17 DEFINITIONS

17.1 INTENT

For the purpose of interpreting this ordinance, certain words, concepts, and ideas are defined herein. Except as defined herein, all other words used in this ordinance shall have their everyday meaning as determined by their dictionary definition.

17.2 RULES OF CONSTRUCTION

The words and phrases in this chapter shall have their customary meanings or shall be as defined in a standard dictionary, except for the specific words and phrases defined in this chapter unless otherwise stated, the following shall apply:

- Tense. Words used in the present tense include the future tense.
- Number. The singular number includes the plural number and the plural number includes the singular number.
- Person. The word "person" includes a firm, association, partnership, trust, company, corporation or any other entity usually defined in legal usage as a person.
- Shall and May. The words "shall," "must," and "will" are mandatory in nature. The word "may" is permissive in nature.
- Used or occupied. The words "used" and "occupied" include the words "intended, designed, or arranged to be used or occupied."
- Lot. The word "lot" includes the words "plot" and/or "parcel."
- Structure. The word "structure" includes the word "building."
- On the Premises Of. The phrase "on the premises of," as applied to accessory uses or structures, shall be interpreted to mean "on the same lot."
- LBCS – American Planning Association Land-based Classification Standards
- NAICS – North American Industrial Classification System
- Land use; purpose. Defined land uses shall include both for-profit and non-profit ventures unless otherwise stated.

17.3 DEFINITIONS, USE TYPE

ACCESSORY USE A use that is clearly incidental to and customarily found in connection with a principal building or use, is subordinate to and serves a principal building or use and is subordinate in area, extent and purpose to the principal building or principal use served.

ADULT ESTABLISHMENT Any establishment having a substantial portion of materials or entertainment characterized by an emphasis on sexual activities, anatomical genital areas, or the female breast as listed and defined in NCGS, Section 14.210.10 (or any successor thereto).

AIRSTRIP/AIRPORT A surface used for take-off and landing of aircraft and the buildings, passenger/freight terminals, airplane hangars, and other accessory uses directly associated with that function.

ALCOHOLIC BEVERAGE SALES STORE The retail sales of beer, wine, and/or other alcoholic beverages for off-premise consumption as a primary use.

AMUSEMENTS, INDOOR Establishments that provide commercial recreation activities completely within an enclosed structure such as

video arcades, skating rinks, roller rinks, and bowling alleys.

AMUSEMENTS, OUTDOOR Establishments that provide commercial recreation activities primarily outdoors such as miniature golf establishments; go-cart facility; theme parks, carnivals, fairgrounds, and midways; paintball parks; and water rides.

ANIMAL PRODUCTION / POSSESSION Industries in the Animal Production subsector raise or fatten animals for the sale of animals or animal products. The subsector comprises establishments, such as ranches, farms, and feedlots primarily engaged in keeping, grazing, breeding, or feeding animals. These animals are kept for the products they produce or for eventual sale. The animals are generally raised in various environments, from total confinement or captivity to feeding on an open range pasture. Establishments primarily engaged in the farm raising and production of aquatic animals or plants in controlled or selected aquatic environments are included in this subsector.

ARTIST STUDIO/LIGHT MANUFACTURING WORKSHOPS The assembly, fabrication, production or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and are visually undifferentiated from an office building or a residentially-scaled garage. These typically involve the work of artisans or craftsman.

ATM Self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. These machines may be located at or within banks, or in other locations.

BACKYARD PENS/COOPS/BEEKEEPING The long-term keeping of poultry, rabbits, honey bees, and other similar small creatures in backyards as accessory uses to existing residential structures.

BANKS, CREDIT UNIONS, FINANCIAL SERVICES Establishments that engage in financial transactions that create, liquidate, or change ownership of financial instruments. Banks, credit unions, and savings institutions may perform central banking functions, accept deposits, and lend funds. In addition to banks and credit unions, financial services institutions may include: credit agencies, trust companies, holding companies, savings and loan institutions, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies.

BAR/TAVERN/NIGHT CLUB A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery and other beverage tasting facilities. Entertainment including live music, and/or dancing, comedy, etc. may also be included.

BED AND BREAKFAST HOMES (UP TO 8 ROOMS) A private home containing not more than eight (8) guest rooms that offers bed and breakfast accommodations to guests.

BED AND BREAKFAST INN (UP TO 12 ROOMS) A private home containing not more than twelve (12) guest rooms that offers bed and breakfast accommodations to guests.

BILLIARD/POOL HALL Any place where one or more billiard or pool tables are operated or maintained, except for private family use, whether such place is a social club or a business enterprise operated for profit.

BOARDING OR ROOMING HOUSE A detached residential structure that has been converted for use as group living quarters.

BUSINESS SUPPORT SERVICES These establishments provide any of the following: document preparation, telephone answering, telemarketing, mailing (except direct mail advertising), court reporting, and steno typing. They may operate copy centers, which provide photocopying, duplicating, blueprinting, or other copying services besides printing. They may provide a range of support activities, including mailing services, document copying, facsimiles, word processing, on-site computer rental, tax preparation, legal services and office product sales.

CAMPGROUND A lot, tract or parcel of land upon which campsites for trailers, tents or RV's are permitted for the purpose of temporary

habitation for the travelling or vacationing public.

CEMETERY A parcel of land used for internment of the dead in the ground or in mausoleums.

CHILD/ADULT DAY CARE CENTER (MORE THAN 8 PERSONS) An individual, agency, or organization providing supervision or care on a regular basis for children or adults who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adults; and who are not residents in the center; designed and approved to accommodate more than eight children or adults at a time based on State regulations; not an accessory to residential use.

CHILD/ADULT DAY CARE HOME (8 OR LESS PERSONS) Supervision or care provided on a regular basis as an accessory use within a principal residential dwelling unit, by a resident of the dwelling, for no more than eight children (no more than five of which may be of pre-school age).

CIVIC MEETING FACILITIES Non -profit membership organizations such as alumni associations, booster clubs, scouting organizations, ethnic associations, social clubs, fraternal lodge and veterans' membership organizations primarily engaged in promoting the civic and social interests of their members. The uses often include meeting and storage facilities.

COLLEGE/UNIVERSITY Junior colleges, colleges, universities, and professional schools with physical structures (excluding online and remote programs). These establishments furnish academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels in a campus setting.

COMMUNITY SUPPORT FACILITY A non-profit or government facility providing personal assistance to individuals in need; such assistance to individuals may include temporary shelter, food services provisions, counseling, instruction, medical services, and other incidental services. This definition is not intended to be inclusive of Transitional Shelters which are regulated as separate temporary uses.

CONFERENCE/CONVENTION CENTER A commercial facility for public assembly including, but not limited to auditoriums, conference facilities, convention centers, exhibition halls, and the like.

CORRECTIONAL INSTITUTION Government establishments generally designed for the confinement, correction, and rehabilitation of offenders sentenced by a court.

CREMATORIA Establishments for the preparation of the dead through cremation in a furnace. This definition includes crematoria for the internment of animal remains.

CROP PRODUCTION A property used primarily for the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants.

CULTURAL OR COMMUNITY FACILITY Facilities designed to promote cultural advancement and serve the community such as live theater, dance, or music establishments; art galleries, studios and museums; museums, exhibition, or similar facility; and libraries.

DAY TREATMENT CENTER A state-licensed facility providing behavioral health treatment programs, outpatient care, substance abuse treatment and treatment of mental or nervous disorders. Consumers, or patients, may be residents of their own home, a substitute home, or a group care setting, however, the day treatment must be provided in a setting separate from the consumer's residence.

DORMITORY A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, convent, monastery or other similar public, semi-public use.

DRIVE-THRU/DRIVE-IN FACILITY A primary or accessory facility where goods or services may be obtained by motorists without leaving their vehicles. These facilities include drive-through bank teller windows, dry cleaners, fast-food restaurants, drive-through coffee, photo stores, pharmacies, etc. Does not include: Automated Teller Machines (ATMs), gas stations or other vehicle services, which are separately defined.

DRY CLEANING & LAUNDRY SERVICES Coin-operated laundries, dry cleaning pick-up stores without dry cleaning equipment, or dry cleaning

stores that do not provide cleaning services to other collection stations or stores.

DWELLING or DWELLING UNIT A building or structure, or part of a building or structure, providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation and meeting the habitability requirements of the City of Wilson Minimum Housing Code and the State of North Carolina Building Code.

DWELLING-ACCESSORY A dwelling unit either detached or attached, such as a garage apartment or cottage, designed for occupancy by one or two persons, located on a lot with an existing single-family dwelling.

DWELLING-DUPLEX A two-unit building located on a single lot that is divided horizontally or vertically, and each unit has a separate entrance from the outside or through a common vestibule.

DWELLING-MULTIFAMILY A building or portion thereof containing three or more dwelling units on a single lot where each unit has a separate entrance from the outside or through a common vestibule. A multifamily structure where dwelling units are available for lease or rent for less than one month shall be considered lodging.

DWELLING-SINGLE FAMILY A free standing building designed for and/or occupied by one household. These residences may be individually owned or owned by rental or management companies. Also includes factory-built, modular housing units that comply with NC State Building Code.

DWELLING-TOWNHOME A building with two or more residential units, located side by side, with common walls between the units and where each unit has a separate entrance from the outside and occupies a separate lot. Townhomes typically have one primary yard (rear) and a small front setback to provide some landscaping.

EXISTING MANUFACTURED (MOBILE) HOME PARK A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is pre-FIRM (completed prior to July 19, 1982).

FARMERS' MARKETS A temporary sales establishment, operated primarily in the open air, for the distribution of agricultural products including, but not limited to: vegetables, fruits, meats, eggs, dairy products, grains, and prepared foods.

FRATERNITY/SORORITY HOUSE A structure used to provide housing for fraternal or sisterhood organization members while such persons are attending college.

FUNERAL HOMES Establishments for preparing the dead for burial or internment and conducting funerals (i.e. providing facilities for wakes, arranging transportation for the dead, and selling caskets and related merchandise).

GARDEN (COMMUNITY AND PRIVATE) An exterior area for the small-scale production of vegetables and flowering plants for personal or small commercial use. This definition includes community and private gardens. This definition does not include crop production and nurseries.

GENERAL COMMERCIAL – GREATER THAN 100,000 SF A use category allowing general commercial premises greater than 100,000 square feet in gross leasable area to be available for the commercial sale of merchandise and prepared foods, but excluding manufacturing.

GENERAL COMMERCIAL A place of business providing the sale and display of goods or sale of services directly to the consumer, with goods available for immediate purchase and removal from the premises by the purchaser.

HALFWAY HOMES A place where persons are aided in readjusting to society following a period of imprisonment, hospitalization or institutionalized treatment related to a criminal offense. This term excludes residential/family care homes and residential care facilities.

HEAVY EQUIPMENT/MANUFACTURED HOME RENTAL/SALES/REPAIR Establishments which may have showrooms, open lots or garages for selling, renting, leasing, repairing, servicing, alteration, restoration, towing, painting and/or finishing of heavy equipment such as buses, trucks, manufactured homes, construction

equipment, commercial and industrial equipment and/or boats or other marine craft.

HOME OCCUPATION An occupation or profession conducted within a dwelling unit by a resident that is incidental to the primary use of the dwelling as a residence. Home Occupations are small and quiet businesses generally invisible from the frontage requiring little parking, little or no signage, and having only one or two employees and provide services such as professional services, music instruction, and hair styling. For the purposes of this ordinance, telecommuting shall not constitute the establishment of a home occupation.

HOSPITAL A health care facility and related facilities the purpose of which is to provide for care, treatment, testing for physical, emotional, or mental injury, illness, or disability, and overnight boarding of patients, either on a for-profit or not-for-profit basis; but not including group homes. The facility must be licensed by the North Carolina Division of Facility Services (DFS) as a hospital (general or psychiatric).

HOTEL/MOTEL Establishments providing lodging and short-term accommodations for travelers. They may offer a wide range of services including, overnight sleeping space, food services, convention hosting services, and/or laundry services. Entertainment and recreation activities may also be included. Extended-stay hotels are included in this category. This definition includes "inns."

INDUSTRY, HEAVY Typically the largest facilities in a community, these structures house complex operations, some of which might be continuous (operated 24 hours a day, seven days a week), and include any non-residential use that requires a National Pollutant Discharge Elimination System (NPDES) permit for an industrial or stormwater discharge; or that involves the use or storage of any hazardous materials or substances; or that involves the mining or extraction of any minerals, ore, fossil fuels, or other materials from beneath the surface of the earth; or that is included in any of the industry sectors of the North American Industry Classification System outlined in the table below.

NAICS Code	NAICS Industry Sector
211	Oil and Gas Extraction
212	Mining (except Oil & Gas)
213	Mining Support Activities
311	Food Manufacturing
313	Textile Mills
314	Textile Product Mills
316	Leather & Allied Product Manufacturing
321	Wood Products Manufacturing
322	Paper Manufacturing
324	Petroleum and Coal Products Manufacturing
325	Chemical Manufacturing
326	Plastics and Rubber Products Manufacturing
327	Nonmetallic Mineral Product Manufacturing
331	Primary Metal Manufacturing
332	Fabricated Metal Product Manufacturing
333	Machinery Manufacturing
336	Transportation Equipment Manufacturing

INDUSTRY, LIGHT Such facilities are typically designed to look and generate impacts like a typical office building, but 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. Such uses include medical and testing laboratories; facilities for scientific research; 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, where the manufacturing activity is secondary to the research and development activities; 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 clothes, shoes, furniture, consumer electronics and home appliances; and any use included in any of the industry sectors of the North American Industry Classification System outlined in the table below.

NAICS Code	NAICS Industry Sector
312	Beverage & Tobacco Manufacturing
315	Apparel Manufacturing
323	Printing and Related Support Activities
334	Computer & Electronic Product Manufacturing
335	Electrical Equipment, Appliance & Component Manufacturing

337	Furniture & Related Product Manufacturing
339	Miscellaneous Manufacturing

INTERNET SWEEPSTAKES FACILITIES Any business enterprise where persons utilize computers, gaming terminals, or other electronic machines to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This does not include any lottery approved by the State of North Carolina.

KENNELS, INDOOR Establishments for the boarding and grooming of pets.

KENNELS, OUTDOOR A use or structure intended and used for the breeding or accommodation of small domestic animals for sale or for the training, or overnight boarding, of animals for persons other than the owner of the lot, but not including a veterinary clinic in which the overnight boarding of animals is necessary for or accessory to the testing and medical treatment of the physical disorders of animals. (LBCS F2700)

LANDFILL AND JUNKYARDS A disposal or salvage facility for hazardous or nonhazardous solid waste, scrap metal, vehicles and other scrap materials. These establishments also include recycling and resource recovery facilities that operate in conjunction with landfills. This definition is not intended to be inclusive of Outdoor Storage Yards, beneficial fill activities (15A NCAC 13B.0562) or landfills classified as Land Clearing and Inert Debris (LCID) facilities (15A NCAC 13B.0563) operated in association with an active building permit on the same or adjacent parcel. This definition is not inclusive of the outdoor storage of lumber, pipe, brick, mulch, soil, gravel, sand and similar nonhazardous materials.

LARGE PARKING LOT A parking lot where the number of parking spaces exceeds 100.

LIVE-WORK UNITS An attached residential building type with a small commercial enterprise on the ground floor and a residential unit above or behind with a common tenant in both spaces (no dual occupancy is permitted). Live-work units exist as variations of either the Detached House building type or the Townhome building type and shall be subject to their applicable requirements.

LOCAL GOVERNMENT Any county, incorporated village, town or city, or any combination of counties, incorporated villages, towns, and cities.

MANUFACTURED HOME PARK The location of two or more manufactured or mobile homes on a parcel of land shall constitute a manufactured home park.

MANUFACTURED (MOBILE) HOUSING A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. This definition is not inclusive of Recreational Vehicles.

MANUFACTURED HOUSING-CLASS A A manufactured home constructed after July 1, 1998 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction, and has a HUD label attached.

MANUFACTURED HOUSING-CLASS B A double-wide manufactured home constructed to meet or exceed the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction and has a HUD label attached, but does not meet the criteria of a Class A Manufactured Home.

MANUFACTURED HOME-CLASS C A single-wide manufactured home constructed to meet or exceed the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction and has a HUD label attached, but does not meet the criteria of a Class A Manufactured Home.

MATERIALS RECOVERY & WASTE TRANSFER FACILITIES This industry comprises establishments primarily engaged in operating facilities for separating and sorting recyclable materials from nonhazardous waste streams (i.e., garbage); and/or operating facilities where commingled recyclable materials, such as paper, plastics, used beverage cans, and metals, are sorted into distinct categories.

MEDICAL CLINIC Facilities that provide outpatient ambulatory or outpatient health care such as emergency medical clinics; ambulatory surgical centers dialysis centers outpatient family planning services; community health centers and clinics; and blood and organ banks.

NURSERIES & GARDEN CENTERS Industries in the Nursery and Garden Center subsector grow and sell plants mainly to be transplanted to another lot. The subsector comprises establishments, such as orchards, greenhouses, and nurseries, primarily engaged in retailing plants, vines, or trees and their seeds.

OUTSIDE STORAGE The storage of any material for a period greater than 48 hours, including items for sale, lease, processing and repair (excluding vehicles for sale) outside the principal or accessory buildings on a property. Storage of construction materials on an active job site may not be defined as outside storage.

OUTSIDE SALES The retail sale of goods and products outside of a permanent primary structure that are clearly secondary to the function contained in that structure. They are typically located within permanent open-air structures, uncovered outdoor areas and/or on public or private sidewalks. Sale items include, but are not limited to, landscape materials, lawn and garden supplies, and produce.

OUTSIDE SALES, SIDEWALK SALES The retail sale of goods and products outside of a permanent primary structure that are clearly secondary to the function contained in that structure and are located exclusively on public sidewalks. Sale items include, but are not limited to, produce, clothing, accessories and other retail goods.

PARKING BAY Two parking aisles located in a back-to-back configuration.

PARKING LOT/STRUCTURE – PRINCIPAL USE A stand-alone parking lot or structure (deck/garage) that is available for public or private use, but that is not accessory to another use.

PAWNSHOPS Premises operated by a pawnbroker who is engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders. (Subject to NCGS, Chapter 91A)

PERSONAL SERVICES Cosmetic services such as hair and nail salons, barber shops, clothing alterations, shoe repair, weight loss centers and non-permanent makeup services.

PERSONAL SERVICES, RESTRICTED A personal service establishment that may tend to have a blighting and/or deteriorating effect upon surrounding areas and that may need to be dispersed from other similar uses to minimize its adverse impacts, including check-cashing services and tattooing, piercing, and similar services. These uses may also include accessory retail sales of products related to the services provided.

PHASE OF GRADING One of two types of grading: rough or fine.

POST OFFICE Establishments conducting operations of the United States Postal Service including permanent, contract, and lease stations.

PRIVATE RECREATION FACILITIES Indoor or outdoor uses or structures for active or passive recreation that are owned by private for-profit entities. Such uses include, gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities, parks, pools, ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, tennis courts, riding stables, golf courses and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses (with or without food service), restrooms, and picnic shelters.

PRODUCE STANDS A temporary open air stand or place for the seasonal selling of agricultural produce by an individual (excludes Open Air Retail).

PROFESSIONAL SERVICES Services provided that make available the knowledge and skills of their employees to sell expertise and perform professional, scientific, and technical services to others such as legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; graphic, industrial, and interior design services; consulting services; research and development services; advertising, media, and photography services; real estate services; investment banking, securities, brokerages; and insurance-related services; and, medical services such as physician's and dentist's offices.

PUBLIC RECREATION FACILITIES Indoor or outdoor uses or structures for active or passive recreation that are owned by public or semi-public entities including municipal governments, homeowner's associations, athletic associations and youth associations. Such uses include, gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities, parks, pools, ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, tennis courts, riding stables, golf courses and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses (with or without food service), restrooms, and picnic shelters.

PUBLIC SAFETY STATION Facilities for federal, state and local law enforcement and fire protection agencies, and their accessory uses including office space, temporary holding cells, equipment and evidence storage facilities, and vehicle garages. This definition is not intended to be inclusive of vehicle impoundment lots or state prison facilities.

RACETRACK An outdoor course prepared for horse, dog, automobile or other vehicle racing.

RECYCLING COLLECTION STATIONS A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. This definition is not intended to be inclusive of Materials Recovery & Waste Transfer Facilities, which are engaged in the active sorting and processing of recyclables or other waste materials.

RELIGIOUS INSTITUTION Any facility such as a church, temple, monastery, synagogues, or mosque used for worship by a non-profit organization and their customary related uses for education (pre-schools, religious education, etc.), recreation (gymnasiums, activity rooms, ball fields, etc.), housing (rectory, parsonage, elderly or disabled housing, etc.) and accessory uses such as cemeteries, mausoleums, offices, soup kitchens, and bookstores.

RESEARCH AND DEVELOPMENT FACILITIES This includes medical and testing laboratories but shall not include uses that require frequent deliveries by truck with more than two axles. This definition also includes facilities for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical, computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities.

RESIDENTIAL CARE FACILITIES (MORE THAN 6 RESIDENTS) A staffed premises (not a single-family dwelling) with paid or volunteer staff that provides full-time care to more than 6 individuals. Residential care facilities include group homes (NCGS §131D), nursing homes (NCGS § 131E-101), residential child-care facilities (NCGS § 131D-10.2), assisted living residences (NCGS § 131D-2), adult care homes (NCGS §131D-2), retirement housing, congregate living services, assisted living services, continuing care retirement centers, skilled nursing services and orphanages. This term excludes residential/family care homes and halfway homes.

RESIDENTIAL / FAMILY CARE HOME (6 OR FEWER RESIDENTS) A home with support and supervisory personnel that provides room and board, personal care and rehabilitation services in a family environment for not more than 6 resident handicapped persons and is certified by the State of North Carolina. (NCGS 168-Article 3). This term excludes residential care facilities and halfway homes.

RESTAURANT A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant); at their tables (full-service restaurant); and, at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars).

RIDING STABLES An establishment where horses are boarded and cared for, and where instruction in riding, jumping and showing and/or the hiring of horses for riding is offered.

SCHOOLS – ELEMENTARY & SECONDARY A public or private institution for education or learning including athletic or recreational facilities, but not including lodging. This includes any school licensed by the state and that meets the state requirements for elementary and secondary education. This may include remedial after school activities.

SCHOOLS – VOCATIONAL/TECHNICAL A public or private institution for education or learning including athletic or recreational facilities, but not including lodging. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification. (LBCS F6100 and F6140)

SHOOTING RANGE, INDOOR An enclosed indoor facility designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, air guns, archery or any other similar sport shooting. Indoor shooting range facilities are designed to offer a totally controlled shooting environment that includes impenetrable walls, floor and ceiling, adequate ventilation, lighting systems and acoustical treatment for sound attenuation suitable for the range's approved use.

SHOOTING RANGE, OUTDOOR A permanently located and improved area that is designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, air guns, archery or any other similar sport shooting in an outdoor environment.

SINGLE FAMILY RESIDENTIAL PROPERTY Developed property which serves the primary purpose of providing a permanent dwelling unit, regardless of the zoning district in which such property is located, for single-family detached units, and which may or may not have accessory uses related to the purpose of providing permanent dwelling facilities.

SMALL EQUIPMENT REPAIR/RENTAL The repair and/or rental of small equipment as a primary use including televisions, computers, cleaning equipment, vacuum cleaners, and other equipment that can be transported by automobile, small truck/van.

SOLID WASTE DISPOSAL FACILITY Any facility involved in the disposal of solid waste, as defined in NCGS 130A-290(a)(35).

SOLID WASTE DISPOSAL SITE Defined as in NCGS 130A-290(a)(36).

SPORTS ARENA/STADIUM (4,000 OR MORE SEATS) A structure that is open or enclosed and used for games, concerts, and major events and is partly or completely surrounded by tiers of seats accommodating 4,000 or more spectators.

STORAGE-OUTDOOR STORAGE YARD

The storage of various materials including, but not limited to, lumber, pipe, bricks, stone, shingles, mulch, soil, sand, gravel and other nonhazardous materials outside of a structure, as a principal use. This definition is not inclusive of any scrap metal, junk vehicles or other similar salvage materials.

STORAGE – SELF-SERVICE A building containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis.

STORAGE-WAREHOUSE, INDOOR STORAGE Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include warehouse, storage, self-service or mini-storage facilities offered for rent or lease to the general public; warehouse facilities primarily used for wholesaling and distribution; or terminal facilities for handling freight.

STUDIO – ART, DANCE, MARTIAL ARTS, MUSIC Facilities for individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics, yoga, and similar instruction; and aerobics and gymnastics studios with no other fitness facilities or equipment.

SUPPORT STRUCTURE Includes communications towers, buildings, and any other structures used to support 1 or more antennas. The setback, security, and screening provisions of this ordinance apply to towers as defined in this section, ONLY. Other support

structures must meet setbacks applicable to the district for those structures.

TEMPORARY USE A land use on an individual parcel or site established for a limited and fixed period of time for a purpose which may not normally be permitted in a zoning district, or which does not meet all zoning requirements, but which is necessary in special situations.

THEATER, INDOOR (MOVIE OR LIVE PERFORMANCE) A specialized theater for showing movies or motion pictures on a projection screen or a stage for live performances. This category also includes cineplexes and megaplexes, complex structures with multiple movie theaters, each theater capable of an independent performance.

THEATER, OUTDOOR An establishment for the performing arts with open-air seating for audiences.

THEATER, DRIVE-IN A specialized outdoor theater for showing movies or motion pictures on a projection screen where patrons view movies from their vehicles.

TRANSITIONAL SHELTER A facility that provides temporary housing within a religious institution. Such a facility is a temporary use and is distinct from the definition for Community Support Facility.

UTILITIES Facilities or systems for the distribution of gas, electricity, steam, or water, the collection, treatment and disposal of sewage or refuse; the transmission of communications; of similar functions necessary for the provision of public services. Radio transmission facilities less than 180 feet in height for use by ham radio operators or two-way radio facilities for business or governmental communications shall be deemed accessory uses and not utilities. Utilities are divided into 3 classes:

Class 1 Distribution, transmission and collection lines (above and below ground) including electrical, telephone/broadband internet, natural, gas, waste water collection, and water distribution lines; pumping stations, lift stations, and telephone/broadband switching facilities (up to 200 square feet).

Class 2 Elevated water storage tanks; above ground natural gas facilities including regulator stations and Point of Delivery stations; package treatment plants; telephone/broadband switching facilities (over 200 square feet); substations; or other similar facilities in connection with telephone, electric, natural gas, steam, and water facilities, not including cellular communication towers.

Class 3 Generation, production, or treatment facilities such as power plants, water and sewage plants, and landfills.

VEHICLE RENTAL/LEASING/SALES Establishments which may have showrooms or open lots for selling, renting or leasing vehicles. May include car dealers for automobiles and light trucks, mobile homes, motorcycle, ATV, or boat and marine craft dealers.

VEHICLE SERVICES – MAJOR REPAIR/BODY WORK The repair, servicing, alteration, restoration, towing, painting or finishing of automobiles, recreational vehicles, and other personal vehicles as a primary use. This includes major repair and body work such as collision repair, painting services, tire recapping and other body work. This may be an accessory use to an establishment that provides vehicle rental/leasing/sales. "Vehicle Services – Minor," as well as the sale of vehicle parts, food and convenience items may also be included as an incidental part of such uses.

VEHICLE SERVICES – MINOR Facilities for the fueling, cleaning and servicing of automobiles, recreational vehicles, and other personal vehicles as a primary use. Examples include: gas stations; car washes (attended and self-service); car stereo and alarm system installers; detailing services; muffler and radiator shops; tire and battery sales and installation (not including recapping); and quick-lube services. Such uses may include structures that are specialized for selling gasoline with storage tanks, often underground or hidden. The sale of vehicle parts, food and convenience items may be included as an incidental part of such uses.

VETERINARY CLINIC Establishments that include services by licensed practitioners of veterinary medicine, dentistry, or surgery for animals; boarding services for pets; and grooming.

WHOLESALING AND DISTRIBUTION
Establishments engaged in transferring, loading, unloading, buying and selling merchandise to and from retailers, contractors, trucking and freight companies, manufacturers, institutions, farms, other wholesalers, or other professional businesses. This includes establishments such as trucking terminals, goods transfer facilities, and other establishments acting as agents or brokers in buying, selling or otherwise transferring merchandise to or from the aforementioned entities. This does not include establishments engaged in selling goods and merchandise to the public. Specific examples of these establishments include:

- Agents, merchandise or commodity brokers, and commission merchants;
- Assemblers, buyers and associations engaged in the cooperative marketing of farm products;
- Merchant wholesalers;
- Stores primarily selling electrical plumbing, heating, and air conditioning supplies and equipment; and
- Trucking terminals.

WIRELESS COMMUNICATION FACILITY See Section 3.11.1

17.4 DEFINITIONS, GENERALLY

ACCELERATED EROSION Any increase over the rate of natural erosion as a result of land-disturbing activity.

ADDITION (TO AN EXISTING BUILDING) An extension or increase in the floor area or height of a building or structure.

ADEQUATE EROSION CONTROL MEASURE, STRUCTURE, OR DEVICE One which controls the soil material within the land area under responsible control of the person conducting the land-disturbing activity.

ADMINISTRATOR The Planning and Development Services Director, the Deputy City Manager of Operations and Public Services, and their subordinate staffs are collectively referred to as the Administrator for the purpose of enforcing the provisions contained in this ordinance.

AFFILIATE A person that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control of another person.

AIRPORT ELEVATION The elevation of the Wilson Industrial Air Center, 160.7 feet above mean sea level.

ALLEY Alleys are intended to provide indirect, limited access to the rear of properties but not to accommodate through traffic. Utilities, either above ground or underground, may be located in alleyways to provide service connections to rear elevations.

ANTENNA A transmitting and/or receiving device used in telecommunications that radiates or captures radio and/or television signals.

APIARY The assembly of 1 or more colonies of bees at a single location.

APPROACH SURFACE A surface longitudinally centered on the extended airport runway centerline, extending outward and upward from the end of the primary surface and the same slope as the approach zone height limitation slope set forth in the airport zone height limitations section of this ordinance (Section 2.8.3.E).

AREA OF SHALLOW FLOODING A designated AO or AH Zone on a community's flood insurance rate map (FIRM) with base flood depths determined to be from 1 to 3 feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

ART MURAL, ORIGINAL A hand-produced one-of-a-kind work of visual art which is tiled or painted by hand directly upon, or affixed to an exterior wall of a building. To be considered one-of-a-kind, the mural must be substantially different in appearance, layout, and design from any other mural or sign within the City or ETJ. Original Art Mural does not include:

1) Mechanically produced or computer generated prints or images, including digitally printed vinyl;
2) Murals containing electrical or mechanical components; or
3) Changing image murals (through use of lights, flashing lights, or other mechanical or automated movement or the appearance of movement or change).

ART MURAL, VINTAGE ORIGINAL An Original Art Mural that existed prior to the adoption of this definition.

AS-BUILT DRAWINGS Required plans showing the final design specifications for all public infrastructure.

AVENUE Avenues serve as connectors between neighborhoods and area centers. As such, they are used both in residential and commercial areas, often terminating at prominent buildings or plazas. Avenues may also circulate around squares or neighborhood parks.

AWNING / CANOPY SIGN Signs attached to, painted on, or otherwise integrated into traditional storefront awnings that project over a sidewalk, building entry, window, or outdoor service area from the building façade.

BASEMENT Any area of the building having its floor subgrade (below ground level) on all sides.

BASE FLOOD The flood having a 1% chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) A determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a "Special Flood Hazard Area," it may be obtained from engineering studies available from a Federal, State, or other source using FEMA-approved engineering methodologies. This elevation, when combined with the "Freeboard," establishes the "Regulatory Flood Protection Elevation."

BEE Any stage of the common domestic honey bee, apis mellifera species.

BEST MANAGEMENT PRACTICES (BMPS) Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs may be categorized as structural or non-structural.

BORROW A fill material which is required for on-site construction and is obtained from other locations.

BOULEVARD Boulevards provide multi-lane access to commercial and mixed-use developments. Boulevards also serve to carry regional traffic throughout the city.

BUFFER An area with specific landscaping and/or use standards that is set aside to protect natural areas or to provide separation between various districts or uses.

BUILDING Any structure built for support, shelter or enclosure for any occupancy or storage.

BUILDING ELEVATIONS Scaled, two-dimensional drawings used in development applications to accurately represent proposed building heights, floor levels, and building materials. These drawings typically illustrate each elevation (or façade) visible from a public street or civic space.

BUILDING FLOOR AREA The gross floor area of an individual structure built for support, shelter or enclosure for any occupancy or storage.

BUILT-UPON AREA (BUA) That portion of a development project that is covered by impervious or partially impervious surface including, but not limited to, buildings; pavement and gravel areas such as roads, parking lots, and paths; and recreation facilities such as tennis courts. "Built-upon area" does not include a wooden slatted deck, the water area of a swimming pool, or pervious or partially pervious paving material to the extent that the paving material absorbs water or allows water to infiltrate through the paving material.

CERTIORARI A writ seeking supervisory judicial review. Appeals "in the nature of certiorari" means that the Court will review the case based on the record as presented to and acted on by the board or commission conducting the original review hearing, and review whether or not the board or commission followed proper procedures. In such reviews, the Court cannot hear or consider new evidence or testimony not already contained in the record.

CITY The City of Wilson.

CITY COUNCIL The City Council of the City of Wilson.

CHANGEABLE SIGN A permanent sign, or portion thereof, that is specifically designed to allow periodic changes in the informational content or display by manual or electric (electrically illuminated or mechanically driven changeable segments) means.

CHEMICAL STORAGE FACILITY A building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

CIVIC SPACE Improved space set aside for public use and recreation that is comprised of one or more of the following typologies (as outlined in Section 7.4): Park/Greenway, Green, Square, Playground, and Community Garden.

COASTAL COUNTIES Means the following counties: Beaufort, Bertie, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell and Washington.

COLONY A hive and its equipment and appurtenances, including bees, comb, honey, pollen and brood.

COMMERCIAL STREET Main streets are intended to provide access to neighborhoods and high-density residential and commercial areas.

COMMERCIAL VEHICLE A vehicle having a gross vehicle weight (GVW) greater than 14,000 pounds designed for the transportation of commodities, merchandise, produce, freight, animals, or passengers. Vehicles operated in conjunction with a home occupation may not exceed a GVW of 14,000 pounds, may not have greater than 2 axles, 6 tires, and may not be a wrecker/tow truck/rollback-type vehicle.

COMPENSATION The exchange of something of value. It includes, without limitation, money, securities, real property interest, barter of goods or services, promise of future payment, or forbearance of debt. Compensation does not include:

1) goodwill; or
2) An exchange of value that the building owner (or leaseholder with right to possession of the wall where mural a mural is placed) provides to the artist where the only compensation is for the creation or maintenance of the Original Art Mural on behalf of the building owner or leaseholder, and the leaseholder or building owner fully controls the content of the mural.

COMPLETION OF CONSTRUCTION OR DEVELOPMENT No further land-disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent ground cover.

CONICAL SURFACE A surface extending outward and upward from the periphery of the airport runway horizontal surface at a slope of 20 feet for every 1 foot up for a horizontal distance of 4,000 feet.

CONSTRUCTION DOCUMENTS A component of a site plan or other development application that includes the full and complete set of engineered drawings necessary for final permitting and construction.

DEVELOPED PROPERTY A real property which has been altered from its natural state by the addition and attachment of any improvements such as buildings, structures or other impervious area. For new construction, property shall be considered developed property upon final approval of site improvements by the city.

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

DEVELOPMENT FLOOR AREA The total building floor area of any construction projects simultaneously developed by a single developer.

DIRECTIONAL / IDENTIFICATION SIGN A sign used to display only the name, address, crest, trademark, and/or profession of the business, individual, family, organization or enterprise occupying the premises, or the name of the building on which the sign is displayed.

DISCHARGE POINT A point at which storm water runoff leaves a tract of land.

DISPOSAL Defined as in NCGS 130A-290(a)(6).

DRAINAGEWAY A natural or artificial stream, closed conduit, or depression that carries surface water.

ELEVATED BUILDING A non-basement building which has its lowest floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

ENCROACHMENT The advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

ENERGY DISSIPATOR A structure or a shaped channel section with mechanical armoring placed at the outlet of pipes or conduits to receive and break down the energy from high velocity flow.

ENVIRONMENTAL SURVEY A component of a development application that identifies forest stands or trees of a uniform size and species; specimen trees of varying sizes and species, particularly free standing or open-grown or field grown trees; a distinctive tree line or forest edge; existing watercourses; previously documented Federally and State recognized endangered

species habitats; and historic or culturally significant areas.

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

EQUIVALENT RESIDENTIAL UNIT (ERU) The total impervious area of a typical single-family residential property, and is determined as the median impervious area of a representative sample, as determined by the city, of all developed residential properties in the single-family residential category.

FABRICATION SHOPS The assembly, fabrication, production or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and are visually undifferentiated from an office building. This shall not include uses that require deliveries by trucks with more than two axles more frequently than once a day.

FAMILY A single individual or collective body of persons in a domestic relationship based upon blood, marriage, adoption or legal custody, living as a separate, independent housekeeping unit, or a group of not more than 3 unrelated persons, all living together as a separate housekeeping unit.

FINAL PLAT The final map, drawing, or chart on which the subdivider's plat of subdivision is presented to the TRC for approval and which, if approved by the TRC, will be submitted to the Register of Deeds for recording; and meeting the requirements of NCGS 47-30 as amended.

FLAG Any fabric, banner, or bunting containing distinctive colors, patterns, insignia, logo or symbols of any nation, government, any religious, civic or fraternal organization, any educational or cultural facility, or other entity.

FLOODING The grade situated below the 100-year BFE of either a FEMA mapped stream or, as determined from a hydrological/hydraulic analysis, below the Q100 BFE elevation of an unmapped stream or conduit.

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

FLOOD INSURANCE The insurance coverage provided under the national flood insurance program.

FLOOD INSURANCE RATE MAP (FIRM) An official map of a community, issued by the Federal Emergency Management Agency, on which both the special flood hazard areas and the risk premium zones applicable to the community are delineated.

FLOOD INSURANCE STUDY (FIS) An examination, evaluation, and determination of flood hazard areas, corresponding water surface elevations (if appropriate), flood insurance risk zones, and other flood data in a community issued by FEMA. The flood insurance study report includes flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), if published.

FLOODPLAIN OR FLOOD PRONE AREA Any land area susceptible to being inundated by water from any source.

FLOODPLAIN MANAGEMENT The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

FLOODPLAIN REGULATIONS This section and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

FLOODPROOFING Any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities, or structures with their contents.

FLOOD PRONE AREA See :Floodplain"

FLOODWAY The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1 foot.

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

FREEBOARD The additional amount of height added to the Base Flood Elevation (BFE) to account for potential future increases as well as uncertainties in the determination of flood elevations. See also . . . Regulatory Flood Protection Elevation.

FRONTAGE LANDSCAPE AREA A required landscaped area along any public street right-of-way.

FUNCTIONALLY DEPENDENT FACILITY A facility which cannot be used for its intended purpose unless it is located in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

GAS PUMP ISLAND/CANOPY SIGN A sign attached to or painted on a gas pump island or canopy.

GOVERNMENT SIGN Any sign, symbol, or device erected and maintained by a federal, state, county, or municipal government, or any such governmental agency, for traffic control, for designation of or direction to any school, hospital, historical site, or public service, property, or facility, or for legal notices.

GROUND COVER Any natural vegetative growth or other material which renders the soil surface stable against accelerated erosion.

GROUND / FREESTANDING SIGN A sign erected which is wholly independent of any building for support and is permanently affixed to or constructed upon the lot on which it is located.

HAZARD TO AIR NAVIGATION An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.

HAZARDOUS WASTE MANAGEMENT FACILITY A facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste as defined in NCGS Article 9 of Chapter 130A.

HIGH QUALITY WATERS Those classified as such in 15A NCAC 2B.0101(e)(5)—General Procedures, which is incorporated herein by reference to include further amendments pursuant to G.S. 150B-14(c).

HIGH QUALITY WATER (HQW) ZONES Areas in coastal counties that are within 575 feet of high quality waters; and for the remainder of the state, areas within 1 mile and draining to HQW's.

HIGHEST ADJACENT GRADE (HAG) The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

HISTORIC DISTRICT Any national register or locally designated historic district.

HISTORIC STRUCTURE Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the national register;
2. Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places; or
4. Individually listed on the local inventory of historic places, as per the approved state program certified by the Secretary of the Interior.

HIVE A structure intended for the housing of a bee colony.

HORIZONTAL SURFACE A horizontal plane 150 feet above the established airport elevation.

IMPERVIOUS SURFACE Impervious surface area includes any material which reduces and prevents absorption of storm water into previously undeveloped land. This includes but is not limited to, buildings, roads, pavement, gravel surfaces, etc. Items not considered to be "impervious" include the water area of a swimming pool and wooden slatted decks.

IMPERVIOUS SURFACE AREA means a surface which, because of its composition or compacted nature, impedes or prevents natural infiltration of water into the soil, including but not limited to roofs, decks, driveways, patios, sidewalks, parking areas, tennis courts, streets, or compacted gravel surfaces.

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

LAND-DISTURBING ACTIVITY Any use of the land by any person in residential, industrial, education, institutional, or commercial development, highway and road construction and maintenance that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.

LAND USE PLAN A comprehensive plan prepared by the City Council upon recommendation of the Planning Board which indicates the general locations recommended for the various functional classes of public works, places and structures and for the general physical development of the City of Wilson and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

LANDSCAPED ISLAND A landscaped area placed at the ends of all parking bays or aisles (other than perimeter parking bays or aisles) or where required along traffic channels.

LANDSCAPED PROTRUSION An extension from the outer perimeter of a parking lot that extends from the perimeter into the parking lot.

LANE Lanes are small traveled ways intended to provide direct access to the front of a limited number of single-family structures. Lanes are limited in the number of lots served. Generally, they are very short; often less than 400 feet. Items including, but not limited to, traffic carrying capacity, topography and connectivity, shall be a consideration when permitting a lane in lieu of a street.

LARGER THAN UTILITY RUNWAY A runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft. Runway 3-21 of the Wilson Industrial Air Center is the only runway in this classification.

LEVEL OF SERVICE (LOS) A qualitative assessment of a transportation facility's operating conditions indicating the extent or degree of service provided by, or proposed to be provided by, the facility based on and related to the operational characteristics of the facility.

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

LOT OF RECORD A lot which is a part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Wilson County; or a lot described by metes and bounds in a deed of conveyance which has been recorded in the Wilson County Registry; or a lot on which the building or buildings and improvements for a condominium or townhouse development are to be located; or a residential site where a condominium unit or townhouse development is to be located, which said description shall be contained in a duly recorded declaration creating and establishing a condominium unit or townhouse ownership.

LOWEST ADJACENT GRADE (LAG) The elevation of the ground, sidewalk, patio slab, or deck support immediately next to the building after completion of the building. For Zone A and AO, use the natural grade elevation prior to construction.

LOWEST FLOOR The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor provided that such an enclosure is not built so as to render the structure in violation of the

applicable non-elevation design requirements of this ordinance.

MARKET VALUE The building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated for age and construction quality of building (actual cash value), or adjusted assessed values.

MARQUEE SIGN Three dimensional signs projecting from the side of a building (typically theatres, arenas and hotels) which may extend above the roof line and/or incorporate changeable type.

MASTER PLAN A component of a development application that provides a detailed two-dimensional drawing illustrating all required site features, including buildings, parking areas, streets locations, street sections, rights-of-way, property lines and setbacks, required or proposed watercourse buffers, site landscaping and lighting (in conceptual form), and all related development calculations.

MEAN SEA LEVEL For purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) as corrected in 1929, the North American Vertical Datum (NAVD) as corrected in 1988, or other vertical control datum used as a reference for establishing varying elevations within the floodplain, to which Base Flood Elevations (BFEs) shown on a FIRM are referenced. Refer to each FIRM panel to determine datum used.

MEDIAN ISLAND A landscaped area in the center between 2 back-to-back parking rows in a parking bay.

MONUMENT SIGN A type of ground/freestanding sign having the entire bottom of the sign affixed to the ground, not elevated on poles, pylons, etc. The widest dimension of a monument sign is at its base.

MULTI-TENANT COMMERCIAL DEVELOPMENT Any planned concentration of multiple commercial uses in one building or lot, or in multiple buildings or lots that are divided by a shared party wall, which utilize shared parking.

MSSD The City of Wilson Manual of Specifications, Standards and Design.

NATURAL EROSION The wearing away of the earth's surface by water, wind, or other natural agents under natural environmental conditions undisturbed by man.

NCGS The North Carolina General Statutes and all rules and orders adopted pursuant to them.

NEW CONSTRUCTION Structures for which the "start of construction" commenced on or after July 19, 1982 and includes any subsequent improvements to such structures.

NONCONFORMITY Any building, structure, use, sign, light source or other development feature which was erected legally, but which does not comply with subsequently enacted restrictions and regulations.

NONCONFORMING BUILDING OR DEVELOPMENT Any legally existing building or development which fails to comply with the current provisions of this ordinance.

NON-ENCROACHMENT AREA The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1 foot as designated in the Flood Insurance Study report.

NON-PRECISION INSTRUMENT RUNWAY A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

NUCLEUS COLONY A small colony used for educational purposes, queen maintenance and rearing, or for use in the capture and future integration of a swarm into a viable colony. A nucleus colony is comprised of significantly fewer bees than a conventional colony and is contained in a structure that is approximately one-half the size of a normal hive.

OFF-PREMISES SIGN A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained,

or provided at a location other than the premises on which the sign is located.

OPEN SPACE Those areas set aside and protected from development which may be left in a generally unimproved state.

OWNER Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this chapter.

PARENT means an affiliate that directly, or indirectly through 1 or more intermediaries, controls another person.

PARKING AISLE A single row of parking spaces.

PENINSULA, PROTRUSION OR AREAS THAT CHANNEL TRAFFIC These include all areas other than parking spaces or pedestrian walkways where traffic flow or direction is channeled or otherwise guided within the parking lot.

PERIMETER LANDSCAPE AREA A landscaped area around a principle building that front upon a public street.

PERSON Any individual or group of individuals, firm, partnership, association, corporation or any other entity including local government.

PERSON CONDUCTING LAND-DISTURBING ACTIVITY Any person who may be held responsible for violation unless expressly provided otherwise by this ordinance.

PHASE OF GRADING One of 2 types of grading: rough or fine.

PLANT UNIT A specific number and type of plants required within the landscape area.

POLITICAL SIGN A temporary sign used in connection with a local, state, or national election or referendum.

PORTABLE SIGN Pedestrian-scaled non-permanent signs which are not permanently affixed to the ground, a building, or any other surface. Such signs are used to display menus, daily specials, sale announcements, and similar messages. These signs include signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

POST-FIRM Construction or other development which started on or after July 19, 1982.

PRE-FIRM Construction or other development which started before July 19, 1982.

PRELIMINARY PLAT A map or plat of a parcel of land which is to be or has been subdivided, containing sufficient data in order that a determination may be readily made as to the location, bearing, and length of every street and alley line, lot line, easement boundary line, and other boundary line, and meeting the required standards of this ordinance and approved following the procedures in this ordinance.

PRIMARY FAÇADE A building façade which faces a street, private drive, parking area, park or civic space.

PRIMARY SURFACE A surface longitudinally centered on an airport runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is set forth under airport zones of this ordinance (Section 2.8.3). The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

PROJECTING / SUSPENDED SIGN Pedestrian-scaled signs mounted to the side of a building or underside of a balcony or arcade which can be read from both sides.

PROPERTY OWNER OF RECORD The person identified as owner by county tax records.

PROTECTED DISTRICT The zoning district that is protected by a landscape buffer.

PUBLIC SIDEWALK An improved surface paralleling a street, road, or alley that is used as a public pedestrian walkway. This sidewalk shall not include any privately installed and maintained areas located adjacent to the public sidewalk that is used primarily to provide a pedestrian linkage between the abutting property and the public sidewalk.

REAL ESTATE SIGN A sign displayed for the purpose of offering for sale, lease, or rental the property on which such sign is displayed.

RECREATIONAL VEHICLE (RV) A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use, and not as a permanent dwelling.

REGULATORY FLOOD PROTECTION ELEVATION The elevation to which all structures and other development located within the special flood hazard areas must be elevated, or floodproofed if non-residential. Within such areas where base flood elevations (BFEs) have been determined, this elevation shall be the BFE plus 2.5 feet of freeboard. In such areas where no BFE has been established, this shall be 2.5 feet above the highest adjacent grade.

REMEDY A VIOLATION To bring a structure or other development into compliance with State or community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

REPETITIVE LOSS Flood-related damages sustained by a structure on 2 separate occasions during any 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

RESIDENTIAL STREET Streets serve as the primary transportation network in the community. Generally, they are 2 to 6 blocks in length.

RETROFITTING Measures, such as floodproofing, elevation, construction of small levees, and other modifications, taken on an existing building or its yard to protect it from flood damage.

RIVERINE Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

ROOF SIGN A sign which is erected, constructed, placed, or maintained upon and completely over the roof of the building to which it is attached.

RUNWAY A defined area on an airport prepared for landing and takeoff of aircraft along its length.

SECONDARY FAÇADE A building façade which does not face a street, private drive, parking area, park or civic space.

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

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

SILTATION Sediment resulting from accelerated erosion which is settleable or removable by properly designed, constructed, and maintained control measures; and which has been transported from its point of origin within the site of a land-disturbing activity; and which has been deposited, or is in suspension in water.

SKETCH PLAN A component of a development application that shows in simple line drawing form the proposed layout of streets, lots, buildings, civic spaces and other features in relation to existing conditions based upon the size of the tract proposed for development.

SPECIAL FLOOD HAZARD AREA (SFHA) The land in the floodplain subject to a 1 percent or greater chance of being flooded in any given year as determined in Section 12.4.1.B of this ordinance.

SPECIAL FLOOD HAZARD CONSERVATION AREA (SFHCA) That portion of the Special Flood Hazard Area (SFHA) adjoining the floodway and extending to a boundary of 50% of the horizontal distance between the floodway boundary and the SFHA boundary line or as amended pursuant to Section 15.7.6.

START OF CONSTRUCTION Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include:

1. Land preparation, such as clearing, grading, and filling,
2. The installation of streets and/or walkways,
3. Excavation for a basement, footings, piers, foundations, or the erection of temporary forms, and/or
4. The installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

STORMWATER UTILITY SERVICE FEE The monthly monetary amount charged each parcel of real property for the services provided by the stormwater utility system and program as set forth in the city schedule of rates and fees, a copy of which is located in the office of the City Clerk and is incorporated by reference herein.

STORMWATER DRAINAGE SYSTEM All natural or manmade components used to transport, collect or detain stormwater, including but not limited to ditches, swales, channels, canals, streams, pipes, culverts, catch basins, gutters, curbs, streets or best management practices (BMP).

STORMWATER RUNOFF The surface flow of water resulting from precipitation in any form and occurring immediately after rainfall or melting.

STORY See Section 4.4.1.

STREAM A perennial or intermittent stream shall be deemed present if the feature is shown on either the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture (USDA) or the most recent complete version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS).

STRUCTURE Anything constructed or erected on the ground or attached to the ground including, but not limited to, buildings, decks, walls, fences, sheds, bridges, signs, swimming pools, storage tanks, towers and/or other similar items. For floodplain management purposes, structure shall mean a walled and roofed building that is principally above ground (i.e., at least 51% of the actual cash value of the structure is above ground), a gas or liquid storage tank, or other man-made facilities or infrastructure.

SUBDIVIDER Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity proceeding under this chapter to subdivide land hereunder for himself or for another.

SUBDIVISION All divisions of a tract or parcel of land into 2 or more lots, building sites, or other divisions when any 1 or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets.

SUBDIVISION, MINOR Subdivisions that do not include new public streets, extensions of public streets (except for improving or widening existing public streets), requests for variances (except those for curb and gutter requirements), dedication of public utilities or public streets, include 10 or fewer acres or subdivide land into 5 or fewer lots, and do not result in an increase in the number of lots/parcels included in subdivision previously approved by the City of Wilson.

SUBSIDIARY An affiliate that is directly, or indirectly through one or more intermediaries, controlled by another person.

SUBSTANCIAL DAMAGE Damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. See definition of "substantial improvement." Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

SUBSTANCIAL IMPROVEMENT Any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period, whereby the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any correction of existing violations of State or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

TECHNICAL REVIEW COMMITTEE (TRC) A staff committee established to provide technical advice on sketch plans, preliminary plats, and final plats.

TEMPORARY SIGN A sign that is used in connection with a circumstance, situation, or event that has a definite beginning and end date/time. This definition does not include changeable signs.

TEN-YEAR STORM The storm water runoff resulting from precipitation of an intensity expected to be equaled or exceeded, on the average, once in 10 years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

TOWER (COMMUNICATIONS) A structure greater than 60 feet in height whose primary purpose is to support communications equipment. This definition includes tower/antenna combinations (NOT tower/antenna/building combinations) and the height measurement applies to those combinations. The foregoing notwithstanding, this definition shall not include wire-supporting electric power transmission and telephone poles. The setback, security, and screening provisions of this section apply to towers as herein defined, only.

TOWER, LATTICE A guyed or self-supporting multi-sided, open, steel frame structure used to support communications equipment.

TOWER, MONOPOLE A structure composed of a single spire used to support communications equipment.

TOWNHOUSE DEVELOPMENT A townhouse development is a development consisting of 2 or more townhouses with each townhouse on its own lot separated by property lines and constructed within a building group of townhouses with their accompanying common areas, courtyards, and accessory buildings as authorized by the condominium or townhouse development regulations of the City of Wilson Zoning Ordinance.

TOXIC OR HAZARDOUS MATERIALS Any substance or combination of substances, which upon exposure to 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, physical deformities or other adverse health effects in such organisms or their offspring.

TRAFFIC AISLE A driveway for traffic along parking spaces.

TRAFFIC CHANNEL A driveway for traffic movement within a parking lot other than landscape islands.

TRAFFIC ISLAND Any peninsula, protrusion, or area within or along parking lots that channel traffic or separate entrance drives from parking spaces. A traffic island is not necessarily a

complete "island" surrounded by other installations or constructions.

TRANSITIONAL SURFACES These surfaces extend outward at ninety-degree angles to airport runway centerlines and airport runway centerlines extended at a slope of 7 feet horizontally for each 1 foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal surface.

TWENTY-FIVE-YEAR STORM The storm water runoff resulting from precipitation of an intensity expected to be equaled or exceeded on the average, once in 25 years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

UDO The City of Wilson Unified Development Ordinance.

UNCOVERED The removal of ground cover from, on, or above the soil surface.

UTILITY RUNWAY A runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds gross weight and less. Runway 15-33 in the Wilson Industrial Air Center is the only runway in this classification.

VELOCITY The average velocity of flow through the cross section of the main channel at the peak flow of the storm of interest. The cross section of the main channel shall be that area defined by the geometry of the channel plus the area of flow below the flood height defined by vertical lines at the main channel banks. Overload flows are not to be included for the purpose of computing velocity of flow.

VISUAL RUNWAY A runway intended solely for the operation of aircraft using visual approach procedures.

WALL SIGN Flat signs, channel lettering or three-dimensional signs which are painted or attached (parallel) to the wall of a building or structure.

WASTE Surplus materials resulting from on-site land-disturbing activities and being disposed of at other locations.

WATERCOURSE A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

WATERSHED The entire land area contributing surface drainage to a specific point (e.g., the water supply intake).

WATER SURFACE ELEVATION (WSE) The height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of riverine or lacustrine areas.

WINDOW SIGN Flat signs or lettering which are painted, hung or otherwise affixed over or behind the window of a building or structure.

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