.C.G.S § 18B-101(14), per year. Such facilities include all aspects of production and may include administrative offices and a tasting room. A distillery may be established in conjunction with a restaurant. A distillery that produces more than 125,000 cases per year is considered "Beverage Manufacturing" (NAICS 312), which is categorized as a **Light Industrial Use**.

**District:** Any section of the zoning jurisdiction in which zoning regulations are uniform.

**District 1, Division of Highways:** The Division of Highways of the North Carolina Department of Transportation; both agency and persons.

**Ditch or Canal.** An excavated (~~man-made~~artificial) channel that is typically dug through inter-stream divide areas. A ditch ~~or canal~~ may exhibit hydrological or biological characteristics similar to perennial or intermittent streams. For the purposes of this Ordinance Chapter 9 of this Ordinance, a ditch ~~or canal~~ is not considered to be an ephemeral, intermittent or perennial stream. [WPO]

**Double Front Lot:** A continuous (through) lot ~~which~~that is accessible from both streets upon which it fronts.

<sup>28</sup> This figure is derived from the definition of "micro-distillery" in the South Carolina Alcoholic Beverage Control Act [SC Code § 61-6-1095(A)]. North Carolina law does not include a similar definition.

**Drive-Through or Drive-In Service.** A facility designed to permit customers of an establishment to obtain or consume goods or receive services while remaining inside a motor vehicle. Curbside drop-off and pick up, where customers use off-street parking spaces to wait for goods to be loaded or unloaded from their vehicle, are not considered a drive-through or drive-in service.

**Dwelling:** Any building, structure, manufactured home, or mobile home, 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, except that it does not include any manufactured home, mobile home, or recreational vehicle if used solely for a seasonal vacation purpose. A building that contains one or two Dwelling Units used, intended, or designed to be used, rented, leased, let or hired out to be occupied for living purposes.<sup>29</sup>

**Dwelling Unit:** A single unit, or a portion of a multi family dwelling, providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.<sup>30</sup> [ZO]

**Dwelling Unit:** A building or portion thereof designed, arranged, or used for living quarters for one household. [CCO]

**Dwelling Unit:** A building, or portion thereof, providing complete and permanent living facilities for one family. [WPO]

**Unit or Dwelling Unit:** A building or portion thereof designed, arranged or used for living quarters for one family. [SR]

**Duplex:** See **two-family dwelling**. [ZO]

**Duplex:** A single building consisting of two (2) dwelling units that are connected by or share a common wall or ceiling. [CCO]

<sup>29</sup> N.C.G.S. § 160D-706(b) prohibits a local government from using a definition of *dwelling* that differs from the definition of the term “in another statute or rule adopted by a State agency, including the Building Code Council or Residential Code Council.” This definition is from the North Carolina Building Code.

<sup>30</sup> N.C.G.S. § 160D-706(b) prohibits a local government from using a definition of *dwelling unit* that differs from the definition of the term “in another statute or rule adopted by a State agency, including the Building Code Council or Residential Code Council.” This definition is from the North Carolina Building Code.

## (E)

**Easement:** The right to use another person's property, but only for a limited and specifically named purposes; the owner generally continues to make use of such land since he/she has given up only certain, not all, ownership rights. [SR]

**Easement:** A right that one party has in or over the land of another party. Easements can be made to accommodate utilities, access, spray irrigation, conservation, or other purposes. [CCO]

**Electric Vehicle Charging Point:** A public or private parking space that is served by battery charging equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.<sup>31</sup>

**Level 1 Electric Vehicle Charging Point:** A Level 1 EV Charging Point provides charging through a 120 volt (V), alternating-current (AC) plug. Level 1 is considered as slow charging. Level 1 charging equipment is standard on vehicles and therefore does not require the installation of charging equipment. The most common place for Level 1 charging is at the vehicle owner's home and is typically conducted overnight.

**Level 2 Electric Vehicle Charging Point:** A Level 2 EV Charging Point provides charging through a 240V, AC plug and requires installation of home charging or public charging equipment. These units require a dedicated 40 amp circuit. Level 2 chargers are commonly found in residential settings, public parking areas, places of employment and commercial settings.

**Level 3 Electric Vehicle Charging Point:** A Level 3 EV Charging Point provides charging through a 480V, direct-current (DC) plug. Due to their high cost and extremely high power draw, Level 3 chargers are typically found in commercial or industrial locations rather than residential.

**Electric Vehicle Charging Station:** An establishment primarily engaged in the transfer of electric energy to electric vehicles. An electric vehicle charging station contains more than one electric vehicle charging point, and may also offer retail sale of food and convenience items and/or car wash facilities. An electric vehicle charging station is similar to a gas station, but does not dispense flammable or combustible liquids or gases used as fuel.

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<sup>31</sup> This definition is from the *Municipal EV Readiness Toolkit* prepared by the Southern Maine Planning & Development Commission and the Maine Clean Communities Coalition.

**Emergency Operations Facility:** A use classification for fire stations, police stations, and emergency medical services facilities operated by a local government agency.

**Environmental Health Director:** The administrative head of the Environmental Health Division of the Chatham County Public Health Department or their designee. [See 13.2.2: Environmental Health Director]

**Environmental Impact Assessment:** A document that must be prepared for any proposed development project that is subject to and meets the criteria in either Section 6.2 of the Subdivision Regulations or Section 11.3 of the Zoning Ordinance which discusses the potential environmental impact of the proposed project and the methods proposed to mitigate or avoid significant adverse environmental impacts.

**Environmental Impact Statement:** A document that must be prepared pursuant to the National Environmental Policy Act of 1969, or the North Carolina Environmental Policy Act of 1971, regarding proposed federal or certain State actions respectively that significantly affect the quality of the human environment.

**Environmental Review Board/Advisory Committee:** The advisory body set up by the Board of Commissioners. [See 13.1.4: Environmental Review Advisory Committee]

**Ephemeral Stream:** A feature that carries only stormwater in direct response to precipitation with water flowing only during and shortly after large precipitation events. An ephemeral stream may or may not have a well-defined channel, the aquatic bed is always above the water table, and stormwater runoff is the primary source of water.

**Ephemeral (storm water) Stream:** A physically visible feature in the form of a natural channel that conveys water only in direct response to precipitation during or shortly after precipitation events. For the purposes of this [Watershed Protection] Ordinance, an ephemeral (storm water) stream is a well-defined channel which scores a minimum of 10 points on the most recent version of the NCDWQ Stream Identification Form, to distinguish it from an intermittent or perennial stream. (See, most recent version of Identification Methods for the Origins of Intermittent and Perennial Streams, NCDWQ). An ephemeral stream typically lacks the biological, hydrological, and physical characteristics commonly associated with continuous or intermittent conveyance of water. [WPO]

**Equestrian Areas:** A type of open space in which a tract of land is used for equestrian activities and is permanently protected for equestrian use by homeowners association ownership, deed restriction, or agricultural conservation easement. Examples include equestrian conservation areas required by Section 5.4.4: Equestrian Subdivisions. Equestrian areas generally consists of pastureland or

meadows and may include structures such as barns, stables, riding and show rings, and similar accessory structures and wooded areas that include riding trails and multi-use paths to accommodate pedestrians, bicyclists, and equestrians.

**Equestrian Center:** A commercial facility designed and intended to be used for the conduct of equestrian events. Equestrian events include exhibition, training, educational, recreational, therapeutic, and competition activities involving horses. An equestrian center may include complementary services such as a riding school, farrier, vet, tack shop, or equipment repair.

**Equine:** Connected or related to horses, donkeys, mules, or other members of the taxonomic family Equidae.

**Equine Stable:** A facility where equines are kept or raised, which may include areas for boarding, training, and riding.

~~**Establishment:** Any place, land, building or structure on which or in which there is operated or maintained a business or going concern. [JYCO]~~

**Events Center Limited:** A venue to allow for various gatherings such as weddings, receptions, arts and crafts shows, corporate meetings, outdoor movies (no drive ins), etc. ~~on a smaller scale~~ and which can be indoor or outdoor or a combination thereof. ~~Please refer to Section 17.7 of this Ordinance for further standards. All other standards of this Ordinance shall also apply.~~

**Exempt Subdivision:** Certain kinds of land division not covered by this ordinance; see **Section 4C, Exempt Subdivisions** for details.

**Expedited Review:** The County may require only a plat for recordation for the division of a tract or parcel of land in single ownership if the criteria in **Section 4 (D) of this ordinance** are met. An expedited review application and associated fee(s) shall apply and be submitted to the County prior to approval of the plat. [SR]

**Existing Development:** Those projects that are built or those projects that at a minimum have established a vested right ~~under North Carolina zoning law~~ as of the effective date of this ordinance based on at least one of the following criteria:

- (1) ~~S~~substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the project; ~~or~~
- (2) ~~h~~Having an outstanding valid building permit as authorized by N.C.G.S. § ~~153A-344.1 and N.C.G.S. § 160A-385.1~~ **160D-102**; ~~or~~

(3) ~~Having expended substantial resources (time, labor, money) and having an approved site specific or phased development plan as authorized by N.C.G.S. § 153A-344.1 and N.C.G.S. § 160A-385.1160D-102).~~<sup>32</sup>

**Existing Lot (Lot of Record):** A lot which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds prior to the adoption of this ordinance, or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this ordinance. [WPO]

## (F)

**Façade:** <define primary and secondary façade>

**Family:** One or more persons occupying a dwelling unit and living as a single household.

**Family Care Home:** A home, as defined by [N.C.G.S. § 160D-907168-21](#) 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 persons with disabilities.

**Family Child Care Home:** [A child care arrangement located in a residence where, at any one time, more than two children, but less than nine children, receive child care. Of the children present at any one time in a family childcare home, no more than five children shall be preschool-age, including the operator's own preschool-age children. Family child care home operators must reside at the location of the family child care home.](#)<sup>33</sup>

**Family Subdivision:** One or more divisions of a tract of land (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives of direct lineage, or to the surviving spouse, if any, of any deceased lineal descendant, as a gift or for nominal consideration, but only if no more than one parcel from such tract is conveyed by the grantor to any one relative or such relative's surviving spouse; or (b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will. This provision shall apply only where the grantor or decedent already owned the land so divided before January 1, 1994. [WPO]

**Family Subdivision:** Family subdivision means one or more divisions of a tract of land: (a) to convey the resulting parcels, with the exception of parcels retained by

<sup>32</sup> Carries forward current definition in the WPO with updates for clarity and to conform to statutory changes.

<sup>33</sup> This definition is from [10A NCAC 09 .0102](#) (Child Care Rules).

the grantor, to a relative or relatives of direct lineage, or to the surviving spouse, if any, of any deceased lineal descendant, as a gift or for nominal consideration, but only if no more than one parcel from such tract is conveyed by the grantor to any one relative or such relative's surviving spouse; or (b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will. This provision shall apply only where the grantor or decedent already owned the land so divided upon the effective date of this ordinance. [WPO]

**Farm:** Singularly or jointly owned land, parcel, or contiguous parcels on which agricultural operations are conducted as the primary use. Agricultural operations include, but are not limited to, cultivation of crops, the husbandry of livestock, and forestry. [JYCO]

**Farmers' & Artisans' Market:** [A temporary retail facility that is open to the public and at which vendors sell farm products, value-added farm products, prepared foods, or handcrafted goods.](#)

**Farming:** See **Agriculture**.

**Farming, Indoor:** [A facility where field crops or products such as vegetables, fruits, nuts, grain, honey, flowers, and trees are produced entirely inside a building.](#)

**Farming, Outdoor:** [A lot used for agricultural production of field crops or products such as vegetables, fruits, nuts, grain, honey, flowers, and trees.](#)

**Farmstand:** [A small, typically open-air structure from which agricultural and value-added agricultural products are sold. A farmstand may be a temporary \(seasonal\) or permanent accessory structure.](#)

**Fast Track:** An expedited review procedure for projects that meet certain criteria. [SR]

**Fee in Lieu:** A fee charged to a developer in place of requiring the dedication of land to help offset the cost of new development on public infrastructure such as roads, schools, recreational facilities, and fire stations.

**Fee Simple:** An absolute ownership interest in a given tract of land.

**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 natural growth.

**Final Plat:** The map or plan of record of a subdivision and any accompanying material, as described in these regulations.

**Fire Marshal:** The administrative head of the Fire Marshal's Office of the Chatham County Central Permitting & Inspections Department or their designee. [See 13.2.4: Fire Marshal]

**First Plat:** This is a map and supporting documentation in sufficient detail to satisfy all review requirements and begin the process of applying for outside permits once it is approved. This document follows the Concept Plan and is followed by the Construction Plan in the subdivision process.

**Fixture:** An assembly that holds the lamp (bulb) in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.<sup>34</sup>

~~**Full Cutoff:** A fixture light distribution where no light intensity is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's light intensity is emitted at or above an angle 10 degrees below that horizontal plane, at all lateral angles around the fixture.~~

~~**Cutoff:** A fixture light distribution where no more than 2.5% of a lamp's light intensity is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's light intensity is emitted at or above an angle 10 degrees below that horizontal plane, at all lateral angles around the fixture.~~

~~**Semi-Cutoff:** A fixture light distribution where no more than 5% of a lamp's light intensity is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 20% of the lamp's light intensity is emitted at or above an angle 10 degrees below that horizontal plane, at all lateral angles around the fixture.~~

~~**Non-Cutoff:** A fixture light distribution where there is no light intensity limitation in the zone above the maximum distribution of light intensity.~~

**Flea Market:** A building or outdoor area in which stalls or sales areas are rented or provided for individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete, or antique, and may include the sale of new or used goods by businesses or individuals who are generally engaged in a retail trade.

**Flood Hazard Area:** The minimum area of the flood plain that, on average, is likely to be flooded once every one hundred years (i.e., that has a one percent chance of being flooded each year) as identified on the most current Flood Insurance Rate

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<sup>34</sup> This carries forward ZO Section 13.2. However, IESNA no longer uses these classifications (see [IESNA Model Lighting Ordinance](#), p. 26). Recode Chatham Module 2 will update the outdoor lighting regulations, including these definitions.



Map Chatham County, North Carolina Unincorporated Area as referenced in the Chatham County Flood Damage Prevention Ordinance.

**Flood Lamp:** A form of lighting designed to direct its output in a specific direction with a reflector formed from the glass envelope of the lamp itself. Such lamps are so designated by the manufacturers and are typically used in residential outdoor area lighting.

**Flood Light:** A form of lighting designed to direct its output in a diffuse, more or less specific direction, with reflecting or refracting elements located external to the lamp.

**Floodplain Administrator:** [The Chatham County Manager or their designee. \[See 13.2.5: Floodplain Administrator\]](#)

**Footcandle (FC):** A quantitative unit measuring the amount of light (illumination) falling onto a given point. One footcandle equals one lumen per square foot.

~~**Forestry Plan:** A document related to the management of forest resources, generally written by a North Carolina State Forester or a Certified Forestry Consultant. Such plan shall include forest management practices to insure both maximum forest productivity and environmental protection of the lands to be treated under the management plan (see N.C.G.S § 113A 178).<sup>35</sup>~~

~~**Freestanding Sign:** [A permanent on-premises sign supported by its own structure apart from a building and secured in the ground. A non-movable sign which is entirely supported by one or more uprights, poles, braces, or base in or upon the ground.](#)~~

**Frontage:** That side of a lot abutting on a street.

~~**Front Setback:** [Any setback from a street or road, as measured from the edge of the public right-of-way or edge of access easement.](#)~~

~~**Fueling Position:** [An area at a gas station for fueling one vehicle. The total number of fueling positions at a gas station is the same as the total number of vehicles that can be fueled simultaneously. For example, at a gas station with two product dispensers \(pumps\), each with one hose on each side where only one vehicle can be serviced at a time, the number of vehicle fueling positions is four.](#)<sup>36</sup>~~

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<sup>35</sup> This term is not used in the current Zoning Ordinance.

<sup>36</sup> This definition is from the Institute of Transportation Engineers (see <https://www.ite.org/technical-resources/topics/trip-and-parking-generation/independent-variables/>).

**Fully-Shielded Luminaire:** A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.<sup>37</sup>

**Future Land Use & Conservation Plan:** A map adopted as part of the Comprehensive Plan that graphically depicts the community's vision for the future of Chatham County. It indicates the preferred locations for future development, as well as the type and intensity of such development. It also indicates areas that are valued for their natural and cultural assets, and should therefore be the subject of future conservation efforts. The map is meant to provide a framework for future land use and, as such, serve as a companion to written policies and provide additional guidance with respect to the provision of County services, capital investments, and land development regulations.<sup>38</sup>

## (G)

**Gas Station:** An establishment where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. A gas station may also offer retail sale of food and convenience items and/or car wash facilities.

**Glare:** The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, to cause annoyance, discomfort, or loss of visual performance and ability.

**Grade:** The slope of a road, street, or other public way, specified in percentage (%) terms.

**Green:** A public space consisting of grassy areas and trees available for unstructured recreation and bordered by buildings. [CCO]

**Green Roof:** The roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproof membrane. A green roof may also include additional layers, such as a root barrier and drainage and irrigation systems. Pre-planted tray systems with green roof layers combined into small units are considered a green roof, but container gardens with plants in pots are not.

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<sup>37</sup> This new definition is from the MLO.

<sup>38</sup> From *Plan Chatham*, p. 44.

**Green Space:** Natural undeveloped areas such as pastures, farmland, forests, wetlands, and lakes. Green space may also include landscaped perimeters and green landscape reserves along thoroughfares.

**Greenway /Hiking Trails.** ~~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. [WPO] A linear open space area often associated with wildlife corridors or valuable vegetative buffers. A Greenway Trail is located off-street and usually includes an improved surface to allow ease of usage for wheeled, muscle powered vehicles. Improved surfaces are most commonly asphalt, concrete, or crushed stone.~~<sup>39</sup>

**Grocery Store:** A retail establishment in which the majority of the building's floor area is devoted to the sale of food products, including fresh fruits and vegetables, dairy products, and meats, for home preparation and consumption. A grocery store is substantially larger and carries a broader range of merchandise than a convenience store.

**Gross Floor Area (GFA):** The area within the inside perimeter of the exterior walls of a building. Gross floor area is measured in accordance with [Section 17.4: Rules of Measurement](#).

**Gross Land Area:** The size of the entire site proposed for development as a compact community. [CCO]

**Group Care Home:** A facility licensed by the State of North Carolina, other than a Family Care Home, with support and supervisory personnel that provides room and board, personal care, or habilitation services in a family environment for more than six resident persons with disabilities.

**Guest House, Pool House, or Garage Apartment:** See [Accessory Dwelling Unit](#).

**Gunsmith:** A person who customizes or performs repairs (e.g., by replacing worn or broken parts) on complete weapons or places marks of identification on privately made firearms. This term does include a person who manufactures firearms (i.e., frames or receivers or complete weapons) by completion, assembly, or applying coatings, or otherwise making them suitable for use.<sup>40</sup>

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<sup>39</sup> This definition is from the Chatham County *Parks & Recreation Master Plan* (2019), p. 222.

<sup>40</sup> This definition is derived from [27 CFR 478.11](#): (Title 27: Alcohol, Tobacco Products and Firearms).

## (H)

**Hazardous Waste:** Any material as defined by 15A NCAC 13A .0106 Identification and Listing of Hazardous Wastes – Part 261 or any substance listed as such in: SARA Section 302, Extremely Hazardous Substances, CERCLA Hazardous Substances, or Section 311 or CWA (oil and hazardous substances) or a RECRA Hazardous Waste that appears on one of the four hazardous wastes lists: (F-List; K-List; P-List or U-List) or exhibits at least one of the four characteristics: ignitability; corrosivity; reactivity or toxicity. [WPO]

**Health Department:** The agency and person designated to administer local health regulations. This is the Chatham County Health Department.

**Heavy Machinery Sales & Service:** [A facility primarily engaged in the sale or rental of new and used heavy-duty machinery and vehicles, such as tractors and bulldozers. The facility may offer heavy machinery repair services and may contain ancillary storage areas.](#)

**High Intensity Discharge Lighting (HID):** High intensity discharge lighting is a bulb type including mercury vapor, metal halide, [or](#) high pressure or low-pressure sodium, which glow when an electric current is passed through a gas mixture inside the bulb.

**Holiday/Festive Lighting:** Lighting that is installed with the intent to operate during a designated temporary period of time where a specific theme or event is a focus of attention.

**Home Occupation:** ~~Any use conducted on residential premises and carried on by the occupants thereof, and which use is incidental and secondary to the use of the premises for residential purposes and does not change the character thereof. Any activity carried out for financial gain by a resident conducted as an accessory use in the resident's dwelling unit.~~

**Homeowners Association:** See [Property Owners Association](#).

**Horizontal Plan:** Part of the concept process; it is a map of the site in two dimensions showing where environmental constraints such as, flood zones and access exist, and then the conceptual map of the new development is shown for the site. This differs from a full-blown plan in that simple spatial data (such as those used by the County Geographic Information Systems department) are sufficient, and engineering level data, such as surveyed topography in three dimensions and a higher level of precision are not necessary. [SR]

**Hospital:** [Any facility, as defined in N.C.G.S. § 131E-76\(3\), that has an organized medical staff and that is designed, used, and operated to provide health care.](#)

[diagnostic and therapeutic services, and continuous nursing care primarily to inpatients where such care and services are rendered under the supervision and direction of North Carolina-licensed physicians to two or more persons over a period in excess of 24 hours.](#)

**Hotel (also Motels and Inns):** Structures/buildings with individual rooms for rent. Rooms may include suites with kitchenettes for extended stays and may provide area for eating and drinking establishments and personal service facilities within the principal structure.

[Hunting or Fishing Club: An establishment that provides outdoor hunting and/or fishing activities or services for a fee, admission charge, or common interest share. A hunting or fishing club may include accessory structures in support of hunting and fishing activities; day use facilities, such as a clubhouse or food and beverage facility; and overnight accommodations.](#)

## (I)

**Illuminance:** The amount of light falling on a surface-measured in lux or footcandles.

**Illuminating Engineering Society of North America (IESNA):** A non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.

**Impervious Surface:** Any surface that impedes or prevents natural infiltration of water into the ground, including but not limited to buildings, paved roads, paved parking lots, airport runways, and the like. [CCO]

**Individual Septic Systems:** A sewage disposal system developed to function on an individual lot basis. A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

[Industrial Uses, Heavy: Heavy industrial uses are typically located in the largest facilities in a community. These facilities house complex operations, some of which may be continuous \(operated 24 hours a day, seven days a week\). Heavy industrial uses include any non-residential use that requires a National Pollutant Discharge Elimination System \(NPDES\) permit for an industrial or stormwater discharge; or any use that is included in any of the North American Industry Classification System \(NAICS\) industry sectors listed in the table below.<sup>41</sup> Heavy industrial uses that](#)

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<sup>41</sup> This definition is from the City of Wilson, NC Unified Development Ordinance ([Chapter 17: Definitions](#)). However, Wilson's definition includes mining and extraction uses, which are not included here as they are separately regulated in this UDO. Wilson's definition also includes NAICS

involve the use or storage of dangerous materials or substances are categorized as restricted industrial uses, even if the NAICS industry sector is included in the table below.

NACIS Codes for Heavy Industrial Uses	
NAICS Code	NAICS Industry Sector
<a href="#">313</a>	<a href="#">Textile Mills</a>
<a href="#">314</a>	<a href="#">Textile Product Mills</a>
<a href="#">321</a>	<a href="#">Wood Product Manufacturing</a>
<a href="#">322</a>	<a href="#">Paper Manufacturing</a>
<a href="#">324</a>	<a href="#">Petroleum and Coal Products Manufacturing</a>
<a href="#">325</a>	<a href="#">Chemical Manufacturing</a>
<a href="#">326</a>	<a href="#">Plastics and Rubber Products Manufacturing</a>
<a href="#">331</a>	<a href="#">Primary Metal Manufacturing</a>
<a href="#">332</a>	<a href="#">Fabricated Metal Product Manufacturing</a>
<a href="#">333</a>	<a href="#">Machinery Manufacturing</a>
<a href="#">336</a>	<a href="#">Transportation Equipment Manufacturing</a>

**Industrial Uses, Light:** Light industrial uses are located in facilities typically designed to look and generate impacts like a typical office building, but that rely on special power, water, or waste disposal systems for operation. Noise, odor, dust, and glare of each operation are completely confined within an enclosed building, insofar as practical. Use examples include facilities for the design, development, and testing of electrical, electronic, magnetic, optical, computer, and telecommunications components in advance of product manufacturing; the assembly of products from parts produced off-site; laundry/dry cleaning plants engaged primarily in high-volume laundry and garment services; carpet and upholstery cleaners; diaper services; commercial laundries; the production of small consumer goods such as clothes, shoes, furniture, consumer electronics, and home appliances; or any use included in any of the North American Industry Classification System (NAICS) industry sectors specified in the table below.<sup>42</sup>

311 Food Manufacturing and NAICS 316 Leather & Allied Product Manufacturing, which are instead proposed as light industrial uses (except leather and hide tanning and finishing, which is proposed as a restricted industrial use). Wilson’s definition also includes NAICS 327 Nonmetallic Mineral Product Manufacturing, which is proposed to be separately regulated.

<sup>42</sup> This definition is from the City of Wilson, NC Unified Development Ordinance ([Chapter 17: Definitions](#)). However, Wilson’s definition excludes NAICS 311 Food Manufacturing and NAICS 316 Leather & Allied Product Manufacturing, which are instead listed as heavy industrial uses. Proposed here is to include NAICS 316, except tanning, for consistency with how this use is currently allowed Chatham County. Wilson’s definition includes NAICS 323 Printing and Related Support Activities, which is proposed to be classified in the UDO under “Communications & Information” in the Business, Professional, Scientific, & Technical use group.

NACIS Codes for Light Industrial Uses	
NAICS Code	NAICS Industry Sector
<a href="#">311</a>	<a href="#">Food Manufacturing</a>
<a href="#">312</a>	<a href="#">Beverage &amp; Tobacco Manufacturing</a>
<a href="#">315</a>	<a href="#">Apparel Manufacturing</a>
<a href="#">316</a>	<a href="#">Leather &amp; Allied Product Manufacturing (excluding NAICS 3161 Leather &amp; Hide Tanning &amp; Finishing)</a>
<a href="#">334</a>	<a href="#">Computer and Electronic Product Manufacturing</a>
<a href="#">335</a>	<a href="#">Electrical Equipment, Appliance, and Component Manufacturing</a>
<a href="#">337</a>	<a href="#">Furniture Manufacturing</a>
<a href="#">339</a>	<a href="#">Miscellaneous Manufacturing</a>

**Industrial Uses, Restricted:** [Restricted industrial uses involve the use, storage, production, or processing of dangerous materials or substances that present immediate or long-term physical or chemical hazards, such as fire, explosion, corrosion, or toxicity, and that are used or stored in sufficient quantities such that accidental release or explosion may affect life, health, property, or the environment beyond the immediate perimeter of the facility.<sup>43</sup> Use examples include ammunition manufacturing; battery manufacturing; foundries; gas and petroleum processing; industrial chemical manufacturing; paper, cardboard, and building board manufacturing; plastics manufacturing; rodenticide, insecticide, and pesticide mixing plants; soap, detergent, and washing compound manufacturing; tar and waterproofing materials manufacture or any use included in any of the North American Industry Classification System \(NAICS\) industry sectors specified in the table below if it involves the use of dangerous materials or substances as described above.](#)

NACIS Codes for Restricted Industrial Uses	
NAICS Code	NAICS Industry Sector
<a href="#">313</a>	<a href="#">Textile Mills</a>
<a href="#">3161</a>	<a href="#">Leather &amp; Hide Tanning &amp; Finishing</a>
<a href="#">322</a>	<a href="#">Paper Manufacturing</a>
<a href="#">324</a>	<a href="#">Petroleum and Coal Products Manufacturing</a>
<a href="#">325</a>	<a href="#">Chemical Manufacturing</a>
<a href="#">326</a>	<a href="#">Plastics and Rubber Products Manufacturing</a>

<sup>43</sup> This definition is derived from the Lancaster County, SC [Unified Development Ordinance](#) Section 10.3: *Use Type Definitions*.

**Inert Debris Landfill:** A landfill containing solid waste that consists solely of material that is virtually inert and that is likely to retain its physical and chemical structure under expected conditions of disposal.<sup>44</sup> Inert waste includes, but is not limited to: construction and demolition material such as metal, wood, bricks, masonry, and cement concrete; asphalt concrete; and metal.

**Infiltration:** The process of percolating stormwater into the subsoil. [CCO]

~~**Informational Sign:** Any sign which contains no commercial or advertising message that is located on-site providing information as required by regulatory authorities and/or other public entity. These include, but are not limited to, “No Parking,” “Loading/Unloading Zone,” “Keep off Grass” and “No Smoking.”~~

**Inpatient Care Facility:** A healthcare facility where patients are admitted and spend at least one night under the care of doctors, nurses, or other healthcare professionals. An inpatient care facility may provide short-term or long-term care for acute conditions, long-term illnesses, mental health disorders, treatment of addiction, or other healthcare needs.

**Intermittent Stream:** A stream that flows for only part of the year. It includes a well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the water table. [CCO]

**Intermittent Stream.** A well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the water table. The flow may be heavily supplemented by storm water runoff. An intermittent stream often lacks the biological and hydrological characteristics commonly associated with the continuous conveyance of water. For the purposes of this [Watershed Protection] ordinance, an intermittent stream will have a minimum score of “19” on the most recent version of the NCDWQ Stream Identification Form. [WPO]

**Internal Refractive Lens:** A glass or plastic lens installed between the lamp and the sections of the outer fixture globe or enclosure. Refractive refers to the redirection (bending) of the light as it goes through the lens, softening and spreading the light being distributed from the light source thereby reducing direct glare.

**Interior Lot:** A lot other than a corner lot with frontage on only one street.

**Invasive Plant Species:** A plant that is non-native to the local ecosystem, and whose introduction causes or is likely to cause economic or environmental harm or

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<sup>44</sup> This portion of the definition is derived from the definition of inert debris in N.C.G.S. [§ 130A-290\(a\)\(14\)](#).



harm to human health.<sup>45</sup> Species include any tree, shrub, vine, or other plant identified by the North Carolina Invasive Plant Council as an invasive plant.

## (J)

**Junk:** Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, refrigerators, stoves, household appliances, salvaged building materials, salvaged machinery parts, dismantled or wrecked automobiles; or parts thereof, iron and steel, and other scrap ferrous or non-ferrous material. [JYCO]

~~**Junk/Salvage Yard:** Any land or area used, in whole or in part, for the storage, keeping, or accumulation of material, scrap metals, waste paper, rags, or other scrap materials, or used building materials or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof. [ZO]~~

**Junk Yard:** Any establishment, place of business, or place ~~which~~ that is maintained, operated, or used for storing, keeping, buying, or selling junk, or for maintenance or operation of an automobile graveyard. An establishment or place of business ~~which~~ that stores or keeps, for a period of 90 days or more, materials within the meaning of "junk" as defined in this section which had been derived or created as a result of industrial or commercial activity shall be deemed to be a junk yard within the meaning of this chapter. A junk yard shall be presumed to have been created when an area of 600 square feet or more of "junk materials" are kept or stored at any given place whether for profit or not. Materials enclosed in closed buildings, solid waste containers, or rolling stock (i.e.g., rail cars, trailer or other containerized body not intended or designed to be self-propelled) are excluded. [JYCO]

**Junked Motor Vehicle:** A motor vehicle that does not display a current license plate and is one of the following: 1) 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 years old and appears to be worth less than \$500.00. [ZO]

**Junked Motor Vehicle:** A vehicle that does not display a current license plate and that:

E.H. \_\_\_\_\_ Is partially dismantled or wrecked;

F.I. Cannot be self-propelled or moved in the manner in which it originally was intended to move; or

<sup>45</sup> This portion of the definition is from the United States Forest Service.

G.J. \_\_\_\_\_ Is more than five years old and appears to be worth less than \$100. [JYCO]

## (K)

**Kennel, Boarding:** <add definition>

**Kennel, Breeding:** <add definition>

## (L)

**Lamp:** A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube.” Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.<sup>46</sup>

**Land Clearing and Inert Debris Landfill:** A landfill containing solid waste that is generated solely from land clearing activities.<sup>47</sup> Land areas of greater than one-half acre in size, for the deposit of ~~inert materials and~~ land clearing materials including gravel, rocks, stumps, and soil (not contaminated by petroleum products); ~~unpainted and untreated building materials such as bricks, concrete blocks and lumber.~~ Personal home-owners use of inert debris landfill materials (beneficial fill) not to exceed two (2) acres in size ~~be are~~ exempt from requiring a special use permit. Commercial inert debris landfills or any that exceed two (2) acres in size will require a Special Use Permit.

**Land-Disturbing Activity:** Any use of the land that results in a change in the natural cover or topography that may cause or contribute to sedimentation. [CCO]

**Land Use Plan:** Any Comprehensive Land Use Plan adopted by Chatham County, as well the Chatham-Cary Joint Land Use Plan. [ZO]

**Land Use Plan:** Plan Chatham 2017- Chatham County Comprehensive Plan. [SR]

**Landfill:** A facility for the disposal of solid waste on land in a sanitary manner in accordance with Chapter 130A Article 9 of the North Carolina General Statutes. For

<sup>46</sup> This new definition is from the MLO.

<sup>47</sup> This portion of the definition is derived from the definition of inert debris in N.C.G.S. § 130A-290(a)(15).

purposes of the riparian buffer regulations only, the term does not include composting facilities. [CCO] [WPO]

**Large Lot Residential Development:** Development on lots of 2 acres or greater. [CCO]

**Laydown & Storage Yard:** Land used temporarily for the storage of equipment, vehicles, machinery, and/or building materials that are intended to be used on an active construction site.

**Light Source:** The element of a lighting fixture that is the point of origin of the lumens emitted by the fixture.

**Light Trespass:** Light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited. This has adverse effects on residents, vehicle operators and pedestrians, the natural environment.

**Land Trust:** A private, non-profit organization that protects natural resources, cultural resources, or affordable housing through land acquisition, conservation easements, and/or education.

**Live-Work Unit:** See ~~Mixed Use Building~~. A building that includes a single dwelling unit and an office, studio, or other non-residential use allowed in the zoning district in which the live-work unit is located. The non-residential use must be operated by the tenant of the dwelling unit.<sup>48</sup>

**Local Road:** See Rural Road.

**Lot:** A portion of a subdivision or any other parcel of land intended as a unit for transfer ~~or of~~ ownership or for development or both. The word "lot" includes "plot", "parcel", or "tract". [ZO]

**Lot:** A tract, plot, parcel or plat of land intended as a unit for the transfer of ownership or for development. [SR]

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<sup>48</sup> This definition is consistent with the Building Code. Compare: (1) **Home Occupations:** A live-work unit allows a broader range of commercial uses and more non-residential floor area than a home occupation. In addition, a live-work unit may be designed as a townhouse or with a storefront or other commercial design configuration at the ground level, while a home occupation occurs in a building that is designed as a residence. (2) **Mixed Use Buildings:** A mixed use building allows multiple non-residential uses and dwelling units in the same building, while a live-work unit is limited to a single dwelling unit and a single business. Further, there is no requirement for the non-residential use(s) in a mixed use building to be operated by a tenant of a dwelling unit located in the building.

**Lot Area:** The total horizontal area included within lot lines.

**Lot Area (Useable):** The area within the lot lines which is a contiguous or non-contiguous area suitable for a septic field, well, house and access. This area does not include public rights-of-ways, flood hazard areas, floodways, or stormwater devices and associated easements. Riparian Buffer Areas may be used to meet useable lot area measurement requirements and other development-related regulatory requirements based on property size specified in [Section 7.1B](#). [SR]

**Lot Depth:** The distance along the perpendicular bisector of the lot.

**Lot Improvement:** Physical changes made to raw land and structures on or under the land surface in order to make the land more useable for human activities. Typical improvements in these regulations would include, but not be limited to grading, street pavement, drainage ditches, and street name signs. Certain lot improvements shall be properly bonded as provided in these regulations.

**Lot of Record:** A lot, plot, parcel, or tract recorded in the Office of the Register of Deeds in conformance with the ordinance in effect at the time of recording.

**Lot Width:** The width measured at right angles to its depth at the widest point of the lot.

**Low Impact Development:** See the [Chatham County Stormwater Ordinance](#). [SR]

**Low Impact Development Design:** Integrated techniques and practices intended to capture and treat stormwater runoff on site and mitigate the effects of increased stormwater peak rate, volume, velocity, and pollutant loading from development. Examples include vegetated buffers, grassed swales, and bioretention areas. [CCO]

**Lumen:** A quantitative unit used to identify the amount of light emitted by a light source. A lamp is generally rated in lumens.

**Luminaire:** [A complete lighting unit \(fixture\), consisting of a lamp, or lamps and ballast\(s\) \(when applicable\), together with the parts designed to distribute the light \(reflector, lens, diffuser\), to position and protect the lamps, and to connect the lamps to the power supply.](#)<sup>49</sup>

## (M)

**Machine Shop:** [Establishments primarily engaged in machining metal and plastic parts and parts of other composite materials on a job or order basis. Generally](#)

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<sup>49</sup> [This new definition is from the MLO.](#)

[machine shop jobs are low volume using machine tools, such as lathes \(including computer numerically controlled\); automatic screw machines; and machines for boring, grinding, milling, and additive manufacturing.<sup>50</sup>](#)

**Maintained Footcandles:** Illuminance of lighting fixtures adjusted for a maintenance factor accounting for dirt build-up and lamp output depreciation. The maintenance factor used in the design process to account for this depreciation cannot be lower than 0.72 for high-pressure sodium and 0.64 for metal halide and mercury vapor.

**Major Collector:** See [Rural Road](#).

**Major Subdivision:** All subdivisions not classified as minor subdivisions, consisting of six (6) or more lots, or any size subdivision requiring any new street, or extension, or the creation of any public improvements.

**Major Utility:** All utility facilities other than minor utilities. Includes public utilities serving regional areas and public utility service and storage yards. Examples include, but are not limited to, electrical substations and wastewater treatment plants. This definition excludes public utility transmission lines.

**Major Utility Easements:** Corridors that legally allow for overhead electric utility lines, gas lines, and other utilities.

**Management Information Systems Director:** [The administrative head of the Chatham County Management Information Systems Department or their designee.](#)

**Manufactured Dwelling Home:** ~~A dwelling that 1) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; 2) exceeds 40 feet in length and eight 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.~~ [A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length; or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required](#)

<sup>50</sup> [This definition is from the 2022 NAICS Manual \(NAICS 332710\).](#)

by the Secretary of HUD and complies with the standards established under the North Carolina Uniform Standards for Manufactured Homes Act.

For manufactured homes built before June 15, 1976, “manufactured home” means a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.

“Manufactured home” also means a double-wide manufactured home, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.<sup>51</sup>

**Map Repository:** 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 carry 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.

**Medical or Diagnostic Laboratory:** An establishment primarily engaged in providing analytic or diagnostic services, including body fluid analysis and diagnostic imaging, generally to the medical profession or to the patient on referral from a health practitioner.<sup>52</sup>

**Medical Office or Clinic:** A use classification that includes physician offices, dentist offices, optometrist offices, chiropractor offices, mental health practitioner offices, urgent care facilities, and similar facilities concerned with the diagnosis, treatment, and care of human beings.

**Medium Base:** The size of lamp socket designed to accept a medium or Edison base lamp.

**Millwork:** Establishments primarily engaged in manufacturing hardwood and softwood cut stock and dimension stock (i.e., shapes); wood windows and wood doors; and other millwork including wood flooring. This use does not include artisanal woodworking that occurs in an **Artisan Workshop**.

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<sup>51</sup> This definition is revised to align with [N.C.G.S. § 143-145\(7\)](#).

<sup>52</sup> This definition is from the [2022 North American Industry Classification System \(NAICS\) Manual](#) (p. 526).

**Mining:** An activity that includes any of the following:<sup>53</sup>

- K. The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores, or other solid matter;
- L. Any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, soils, and other solid matter from their original location; or
- M. The preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial, or construction use.

Mining does not include any of the activities listed in N.C.G.S. § 74-49(7)a through g.

**Minor Arterial:** See Rural Road.

**Minor Collector:** See Rural Road.

**Minor Residential Street:** A local access street no greater than 1,000 feet in length that serves no more than twenty (20) dwelling units. [CCO]

**Minor Subdivision:** Any subdivision containing five (5) lots or less, fronting on an existing public street.

**Minor Utility:** Any above-ground structures or facilities owned by a governmental entity, a nonprofit organization or corporation used in connection with the transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Minor utilities are necessary to support development within the immediate vicinity and involve only minor structures. Examples include, but are not limited to, pump stations, community well houses, and above-ground utility cabinets. Excepted from this definition are Major Utilities.

**Mixed Use Building:** ~~Small commercial enterprises with the ground floor (and optionally second floor) occupied by commercial uses and a residential unit or units above. Commercial space may be a home-based business or may be leased independently.~~A building that contains a ground floor (and optionally second floor) devoted to non-residential uses and one or more upper floors occupied by one or more dwelling units and/or coliving dwelling units.

**Mobile Food Unit:** Any vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway, or waterway, on which food is prepared, processed, or converted or that is used in selling and dispensing food to customers.

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<sup>53</sup> This definition is from N.C.G.S. § 74-49(7) [The Mining Act of 1971].

Mobile food units must be capable of being mobile at all times during operation. The wheels of the unit may not be removed from the unit at the operating location. Most mobile food units require a commissary for rapidly cooling foods, food washing, overnight storage, and dishwashing facilities.<sup>54</sup>

**Mobile Food Vendor:** A person who operates a mobile food unit.

**Mobile Home:** A Manufactured Home constructed prior to June 15, 1976, the effective date of the Manufactured Home Construction and Safety Standards, 24 CFR Part 3280 (the “HUD Code”).

**Mobile Retail Unit:** Any vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway, or waterway from which any merchandise other than food or beverages is offered for sale.

**Mobile Retail Vendor:** A person who operates a mobile retail unit.

**Mobile Vending:** A use category that includes the sale of food and/or merchandise from a mobile food unit or mobile retail unit.

**Modular Dwelling:** A dwelling constructed in accordance with the standards set forth in the NC 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.

**Monuments:** Markers placed on or in the land. Metal pins not less than three-fourth (3/4) inches in diameter and 18 inches long or concrete monuments four (4) inches in diameter or square and three feet long.

**Motor Vehicle:** Any vehicle or machine designed or intended to travel over land by self-propulsion. [JYCO]

**Mounting Height:** The height of the photometric center of a luminaire above grade level.

**Multi-Family Dwelling:** ~~A residential use consisting of a building designed or constructed to contain more than one dwelling unit, including apartments and condominiums. This definition does not include two-family (duplex) dwellings. [ZO]~~ A residential building that contains three or more dwelling units and/or coliving dwelling units and is located on a single lot. Such units may be leased separately or developed as condominiums.

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<sup>54</sup> This definition is from the Chatham County Public Health Department, Division of Environmental Health, handout *Mobile Food Unit — General Requirements*.



**Multi-Family Dwelling:** A structure arranged, designed, and intended to be the residence of more than one family, with each family having independent cooking and bathing facilities. Examples include apartments and sometimes condominiums. [CCO]

**Multi-Tenant Development.** For the purposes of the sign regulations in [Section 4.7: Signs](#), a single building or a development with multiple buildings that is under common ownership, management, and control with more than one occupant and whose occupants are distinct users that each occupy a portion of the multi-tenant building or development.

## (N)

**National Pollutant Discharge Elimination System Permit (NPDES):** Authorized by the Clean Water Act, this permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States.

**Natural Areas:** A type of open space in which a tract of land contains undisturbed or minimally disturbed vegetation that is permanently protected from development by homeowners association ownership, deed restriction, or conservation easement. Examples include woodlands, such as the tree save areas required by [Section 6.4: Tree Preservation](#). A natural area may contain multi-use paths to accommodate pedestrians, bicyclists, and equestrians, but typically does not contain structures or other improvements.

**Natural Recreation Area:** An area that is intrinsically dark at night where electric lighting should be held to a minimum as designated by Chatham County.

**Neighborhood Recreation Amenity:** A use classification for facilities offering sports and recreation activities for residents of a neighborhood, including tennis courts, swimming pools, parks, clubhouses, and play fields. Such facilities may also engage in retail sales of specialty products and services and provide ancillary indoor activities such as restaurants, concessions, and locker rooms.

**Nonalluvial:** Not related to streams or moving water. [CCO]

**Non-conforming Building or Structure:** A ~~non-conforming situation~~ [nonconformity](#) that occurs when the height of a structure or the relationship between an existing building or buildings and other buildings or lot lines do not conform to the dimensional regulations applicable to the district in which the property is located.

**Non-conforming Lot of Record:** A lot existing at the effective date of this Ordinance or any amendment to it (and not created for the purpose of evading the restrictions of this Ordinance) that ~~cannot~~ [does not](#) meet the minimum area and/or lot width requirements of the district in which the lot is located.

**Non-conforming Situation:** A situation that occurs when, on the effective date of this Ordinance or any amendment to it, an existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. A non-conforming situation may also occur due to governmental acquisition of property whether voluntary or involuntary. Among other possibilities, a non-conforming situation may arise because a lot does not meet minimum acreage requirements, because structures do not satisfy minimum yard requirements, because the relationship between existing buildings and the land (in such matters as density and setback requirements) is not in conformity with this Ordinance, or because land or buildings are used for purposes which are not in conformance with the list of permitted uses for the district in which the property is located.

**Non-conforming Use:** A non-conforming situation that occurs when property is used for a purpose or in a manner not permitted by the use regulations applicable to the district in which the property is located.

**Non-Cul-de-sac Street:** A street with more than one end open to traffic or ~~which~~that may be opened in the future, such as a stub street.

**Non-Discharge Permit:** Permit from the North Carolina Division of Water Quality to allow discharge of processed wastewater onto the land (i.e., such as spray irrigation).

**Nonmetallic Mineral Product Manufacturing:** A use category that includes establishments that transform mined or quarried nonmetallic minerals, such as sand, gravel, stone, clay, and refractory materials, into products for intermediate or final consumption.<sup>55</sup>

**Non-Profit Club:** A building or facility used for social, educational, or recreational purposes operated by an organization that requires membership for participation, is primarily non-profit, and does not render a service that is customarily carried on as a business.

**Non-Residential Subdivision:** A subdivision whose intended use is other than residential, such as commercial, institutional, or industrial. Any subdivision lot whose intended use is for bona-fide farm activities, with no residential component, is included in this definition.

**Normal High Water Mark:** The average or normal limit of a water body's elevation under non-flood conditions. It is the point up to which the water regularly rises during the course of normal flow, excluding extreme events such as floods.

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<sup>55</sup> This definition is the NAICS industry sector definition.

**Normal Pool Elevation:** The natural or design elevation of a perennial water body.  
[WPO]

**Nude or A State of Nudity:** The appearance of a human anus, male genitals, or female genitals; or a state of dress which fails to opaquely cover a human anus, male genitals, or female genitals.

**Nude Model Studio:** Any place where a person who appears nude or semi-nude, or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, filmed, or similarly depicted by other persons who pay money or any other form of consideration. Nude Model Studio shall not include a preparatory school licensed by the State of North Carolina or a college, junior college, or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation.

**Nursing Home:** An establishment ~~which~~that provides full-time convalescent or chronic care, or both, to persons who are not related by blood or marriage to the operator or who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves.

## (O)

**Off-Premises Sign:** A sign that advertises businesses, organizations, goods, products, or services that are not located, sold, manufactured, or distributed on or from the premises or facilities where the sign is located. Any sign that advertises or otherwise identifies any property, structure or use not located on the same parcel as sign.

~~**Off-Premise Directional Sign:** Any off-premise sign indicating the location of or directions to a business, church, park, historic property, school, or other place of public assembly and shall contain no advertising content.~~

**Off-Site:** Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant requesting subdivision plat approval.

**Official Maps or Plans:** Any maps or plans officially adopted by the Board of Commissioners as a guide to the development of Chatham County. The Zoning Map and Thoroughfare Plan are examples of an official map and plan, respectively.

**Official Submission Date:** The date of the meeting at which a plat is deliberated for approval.

**Office, Professional:** Establishments intended for the conduct of professional business services by a commercial enterprise. Examples include legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; consulting services; corporate headquarters; graphic, industrial, and interior design services; advertising services; and office and administrative services.

**On-Premises Sign:** A sign that advertises businesses, organizations, goods, products, or services that are located, sold, manufactured, or distributed on or from the premises or facilities where the sign is located.

**On-Site Directional Sign:** A sign incidental to the use of the lot on which it is located that provides necessary information to guide traffic, whether vehicular or otherwise, within the site. Any one directional sign shall be no larger than five (5) square feet.

**Opaque:** A substance that cannot be seen through when viewed perpendicularly at the same elevation. [JYCO]

**Open Space:** ~~A restricted reservation of land located within a development with limited low impact amenities. Amenities may be passive or active. A few examples include but are not limited to: green space both natural and landscaped, detention areas, trails, lakes, pavilions, benches, outdoor cooking facilities, and active recreational facilities such as ball and soccer fields, playgrounds, and the like. [SR] A tract of land and/or water bodies used for conservation; resource protection; active or passive recreation; civic use; greenways and trails; or buffer that qualifies as an open space type under~~ **Section 6.2: Open Space.**

**Open Space:** Land required to be permanently protected for passive recreational uses in accordance with the provisions of this ordinance. [CCO]

### **Area:**

**Common Open Space:** ~~An area of land and/or water generally lacking in man-made structures and reserved for enjoyment in its unaltered state, or for recreation, by residents of the compact community and their guests. [CCO]~~

**Passive Open Space:** ~~Land that is left in an open, undeveloped state for recreational activities such as walking and hiking. [CCO]~~

**Open Structures:** A building or structure, open on all sides and supported by a roof and posts or columns.

**Outdoor Performance Area:** An area permanently dedicated to the public presentation of music, dance, theater, media arts, storytelling, oratory, or other

performing arts, whether publicly or privately owned, including but not limited to amphitheaters and similar open or semi-enclosed structures.

**Outdoor Sports Field:** An area designed for recreation (public or privately owned). These areas include, but are not limited to baseball/softball diamonds, soccer fields, football fields, golf courses, golf driving ranges, tennis courts, racetracks, firearm shooting ranges, and swimming pools.

**Owner:** A holder of any legal or equitable estate in the premises, whether alone or jointly with others, and whether in possession or not. [ZO]

**Owner:** Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under the regulations. [SR]

**Owning Entity:** The party responsible for the maintenance of stormwater structures as provided in the Operation and Maintenance Agreement. [CCO]

## (P)

**Parcel:** [See Lot.](#)

**Park:** See [Recreation Area](#).

**Passenger Vehicle:** [A motor vehicle, except for motorcycles and mopeds, designed for carrying 10 or fewer passengers and used primarily for the transportation of people.](#)

**Pedestrian Walkways or Pathways:** Sidewalks, paths, and trails that provide a safe and accessible place for people to walk throughout the neighborhood. [CCO]

**Pennant Sign:** A sign made of lightweight plastic, fabric, or other material, whether or not containing a message, suspended from a rope, wire or string, usually in series, designed to move in the wind.

**Perennial Stream:** A stream or river that flows throughout the year except during extreme droughts. It includes a well-defined channel that contains water year round during a year of normal rainfall with the aquatic bed located below the water table for most of the year. [CCO]

**Perennial Stream.** A well-defined channel that contains water year round during a year of normal rainfall with the aquatic bed located below the water table for most of the year. Groundwater is the primary source of water for a perennial stream, but it also carries storm water runoff. A perennial stream exhibits the typical biological, hydrological and physical characteristics commonly associated with continuous

conveyance of water. For the purposes of this [Watershed Protection] ordinance, a perennial stream will have a minimum score of “30” on the most recent version of the NCDWQ Stream Identification Form. [WPO]

**Perennial Water Body.** A pond or lake that is part of a natural drainageway and is fed by either an intermittent or perennial stream or directly discharges into either an intermittent or perennial stream. [WPO]

**Perimeter Buffer:** Land that either obscures or significantly softens the external view of the compact community from adjacent properties. [CCO]

**Permanent Means of Ingress and Egress:** An easement or road that meets the applicable requirements listed in this Ordinance.

**Perpetuity:** Permanently.

**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.

**Personal Services:** [A use category that includes establishments primarily engaged in the provision of frequent or recurrent services of a personal nature. Typical uses include, but are not limited to, beauty and barber shops, nail salons, spas, tanning salons, tattoo studios, body piercing studios, shoe repair shops, tailor shops, dry cleaning pick-up/drop-off stores, and laundromats.](#)

**Pet Day Care Facility:** [An establishment primarily engaged in the care of household pets for less than 24 hours at a time. This use does not include veterinary services or commercial kennels.](#)

**Photovoltaic System:** An active solar energy system that converts solar energy directly into electricity.

**Place of Worship:** A building and/or land primarily used by a non-profit organization for organized religious services and supporting uses.

**Planning Board:** The Chatham County Planning Board, [which is the board appointed by the Board of Commissioners in accordance with N.C.G.S. § 160D-301: Planning boards.](#) [See [13.1.1: Planning Board](#)]

**Planning Director:** [The administrative head of the Chatham County Planning Department or their designee.](#) [See [13.2.7: Planning Director](#)]

**Planned Residential Development:** A residential project not bound by typical minimum lot sizes, housing development types and dimensional requirements as set forth in the district in which the development is located but are subject to the

standards as set forth in section 17.5(c) of this ordinance. Also referenced informally as a Planned Unit Development, or PUD.

**Planned Unit Development (PUD):** Development with a unique design that is comprised of a mixture of housing densities and types (detached and attached) and land uses, including open space. The open space shall be deeded to a property owner's association or an appropriate governmental body. A PUD shall be developed according to the master plan as specified in [Section 9](#) of these regulations. [SR]

**Portable Sign:** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported.

**Pottery, Porcelain, & Vitreous China Manufacture:** [Establishments primarily engaged in shaping, molding, glazing, and firing pottery, ceramics, plumbing fixtures, and electrical supplies made entirely or partly of clay or other ceramic materials. This use does not include artisanal pottery making that occurs in an Artisan Workshop.](#)

**Preschool:** [A school, with an accredited training program and staffed with certified teachers, for children who are not old enough to attend primary school.<sup>56</sup>](#)

**Primary Live Entertainment:** On-Site entertainment by live entertainers that characterizes the establishment, as determined from a pattern of advertising and/or actual performances.

**Primary Material:** [<define in the context of building design>](#)

**Principal Arterial:** See [Rural Road](#).

**Principal Building:** A building in which is conducted the principal use of the lot on which it is located.

**Principal Permitted Use:** Any use listed as a permitted use in any zoning district, except those which by definition or their nature are accessory uses.

**Private Sewage Treatment Facilities/Sewer:** [A privately-operated system to provide a limited number of users, usually residents of one subdivision or development, with the collection and treatment of wastewater.](#)

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<sup>56</sup> This definition is from the Charleston County Zoning & Land Development Regulations ([Article 12.1](#)).

**Principal Structure:** A structure in which is conducted the principal use of the lot on which it is located.

**Principal Use Sign:** ~~A sign which constitutes the sole and/or principal use of land.~~

**Private Street:** An un-dedicated private right-of-way ~~which~~that affords access to abutting properties according to the standards of this ordinance and requires a subdivision streets disclosure statement in accordance with the North Carolina General Statutes.

**Private-Use Airport:** See [Airport, Private-Use](#).

**Professional Office:** See [Office, Professional](#).

**Project:** A compact community proposed under this Ordinance.

For purposes of Chapter 9: Watershed Protection a proposed development activity for which an applicant is seeking a stormwater permit from the state or other entity/. "Project" shall exclude any land adjacent 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. Owners and developers of large developments consisting of many linked projects may consider developing a master plan that illustrates how each project fits into the design of the large development.

**Property Owners Association:** An incorporated association of the property owners in a compact community formed to manage common open space, administer the codes, covenants, and restrictions established for the compact community, and make other community governance decisions vested in it by its articles of incorporation. [CCO]

**Protected Area:** The area adjoining and upstream of the critical area of WS-IV watersheds. The protected area is defined at 15A NCAC 02B .0202.

**Public Facilities:** Any improvement created and/or maintained by a public entity, including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational, and health systems and facilities.

**Public Improvement:** Any drainage ditch, roadway, sidewalk, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or ~~which~~that may affect an improvement for which local government responsibility is established.



**Public Sewer:** A system to provide the public with the collection and treatment of wastewater which shall be owned and operated by a county, municipal government, or service district.

**Public Street:** A dedicated public right-of-way in which the roadway has been accepted or constructed to public standards for vehicular traffic, but not an alley. [ZO]

**Public Street:** A dedicated public right-of-way which affords access to abutting property and meets the standards of this ordinance and the most recent North Carolina Department of Transportation minimum construction standards for subdivision roads. [SR]

**Public Wastewater Management Utility:** Persons and corporations, or their lessees, trustees, and receivers, now, or hereafter, furnishing wastewater treatment service to the public for compensation as defined in [N.C. General Statutes 62-3](#). [CCO]

**Public Water:** A system to provide or furnish water to the public which shall be owned and operated by a county, municipal government, or service district.

**Public Water Service:** Persons and corporations, or their lessees, trustees, and receivers, now, or hereafter, furnishing water to fifteen (15) or more residential customers for compensation, or furnishing water to non-residential customers of any number, as defined in [N.C. General Statutes 62-3](#). [CCO]

## (Q)

**Qualified Conservation Overseer:** A certified, tax-exempt charitable conservation organization or agency eligible to receive and hold conservation easements as approved by the Internal Revenue Service.

**Qualified Individual:** A person certified to perform stream determinations by completing and passing the Surface Water Identification Training and Certification (SWITC) course offered by the N.C. Div. of Water Resources at N.C. State University.

**Quasi-Judicial Decision:** A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations.

**(R)**

**Rear Setback:** ~~Any interior property line other than a front setback which provides a usable outdoor space. (Any lot having two or more front setbacks may not have to provide a rear setback).~~

**Reclaimed Water:** Water that as a result of reclamation of wastewater is suitable for direct beneficial use or a controlled use that would not otherwise occur.

**Recreation Area:** An area of land and/or water resources that is developed for active and/or passive recreation pursuits with various [human-made](#) features that accommodates such activities.

**Recreation, Active:** Recreational activities that are organized and planned with preregistration by the user. Examples of active recreation activities include sports leagues, day camps, and aquatics.<sup>57</sup>

**Recreation, Passive:** Recreational activities that are self-directed by the user at their own pace. Examples of passive recreation activities include playground usage, picnicking, disc golf, reading, or walking a dog.<sup>58</sup>

**Recreation Camps & Grounds:** Sites with temporary or permanent campsites, shelters, cabins, or other structures designed or intended for overnight occupancy that is operated for recreation, religious, education, or vacation purposes. Recreation camps and grounds include, but are not limited to, residential camps ("summer camps"), vehicle and tent campgrounds, and primitive campgrounds. The non-commercial use of private property for camping activities by the property owner, or by one or more people authorized by the property owner, is not considered a recreation camp or ground and is not regulated by this UDO.

**Recreation Exaction Fee:** A payment in lieu of land dedication paid to Chatham County to defray the cost of providing recreation services to new development.

**Recreational Vehicles (RV):** A Vehicle, or vehicle type portable structure ~~which~~[that](#) can be hauled, towed, or driven, designed for recreational use (as in camping). Recreational Vehicles are not designed for permanent occupancy. This would include, but is not limited to travel trailers, motor homes, camping trailers, campers, truck and recreational vans. Recreational vehicles are considered domestic vehicles.

**Recreational Vehicle (RV), Park Model:** A vehicle that is built on a single chassis, is 400 sq. feet or less when measured at the largest horizontal projection, is self -

<sup>57</sup> [This definition is from the Chatham County Parks & Recreation Master Plan \(2019\).](#)

<sup>58</sup> [This definition is from the Chatham County Parks & Recreation Master Plan \(2019\).](#)

propelled or permanently towable by a light duty truck, and is generally used as temporary living quarters for recreational, camping, travel, seasonal, and special uses.

**Recycling Center:** A temporary or permanent site at which glass, aluminum cans, paper, plastic, clothes, or similar materials commonly collected for recycling are collected and moved off-site or kept on-site in buildings, storage bins, solid waste containers, truck trailers, and other rolling stock. [JYCO]

**Register of Deeds:** Chatham County Register of Deeds.

**Registered Stormwater Professional:** A professional engineer, landscape architect (to the extent that Chapter 89A of the N.C. General Statutes allow), or surveyor (to the extent that the design represents incidental drainage within a subdivision, as provided in [N.C. General Statutes 89 \(C\)-3\(7\)](#)). [CCO]

**Research & Development Facility:** [A facility used for creative and systematic work undertaken in order to increase the stock of knowledge—including knowledge of humankind, culture, and society—and to devise new applications using available knowledge. Research and development facilities typically include one or more of the following types of activity: basic research, applied research, and experimental development. Research and development facilities that include the use of dangerous equipment and/or the use, storage, production, or processing of dangerous materials or substances that present immediate or long-term physical or chemical hazards, such as fire, explosion, corrosion, or toxicity, and that are used or stored in sufficient quantities such that accidental release or explosion may affect life, health, property, or the environment beyond the immediate perimeter of the facility are classified as \*\*Restricted Industrial Uses\*\* and subject to all regulations that apply to such uses.](#)

**Reservation:** An obligation to keep property free from development for a stated period of time for the purpose of making the land available for a specified use at a later time.

**Residential Subdivision:** A subdivision whose intended use is single- or multi-family residential or duplex development.

**Responsible Party:** The incorporated entity vested with legal responsibility to ensure that a system such as the stormwater management system or sprayfield management system is properly operated and maintained. [CCO]

**Retail Store:** [An establishment that forms the final step in the distribution of merchandise. A retail store is organized to sell goods in small quantities to the general public for personal or household consumption, though they may also serve](#)

businesses and institutions. Some establishments may further provide after-sales services, such as repair and installation.

**Right-of-Way:** An interest in land to the county which provides for the perpetual right and privilege of the county, its agents, franchise holders, successors, and assigns to construct, install, improve, reconstruct, remove, replace, inspect, repair, maintain, and use a public *street*, including related and customary uses of street rights-of-way such as sidewalks, bike paths, landscaping, mass transit facilities, traffic control, traffic control devices and signage, sanitary sewer, storm water drainage, water supply, cable television, electric power, gas, and telephone transmission and related purposes in, upon, over, below, and across the rights-of-way. [ZO]

**Right-of-Way:** A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land plating purposes shall mean that every right-of-way hereafter established and shown on a Final Plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-ways intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the owner of the property on which such right-of-way is established. [SR]

**Riparian Buffers:** A natural or vegetated area that provides protective distance between a stream, perennial water body or wetland and an adjacent land area. The riparian buffer shall be measured horizontally on a line perpendicular from the top of bank or from the normal pool elevation of a perennial water body or wetland. ~~The required riparian buffer distances are specified in the~~ **Chatham County Watershed Protection Ordinance**. [SR] [WPO]

~~**Riparian Buffer:** A strip of natural or planted vegetation strip of land that lies along a stream, river, or lake and provides such functions as protecting water quality, providing wildlife habitat, and storing flood waters. [CCO]~~

**Road Right-of-Way Width:** The distance between property lines measured at right angles to the centerline of the street.

**Roof Line:** The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

~~**Rural Road:** For purposes of this ordinance the following classification of rural roads apply:~~

- H. **Principal Arterial:** A rural link in a network of continuous routes serving corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel and existing solely to serve traffic. This network would consist of interstate routes and other routes designed as principal arterials.
- I. **Minor Arterial:** A rural link in a network joining cities and larger towns and providing intrastate and inter-county service at relatively high (55 mph) overall travel speeds with minimum interference to through movement. The network would primarily serve through traffic.
- J. **Major Collector:** A road which serves major inter-county travel corridors and traffic generators and provides access to the arterial system. [SR]
- K. **Major Collector Road:** A road that provides service to small local communities and links with locally important traffic generators with their rural hinterland. [CCO]
- L. **Minor Collector:** A road which provides service to small local communities and links with locally important traffic generators with their rural hinterland.
- M. **Local Road:** A road which primarily provides access to adjacent land and for travel over relatively short distances.

## (S)

**Sales/Service of Agricultural Equipment:** This use includes establishments primarily engaged in retail sales of new and used outdoor power equipment designed for agricultural use, and may include related activities, such as repair services and sales of replacement parts.

**Sanitary Landfill:** A facility for disposal of solid waste on land in a sanitary manner in accordance with the rules concerning sanitary landfills adopted under this Article.<sup>59</sup>

**School, Public or Private:** An institution...

**Self-Service Storage Facility:** Any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such for the purpose of storing and removing personal property. No occupant

<sup>59</sup> This definition is from N.C.G.S. § 130A-290(a)(31).

shall use a self-service storage facility for residential purposes.<sup>60</sup> A self-service storage facility may offer related retail and services, such as the sale of moving supplies or the rental of moving trucks.

**Semi-Nude:** A state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

**Setback:** The minimum required horizontal distance between a structure and the property line, street right-of-way line, or street centerline ~~or access easement~~. [ZO]

**Setback:** The distance between a building and the street line or property line nearest thereto. [SR]

**Front Setback, Front:** Any setback from a street or road, as measured from the edge of the public right-of-way.

**Rear Setback, Rear:** Any interior property line other than a front setback which provides a usable outdoor space. (Any lot having two or more front setbacks may not have to provide a rear setback).

**Side Setback, Side:** Any interior property line setback other than a rear setback.

**Sexual Encounter Center:** A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration physical contact in the form of wrestling or tumbling between two or more persons when one or more of the persons is in a state of nudity or semi-nude, or activities between two or more persons when one or more of the persons is in a state of nudity or semi-nude.

**Sexually Oriented Business:** An adult arcade, adult media store, adult cabaret, adult motel, adult mini motion picture theater, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center, or any combination of the foregoing. (Refer to [Section 17.84.3.24](#) for *general-use-specific standards*)

**Sheet Flow:** The overland transport of stormwater in a shallow and thin uniform flow.

**Sheet Metal Shop:** An establishment where flat sheets of metal are shaped into three-dimensional objects using techniques such as soldering, brazing, or welding.

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<sup>60</sup> This definition is from [N.C.G.S. § 44A-40\(7\)](#).

**Shooting Range:** An area or structure specially designed for the safe discharge and use of rifles, shotguns, pistols, skeet, trap, or any similar firearm for the purpose of sport shooting or military/law enforcement training.<sup>61</sup>

**Shoreline Stabilization.** The in-place stabilization of an eroding shoreline. Stabilization techniques which include “soft” methods or natural materials (such as root wads, or rock vanes) may be considered as part of a restoration design. However, stabilization techniques that consist primarily of “hard” engineering, such as concrete lined channels, riprap, or gabions, while providing bank stabilization, shall not be considered stream restoration. [WPO]

**Side Setback:** ~~Any interior property line setback other than a rear setback.~~

**Side Path:** A paved on-road or parallel and adjacent-road pedestrian facility that connects users from residential, civic, social, and employment areas to the greenway network. A side path is bi-directional and physically separated from vehicular travel through vegetated landscape strips, rumble strips, or site furnishings (e.g., street lights, wayfinding signs, or benches).<sup>62</sup>

**Sidewalk:** A paved portion of a street right-of-way located between the curb or edge of the travel lane and the adjacent lot line intended for use by pedestrians.

**Sign:** Any object, device, display, or structure, ~~or part thereof, which is~~ used to advertise, identify, display, direct, or attract attention to any object, person, institution, organization, business, product, service, event, or location by any means, including but not limited to words, letters, pennants, banners, emblems, trademarks, trade names, insignias, numerals, figures, designs, symbols, fixtures, colors, illumination, or projected images, or any other attention directing device. The term “sign” includes a structure used to support or display a sign.

**Sign Area:** Sign area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof, which will encompass the entire advertising copy area, excluding architectural trim and structural members. In computing area, only one side of a double-faced sign shall be considered.

**Single-Family Dwelling:** A separate, detached building designed for and occupied exclusively by one family. [ZO]

**Single-Family Detached Dwelling:** A dwelling unit that entirely occupies a separate, individual building designed for and occupied exclusively by one family or household. [CCO]

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<sup>61</sup> This definition is from the Campbell County, VA [Zoning Code](#) (Sec. 22-2.B.83a).

<sup>62</sup> This definition is from the Chatham County *Parks & Recreation Master Plan* (2019), p. 223.

**Single-Family Attached Dwelling:** A dwelling unit connected to other dwelling units in the same building designed for and occupied exclusively by one family or household. Examples include duplexes and townhomes. [CCO]

**Site:** A contiguous area of land, including a lot or lots or a portion thereof, that is included in a development application.

**Site Element:** A component, other than a building, an applicant installs or maintains on a lot in conjunction with development and include exterior lighting, landscaping, buffers, parking areas, loading areas, and signs.

**Sleeping Unit:** A room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.<sup>63</sup>

**Small-Lot Residential Development:** Development on lots of less than 2 acres in size. [CCO]

**Solar Collector:** A device, structure or part of a device or structure (i.e. array, panel, etc.) installed for the sole purpose of the collection, inversion, storage, and distribution of solar energy. This device may be roof-mounted or ground-mounted as an accessory use (Refer to Section 17.6 for general standards).

**Solar Energy:** Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

**Solar Energy System (SES):** The components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited, to solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems. A system fits into one of three system types: Level 1 SES, Level 2 SES, and Level 3 SES.<sup>64</sup>

**Solar Energy System, Level 1:** Level 1 SESs include the following:

N. Roof-mounted on any code-compliant structure;

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<sup>63</sup> N.C.G.S. § 160D-706(b) prohibits a local government from using a definition of *sleeping unit* that differs from the definition of the term “in another statute or rule adopted by a State agency, including the Building Code Council or Residential Code Council.” This definition is the same as that in the North Carolina Building Code.

<sup>64</sup> This definition (and the definitions of the three system types) are from the [Template Solar Energy Development Ordinance for North Carolina](#), developed by a working group led by the North Carolina Clean Energy Technology Center and the North Carolina Sustainable Energy Association.



O. Ground-mounted on an area of up to 50% of the footprint of the primary structure on the lot, but no more than 1 acre;

P. Covering permanent parking lot and other hardscape areas; and

Q. Building-integrated solar (i.e., shingle, hanging solar, canopy, etc.).

**Solar Energy System, Level 2:** Level 2 SESs are ground-mounted systems not included in Level 1 SESs that meet the area restriction specified below for the zoning district in which the SES is located:

R. AG, RA, R5, R2, R1: SES ½ acre or less;

S. OI, RV, NB, CB, RB, RHC: SES 10 acres or less; and

T. IL, IH: SES of any size.

**Solar Energy System, Level 3:** Level 3 SESs are systems that do not satisfy the parameters for a Level 1 or Level 2 Solar Energy System.

**Solar Farm:** ~~A use where a series of solar collectors are placed in an area for the purpose of generating photovoltaic power for an area greater than the principle use on the site or as the principle use on the site for off-site energy consumption. The use of solar collectors for personal or business consumption that occurs on-site is not considered a solar farm.~~

**Special Event:** A temporary educational, recreational, cultural, or social occurrence, such as a fair, festival, circus, carnival, exhibition, sideshow, race, trade show, flea market, banquet, convention, religious event, arts and crafts show, stage show, athletic event, or other similar activity.<sup>65</sup>

**Special Use Permit:** A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards, set forth in Section 17 of this ordinance, requiring that judgement and discretion be exercised as well as compliance with specific standards. This definition includes permits previously referred to as “conditional use permits” or “special exceptions.”

**Specialized Horticulture:** ~~The use of land for the propagation of ornamental plants and other nursery products, such as bulbs, florist greens, flowers, shrubbery, flower and vegetable seeds and plants and sod and fruits and vegetables grown primarily under cover, but does not meet the definition of a bona fide farm.~~

<sup>65</sup> Most of the examples in this definition are from the current use table (ZO Section 10.13).

**Specified Anatomical Areas:** (1) Less than completely and opaquely covered: human genitals, pubic region, buttocks, or female breast below a point immediately above the top of the areola; or (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**Specified Sexual Activities:** Includes any of the following: a) Human genitals in a state of sexual stimulation, arousal, or tumescence; or b) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; or c) Sex acts, actual or simulated, including intercourse, oral copulation or sodomy; or d) Masturbation, actual or simulated; or e) Sadomasochistic practices, including, but not limited to: flagellation or torture by or upon a person, clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of one clothed or naked; or f) Erotic or lewd touching, fondling, or other contact with an animal by a human being; or g) Human excretion, urination, menstruation, vaginal or anal irrigation.

**Spray Field:** The area used for disposal of treated wastewater or irrigation with reclaimed water.

**Spray Field, Offsite:** A spray field that is not physically integrated into the design of the compact community but instead is on an adjacent or nearby parcel of land.

**Staff:** Chatham County employees.

**Steep Slopes:** Slopes with a grade of 25% or greater.

**Stormwater Administrator:** [The Watershed Protection Department Director or their designee. \[See 13.2.8: Stormwater Administrator\]](#)

**Stormwater BMP Manual:** The latest version of the [Stormwater Best Management Practices manual](#) provided by the North Carolina Division of Water Quality. [CCO]

**Stormwater Controls:** Structural and non-structural techniques, practices, and/or engineered facilities intended to treat stormwater runoff and/or mitigate the effects of increased stormwater peak rate, volume, and velocity due to development. Examples include detention ponds, constructed wetlands, sand filters, vegetated buffers, grassed swales, and bioretention areas. [CCO]

**Stormwater Control Measure (SCM):** [A permanent structural device that is designed, constructed, and maintained to remove pollutants from stormwater runoff by promoting settling or filtration; or to mimic the natural hydrologic cycle by promoting infiltration, evapo-transpiration, post-filtration discharge, reuse of stormwater or a combination thereof.](#)

**Stormwater Features:** The system of inlets, conduits, channels, ditches, ponds, and other similar and associated devices which serve to collect, convey, detain, retain, and/or treat stormwater from a given drainage area. [CCO]

**Stormwater Management:** The use of structural or non-structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and/or peak flow discharge rates. [CCO]

**Stormwater Operation and Maintenance Agreement:** The legally binding agreement established to implement the Stormwater Operation and Maintenance Plan for the compact community. [CCO]

**Stormwater Operation and Maintenance Plan:** The plan that a developer and subsequent parties must follow to ensure that stormwater management controls serve their intended function over time. [CCO]

**Stormwater Runoff:** The direct runoff of water resulting from precipitation in any form. [CCO]

**Stream:** A body of water flowing in a natural surface channel. Flow may be continuous or only during wet periods. [CCO]

**Street (Road).** A right-of-way for vehicular traffic ~~which~~ that affords the principal means of access to abutting properties. ~~[WPO]~~

**Rural Road:** For purposes of this ordinance the following street classifications of rural roads apply:

U. **Principal Arterial:** A rural link in a network of continuous routes serving corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel and existing solely to serve traffic. This network would consist of interstate routes and other routes designed as principal arterials.

V. **Minor Arterial:** A rural link in a network joining cities and larger towns and providing intrastate and inter-county service at relatively high (55 mph) overall travel speeds with minimum interference to through movement. The network would primarily serve through traffic.

W. **Major Collector:** A roadstreet ~~which~~ that serves major inter-county travel corridors and traffic generators and provides access to the arterial system. [SR]

— **Major Collector Road:** A road that provides service to small local communities and links with locally important traffic generators with their rural hinterland. [CCO]

X. **Minor Collector:** A road street which that provides service to small local communities and links with locally important traffic generators with their rural hinterland.

Y. **Local Road:** A road which street that primarily provides access to adjacent land and for travel over relatively short distances.

**Street Line:** The legal line between street right-of-way and abutting property.

**Street Sign:** The sign designating the official name and/or number of the street.

**Story:** That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it.

**Stub Street (Stub Out):** A street with one end open to traffic and one end temporarily closed, with a temporary turn around for the safe and convenient reversal of traffic movement. The end that is temporarily closed shall have access reserved on site for future extension.

**Structure:** Anything constructed, erected, or placed. [ZO]

**Structure:** Anything constructed or erected, including but not limited to buildings, which requires location on the land or attachment to something having permanent location on the land. [SR]

**Subdivider:** Any person who:

~~N.Z.~~ \_\_\_\_\_ Having an interest in land, causes it, directly or indirectly, to be divided;  
or

~~O.AA.~~ \_\_\_\_\_ Directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel, site, unit, or plat in a subdivision; or

~~P.BB.~~ \_\_\_\_\_ Engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision, of any interest, lot, parcel, site, unit, or plat in a subdivision; and

~~Q.CC.~~ \_\_\_\_\_ Is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

**Subdivision:** All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions are created 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, those instances listed under [Section 4C, Exempt Subdivisions](#) are not subject to these regulations pursuant to [this document](#). [SR]

**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 shall include all division 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:

- A. -The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this ordinance;
- B. The division of land into parcels greater than 10 acres where no street right-of-way dedication is involved;
- C. The public acquisition by purchase of strips of land for the widening or opening of streets;
- D. 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 dedication is involved and where the resultant lots are equal to or exceed the standards of ~~the this ordinance~~ [the standards of Chapter 9: Watershed Protection](#);
- E. The division of a tract into plots or lots used as a cemetery; and;
- F. [The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.](#)

### **Subdivision Administrator:**

[See [13.2.19: Subdivision Administrator](#)]

**Subdivision Agent:** Any person who represents, or acts for or on behalf of a subdivider or developer, in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

**Subdivision Plat:** The final map or drawing, described in these regulations, on which the subdivision may be submitted to the Register of Deeds for recording.

**Surveyor:** A qualified land surveyor registered and currently licensed to practice surveying in the State of North Carolina.

**Swale:** An elongated depression in the land surface that is at least seasonally wet, is usually heavily vegetated, and is normally without flowing water. Swales conduct stormwater into primary drainage channels and provide some groundwater recharge. [CCO]

## (T)

**Taxed Value:** The official value assigned to real property by the Chatham County Tax Assessor for ad valorem tax purposes.

**Technical Review Committee:** A committee composed of staff from various departments in Chatham County government and representatives of other local, state, and federal agencies. Representatives of other outside agencies or groups may be included as well. [See [13.2.10: Technical Review Committee](#)]

**Temporary Building or Structure:** Any building or structure of an impermanent nature or which that is designed for use for a limited time, including any tent or canopy. ~~This includes the use of temporary construction trailers where a building permit has been issued and remains valid during the construction process.~~

**Temporary Improvement:** Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of any performance bond.

**Temporary Lighting:** Lighting used for a limited duration, but in no case longer than ~~thirty (30)~~ days.

**Temporary Living Quarters Associated With a Special Event:** A temporary facility, including a manufactured home or a recreational vehicle, in which the operator and/or employees of a special event live for the duration of the event.

**Temporary Road.** 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. [WPO]

**Temporary Sign:** A sign constructed of cloth, canvas, light fabric, cardboard, wood, wallboard, metal, or other light materials, with or without frames, and displayed for a limited time only. Temporary signs include banners, feather signs, stake signs, and post signs. Examples of common temporary signs include political signs, public demonstration signs, yard sale signs, grand opening signs, contractor signs, real estate signs, and signs that announce a special event. The list of examples does not

~~limit the content of temporary signs. The County will not review the content of temporary signs. Any non-permanent sign designed to advertise a business or event (non-profit or for-profit) for a limited period of time. These can include portable signs, signs placed in or on the ground or signs placed on a vehicle. These do not include political signs as specified in Section 15.5(9).~~

~~**Temporary Structure:** Any structure of an impermanent nature or which is designed for use for a limited time, including any tent or canopy. This includes the use of temporary construction trailers where a building permit has been issued and remains valid during the construction process.~~

~~**Tobacco Paraphernalia:** Cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, electronic cigarette cartridges, electronic cigarette liquids, and any other items designed for the preparation, storing, consumption, or use of tobacco products or electronic smoking devices.<sup>66</sup>~~

~~**Tobacco Product:** Any manufactured product that contains tobacco or nicotine or is derived from tobacco including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products, and electronic cigarette cartridges, whether packaged or not. Tobacco product does not include any product that has been approved by the U.S. Food and Drug Administration, pursuant to its authority over drugs and devices, for sale as a tobacco use cessation product or for other medical purposes and is being marketed and sold solely for that approved purpose.<sup>67</sup>~~

~~**Tobacco Retailer:** An establishment primarily engaged in the retail sale of tobacco, tobacco products, and tobacco paraphernalia.~~

~~**Top of Bank.** For the purposes of this Ordinance, the point on a stream's cross-section defined by the bankfull elevation or the highest point in elevation immediately adjacent to the stream channel, whichever is greater. [WPO]~~

~~**Townhouse (or Townhome):** Attached dwelling units with ground level access and on their own individual lot.~~

~~**Toxic Substance.** Any substance or combination of substances (including disease causing agents), which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including~~

<sup>66</sup> This definition is from the [Dublin, CA Zoning Ordinance \(Chapter 8.43: Tobacco Retailers\)](#).

<sup>67</sup> This definition is derived from the definition in the [Vermont Model Zoning Ordinance Regulating the Location of Retail Establishments Selling Tobacco Products](#).

malfunctions or suppression in reproduction or growth) or physical deformities in such organisms or their off spring or other adverse health effects. [WPO]

**Treatment Volume:** The amount of stormwater runoff included in the first inch of rainfall on a compact community. [CCO]

**Trail Management Plan.** A bound document providing details and descriptions of trail design, materials, alignment, management procedures, responsible party and schedule of maintenance activities to ensure adequate trail operations and maintenance in perpetuity. The Plan will include, at a minimum, the following:

- A. Existing site conditions (including the status of the protected area)
- B. Needs and purpose (including intended use)
- C. Trail location based on site survey
- d. Design details
- D. Justification
- E. Responsible entity for design, implementation, maintenance and access control
- F. Short and long-term impacts (e.g., future trail relocations) should be identified
- G. Proposed mitigation due to impacts related to water quality and drainage. [WPO]

**Tree:** A perennial woody plant with single or multiple trunks and few if any branches on its lower part, which at maturity will obtain a minimum six-inch caliber. [CCO]

**Truck Terminal:** [A facility for the storage, dispatch, and maintenance of operable trucks and trailers. Truck terminals may be used to transfer goods from one truck to another, but shall not be used for long-term storage of goods.](#)

**Two-Family Dwelling (Duplex):** A building arranged and designed to be occupied by two families living independently of each other.

## (U)

**Zoning Unified Development Ordinance:** [The Unified Development Ordinance for Chatham County, North Carolina, which applies to all land lying within Chatham County and outside the municipal limits and extraterritorial jurisdictions of the incorporated municipalities. Zoning Ordinance for Baldwin, Williams, New Hope, Cape Fear, and portions of Haw River, Oakland, Center, Albright, Gulf, Hickory Mountain, Matthews, and Hadley Townships.](#)



**Unobstructed:** Free of obstacles that delay, impede or hinder passage and/or access. An unobstructed roadway allows the two-way movement of vehicles, free of on-street vehicular parking and other obstacles.

**Unzoned Area:** ~~An area where there is no zoning in effect. [JYCO]~~

**Uplight:** For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.<sup>68</sup>

**Usable Land:** See Lot Area (Useable).

**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.

**Use, Non-Residential:** Any use other than a residential use (e.g., commercial, retail, office, civic, or institutional use).

**Use, Residential:** Any use that includes only dwelling units and their customary accessory uses, but no other uses.

**Use Value Assessment:** The assessment of land based on its natural resource value as farmland, forestland, horticultural land, or conservation land, as opposed to its development value. Such an assessment is available to qualifying properties in all 100 counties in North Carolina. The requirements for qualification are defined in **N.C. General Statutes 105-277.2 to 105-277.7**. [CCO]

## (V)

**Variance:** Official permission from the Board of Adjustment or the Watershed Review Board to depart from the requirements of this Ordinance.

**Vehicular Canopy:** A roofed, open, drive-through structure designed to provide temporary shelter for vehicles and their occupants while making use of a business' services.

**Vehicular Travel Way:** Any public street, private street, access easement, or driveway primarily intended to accommodate vehicular access to lots.<sup>69</sup>

<sup>68</sup> This new definition is from the MLO.

<sup>69</sup> This definition is new and replaces *right-of-way*. The current Zoning Ordinance regulates the relationship of floodlights and building lighting in relation to "public rights-of-way." The UDO proposes to regulate these items in relationship to private rights-of-way, access easements, and driveways as well.

**Vested Right:** The right to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan or an approved phased development plan. Refer to the North Carolina General Statutes § 160D-108 for more information.

**Visible:** Capable of being seen without visual aid by a person of normal visual acuity. [JYCO]

**Viewshed Buffer:** Land that either obscures or significantly softens the external view of the compact community from public roadways that run along the boundary of the development. [CCO]

**Voluntary Agricultural District (VAD):** Contiguous acres (initially) of agricultural land, or forestland, or horticultural land that is part of a qualifying farm or the number of qualifying farms deemed appropriate by the governing board of the county and reviewed by the Agricultural Advisory Board. The purpose of such agricultural districts shall be to increase identity and pride in the agricultural community and its way of life and to increase protection from nuisance suits and other negative impacts on properly managed farms. Refer to North Carolina General Statutes § 106-738 and -743 for more information. [ZO]

**Voluntary Agricultural District:** A special farming district established under the Chatham County Farmland Preservation Program Ordinance. [CCO]

## (W)

**Walkable:** Community, streetscape, and building design and scale that provide for convenient, safe, comfortable, and visually interesting pedestrian access and mobility.

**Wall Pack:** A type of light fixture typically flush-mounted on a vertical wall surface.

**Wastewater Treatment Facility:** One facility in the larger wastewater management system. [CCO]

**Wastewater Management System:** The collection of facilities that are operated and maintained for the collection, treatment, and safe disposal of wastewater discharged from residential, commercial, and civic properties. [CCO]

**Water Dependent Structure.** Any structure for which the use requires access to or proximity to or citing within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks and bulkheads. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots and commercial boat storage areas are not water dependent structures. [WPO]

**Water Hazard Area:** The area adjacent to continuously flowing waterways and intermittent streams as designated on the most recent USGS quadrangle sheets which due to its proximity to the waterway, soils and/or other topographic information is deemed not suitable for structures or septic fields due to potential water pollution. (Note: This is a historic referenced that may appear on older plats. It is no longer used in the ordinance after December 2, 2008)

**Water Tower:** A water storage tank, a standpipe, or an elevated tank situated on a support structure, originally constructed for use as a reservoir or facility to store or deliver water.

**Watershed.** The entire land area contributing surface drainage to a specific point (e.g. the water supply intake.), or alternatively, the geographic region within which water drains to a particular river, stream, or body of water [WPO].

**Watershed Administrator/Protection Director:** ~~An official or designated person of county-The administrative head of the Watershed Protection Department, or their designee, responsible for administration and enforcement of the Chatham County Watershed Protection Ordinance, and of designated sections of this ordinance.~~ [CCO] [See 13.2.1: Watershed Protection Director]

**Wetlands:** Waters as defined by N.C. General Statutes 143-212(6) and areas that are inundated or saturated by an accumulation of surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. [CCO]

**Wetlands.** “Waters” as defined by N.C.G.S. § 143-212(6) and are areas that are inundated or saturated by an accumulation of surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands do generally include swamps, marshes, bogs, seeps, springs, and similar areas. Wetlands classified as waters of the State are restricted to waters of the United States as defined by 33 CFR 328.3 and 40 CFR 230.3. [WPO]

**Wholesaling, Warehousing, Flex Space, & Distribution:** A use classification that includes facilities engaged in the storage, wholesale sales, and distribution of manufactured products, supplies, and equipment to be redistributed to retailers, wholesalers, consumers, or otherwise transported off-site. These facilities may include ancillary offices.

**Wide-Body Refractive Globe:** A translucent lamp enclosure used with some outdoor fixtures to provide a decorative look (including but not limited to acorn- and carriage light-style fixtures). “Wide-body” refers to a wider than average size

globe (greater than 15.75" in diameter). "Refractive" refers to the redirection (bending) of the light as it goes through the lens, rendering the light fixture more effective. Wide-body refractive globes are intended to soften and spread the light being distributed from the light source thereby reducing direct glare.

**Wildlife Corridor:** An area of land in a relatively natural state that is unimpeded by significant development disturbance, including roads, such that a particular species can travel between core habitats along the corridor.<sup>70</sup>

**Winery:** An establishment that commercially produces a maximum quantity of 50,000 cases of fortified or unfortified wine, as defined in N.C.G.S § 18B-101(7) and (15), per year. Such facilities include all aspects of production and may include administrative offices and a tasting room. A winery may be established in conjunction with a restaurant. A winery that produces more than 50,000 cases per year is considered "Beverage Manufacturing" (NAICS 312), which is categorized as a **Light Industrial Use.**

**Wireless Facility or Wireless Facilities:** The set of equipment and network components, exclusive of the underlying Wireless Support Structure, including, but not limited to, Antennas, Accessory Equipment, transmitters, receivers, Base Stations, power supplies, cabling, and associated equipment necessary to provide wireless telecommunications services.

**Wireless Support Structure:** A freestanding structure, such as a Monopole or Tower, designed to support Wireless Facilities. This definition does not include Utility Poles.

## (X, Y, Z)

**Zoning Administrator and Official:** The person or persons designated by the Chatham County Manager to administer and enforce this Ordinance or the Zoning Administrator's designee. [See [13.2.12: Zoning Administrator](#)]

**Zoning District:** Any portion of the area of unincorporated Chatham County in which the regulations are uniform for each class or kind of building. The UDO establishes three types of zoning districts: conventional, conditional, and legacy (see [2.1.2: Districts Established](#)).

**Zoning District, Non-Residential:** A conventional zoning district in which the predominant uses are commercial, civic, or other uses that do not typically include

<sup>70</sup> This definition is from the North Carolina Wildlife Resources Commission's [Green Growth Toolbox](#), Appendix D, page 125.

residential dwellings. The following districts are considered Non-Residential Zoning Districts: RV, OI, NB, CB, RB, RHC, IL, and IH.

**Zoning District, Residential:** A conventional zoning district in which the predominant uses are residential dwellings. The following districts are considered Residential Zoning Districts: RA, R5, R2, and R1.

**Zoning Ordinance:** The Chatham County Zoning Ordinance for Baldwin, Williams, New Hope, Cape Fear, and portions of Haw River, Oakland, Center, Albright, Gulf, Hickory Mountain, Matthews, and Hadley Townships.

## 17.3 DEFINITIONS FROM OFF-PREMISE SIGN ORDINANCE

### ~~100.00~~ — ~~Definitions.~~

~~The following words and terms shall have the meaning as hereinafter defined.~~

~~**100.01** — **Abandoned Sign:** -These are signs or parts of signs which advertise or pertain to a business, product, service, commodity, or purpose which no longer exists or that has not been in use for 180 days or more. A sign or sign structure which has not been utilized for a period of 180 days or more, or a sign, the contents of which pertain to a place, time, event or purpose which no longer exists, applies or which has occurred.~~

~~**100.02** — **Adjacent.** **Adjacent shall mean a tract of real property contiguous to another tract of real property, including a tract — separated by a road, river, easement or right-of-way.**~~

~~**100.03** — **Animated Sign:** Any sign using flashing or intermittent lights, sound, color changes or other mechanical or electrical means to give motion to the sign or the impression of motion or movement to the sign or any sign with visible moving, revolving or relocating parts.~~

~~**Billboard:** A permanent, freestanding, off-premises sign or sign structure upon which copy is placed on a poster or panel and mounted on a pole or metal structure, including the following typical configurations:~~

- ~~1. Wood posts or pole supports with dimensional lumber as the secondary support (A-frame) with a wood or metal catwalk and a single display panel;~~
- ~~2. A steel A-frame constructed with angle iron or steel supports with metal framing, catwalk, and a single display panel;~~

3. A multi-mast structure constructed with steel poles, I-beam or equivalent as primary support, with a catwalk, and a single display panel; or
4. A monopole structure constructed with tubular steel support, tubular steel framing, metal catwalk, and a single display panel with a concrete foundation.

**Commercial Message:** A sign that advertises businesses, organizations, goods, products, or services.

**Non-Commercial Message:** A sign that does not advertise businesses, organizations, goods, products, or services.

#### **~~100.04~~ — Area of Sign.**

**~~A. — The area of a sign shall be considered to be that of the smallest rectilinear figure (but which shall have a continuous perimeter of not more than eight (8) straight lines) which encompasses all lettering, wording, frame design or symbols, together with any background on which the sign is located and any illuminated part of the sign, if such background or such illuminated part of the sign is designed as an integral part of and related to the sign. Any cutouts or extensions shall be included in the area of the sign, but supports and bracing which are not intended as part of the sign shall be excluded. In the case of a multi-faced sign, the area of the sign shall be considered to include all faces visible from one direction.~~**

**~~100.05 — Commemorative Sign. Any sign, marker, tablet or monument erected in remembrance of an historic person, place, event or which denotes, honors, celebrates or acknowledges an historic person, place or event.~~**

**~~100.06 — Dangerous Sign. Any sign which the County building inspector determines to be dangerous or prejudicial to the public health or safety, pursuant to N.C. Gen. Stat. 153A-352.~~**

**~~100.07 — Exempt Sign. Any sign which is specifically listed as exempt from this ordinance. Said listed exempt signs are not regulated by the terms of this ordinance and shall not require a permit.~~**

**Electronic Message Center (EMC):** A sign capable of displaying words, symbols, figures, or images, changeable electronically or mechanically by remote or automatic means. Examples of an EMC include digital displays using light emitting diodes (LED).

16. Flag. A piece of fabric or other flexible material, with distinctive colors and patterns, customarily mounted on a pole or similar freestanding structure, or on a pole mounted on a building.

~~100.08~~ **Flashing Sign:** A sign illuminated by direct or indirect artificial light that flashes on and off in regular or irregular sequence, including but not limited to strobe light.

~~100.09~~ **Freestanding Pole Sign. A sign which is permanently affixed to the ground by a pole or other structure and which is not part of a building.**

~~100.10~~ **Governmental Sign:** Any sign erected by ~~or on the order of an~~ authorized public official ~~which the federal, state, or county government or the school district, include~~ including, but is not limited to, traffic control signs, street name and identification signs, warning and directional signs, and public notices, ~~or signs of a similar nature.~~

~~100.11~~ **Grade. The lowest point at which a sign is attached to the ground.**

~~100.12~~ **Ground sign. A freestanding sign flush to the ground and not elevated upon poles or stanchions and not attached to a building.**

~~100.13~~ **Height of Signs. The distance as measured from the elevation of the road surface of the nearest roadway to the highest point on the sign. Measurements shall be take from the centerline of the roadway from the sign location. If the sign site is at an intersection of roadways, the roadway with the highest traffic count shall be the site of the measuring point.**

**Incidental Sign:** An incidental sign is a small permanent on-premises sign that is freestanding or attached to a building that is in addition to the primary sign types for the property, such as wall signs and freestanding signs, and that has a height and scale that is subordinate to the primary sign types allowed for the property. Examples of typical incidental signs include house numbers, occupant directories, directional signs, and parking signs. The list of examples is provided to clarify the regulations and does not limit the content of incidental signs. The County will not review the content of incidental signs.

~~100.14~~ **Maintenance of Signs.** For the purpose of this ordinance, maintenance shall include those activities and procedures listed in Section 106. Work done to restore or repair a sign which is damaged or destroyed shall be considered repairs in accordance with the provisions in section 109-B.

~~100.15~~ **Non-commercial Sign. Any sign which is not by definition an off-premise sign, an off-premise advertising sign, an off-premise directional sign, an on-premise sign, an on-premise advertising sign, or an on-premise directional or information sign, and which sign displays a substantive message, statement or**

~~expression that is protected by the First Amendment to the U.S. Constitution. Non-commercial signs shall not contain any reference to a business or product.~~

~~100.16 — Non-conforming Sign:~~ Signs that are erected and in place prior the adoption of this ordinance and which do not conform to the provisions of this ordinance are declared non-conforming signs. A sign that is erected and that is in place and which conforms to the provisions of the sign ordinance at the time it is erected, but which does not conform to an amendment to this ordinance enacted subsequent to the erection of said sign is declared a non-conforming sign.

~~100.17 — Off-Premise Sign. Any sign used for the purpose of displaying, advertising, identifying or directing attention to a business, service, activity or place including products, or services sold or offered for sale on premise other than on the premises where such sign is displayed.~~

~~100.18 — Off-Premise Advertising Sign. Any sign advertising a product, service, business or activity which is sold, located or conducted elsewhere than on the premises on which the sign is located, or which said product, service, business or activity is sold, located or conducted on such premises only incidentally, if at all.~~

~~100.19 — Off-Premise Directional sign. Any off-premise sign indicating the location of or directions to a business, church, community event, park, historic property, school, or other place of public assembly.~~

~~100.20 — On-Premise sign. Any sign used for the purpose of displaying, advertising, identifying or directing attention to a business, product, operation, service or activity sold or offered for sale or to other information offered on the premises where the sign is located.~~

~~100.21 Premises. A tract of real property in single ownership which is not divided by a public street or right-of-way.~~

~~100.22 — Political signs. Signs of any political party or announcing the candidacy of any individual for any nomination or office or the position on any election issue.~~

~~100.23 — Portable or Moveable Sign:~~ A sign with a permanent frame and a display area for changeable copy, designed or intended to be relocated and not permanently affixed to the ground or structure. This shall include signs on wheels, trailers, or any other device which is intended to be moved from one location to another.

~~100.24 — Prohibited Sign. Any sign, or element of a sign, which is specifically listed as prohibited in Section 103 shall not be permitted.~~Readerboard: A sign or



part of a sign on which the copy or symbols change manually through placement of letters or symbols on a panel mounted in or on a track system.

**Residential Development Sign:** A freestanding sign located near the entrance drive or road to a residential development. An example of a typical residential development sign is one that identifies the name of the development or phase of development, sometimes incorporating architectural or landscape features. The example is provided to clarify the regulations and does not limit the content of residential development signs. The County will not review the content of residential development signs.

~~100.25 — **Setback.** For the purpose of this ordinance, setback shall mean the horizontal distance between a street right-of-way or property line and the closest point of a sign or sign structure on such lot.~~

~~100.26 — **Sign.** Any display of letter, words, numbers, figures, devices, emblems, pictures, logos, or any other means whereby the same are made visible for the purpose of making anything known, whether such display be made on, or attached to or as a part of a structure, surface, or any other object where natural or man made. The term sign shall include sign structure.~~

~~100.27 — **Street. (Road)** A right-of-way for vehicular traffic which affords the principal means of access to abutting properties. the word “street” includes the words “road” and “highway”.~~

~~100.28 — **Street Frontage.** That portion of a lot abutting a publicly maintained street or alley.~~

~~100.29 — **Temporary sign.** A sign with or without a structural frame, not permanently attached to a building, structure, or the ground and intended for a limited period of display provided, however, a temporary sign does not include a portable or moveable sign as herein defined.~~**Traffic Control Device:** Traffic control devices on public or private property that the Manual on Uniform Traffic Control Devices adopted in this State requires or allows.

~~100.30 — **Warning or danger sign.** A sign erected by a public utility or construction company to warn of hazardous conditions.~~