

# Chapter 16: Definitions

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## **Section 16.1 Purpose**

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For the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein when NOT inconsistent with the context; words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

## **Section 16.2 Word Interpretation**

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For the purpose of this Ordinance, certain words shall be interpreted as follows:  
Words in the present tense include the future tense.

Words used in the singular number include the plural, and words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.

The word "person" includes a firm, association, corporation, trust, and company as well as an individual.

The words "used for" shall include the meaning "designed for."

The word "structure" shall include the word "building."

The word "lot" shall include the words, "plot," "parcel," or "tract."

The word "shall" is always mandatory and NOT merely directory.

When number of days is referred to in this ordinance for time frames, this shall mean calendar days unless otherwise noted.

The word "will" is always mandatory and NOT merely directory.

## **Section 16.3 Acronyms**

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Below is a list of acronyms (other than zoning districts) and their meanings found throughout the Ordinance:

- ATV: All-Terrain Vehicle
- BFE: Base Flood Elevation
- BMP: Best Management Practices
- CLG: Certified Local Government
- CTP: Comprehensive Transportation Plan
- DUA: Dwelling Units per Acre

- ECOM: Emergency Communications, Operations Management
- ESMR: Enhanced Specialized Mobile Radio
- EVAD: Enhanced Voluntary Agricultural District
- FBFM: Flood Boundary and Floodway Map
- FEMA: Federal Emergency Management Agency
- FIRM: Flood Insurance Rate Maps
- FIS: Flood Insurance Study
- HAG: Highest Adjacent Grade
- HOA: Homeowners Association
- HWQ: High Quality Waters
- ICFM: Iredell County Fire Marshal
- ISO: Insurance Services Office
- ILS: Instrument Landing System
- LAG: Lowest Adjacent Grade
- LED: Light Emitting Diode
- LOS: Level of Service
- MARS: Military Affiliated Radio
- MPO: Metropolitan Planning Organization
- NAICS: North American Industry Classification System
- NC: North Carolina
- NCAC: North Carolina Administrative Code
- NCDENR: North Carolina Department of Environment and Natural Resources
- NCDOT or DOT: North Carolina Department of Transportation
- NCGS or GS: North Carolina General Statute
- NFPA: National Fire Protection Association
- NGVD: National Geodetic Vertical Datum
- NPDES: National Pollutant Discharge Elimination System
- PAR: Precision Approach Radar
- PCS: Personal Communication Services
- PNA: Primary Nursery Area
- PPC: Public Protection Classification
- PUD: Planned Unit Development
- ROW: Right-of-way
- RPO: Rural Planning Organization
- RV: Recreational Vehicle
- SFHA: Special Flood Hazard Area.
- SIC: Standard Industrial Classification
- SMR: Specialized Mobile Radio
- SR: Secondary Road in the North Carolina Secondary Road system
- TIA: Traffic Impact Analysis
- TRC: Technical Review Committee
- US: United States of America
- WS: Watershed
- WSE: Water Surface Elevation

## Section 16.4 Definitions

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**Abandonment.** The terms "abandonment" or "abandoned" as used herein shall mean voluntary discontinuance of a use with the intent NOT to re-establish such use. Any of the following shall constitute evidence of abandonment or intent to abandon:

1. Any positive act indicating such intent.
2. Premises have been devoted to another use.
3. When the characteristic equipment and furnishings of the nonconforming use have been removed from the premises and have NOT been replaced by the same or similar equipment.
4. Failure to take all positive action to resume the nonconforming use with reasonable dispatch, including the failure to advertise for sale or lease.

**Accelerated Erosion.** Any increase over the rate of natural erosion as a result of land-disturbing activity.

**Accessory Dwelling Unit.** A secondary dwelling unit established in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot. This definition shall NOT include mobile homes. (See Chapter 3, R 6)

**Accessory Structure (Appurtenant Structure).** A structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may NOT be located on the same parcel as the farm dwelling or shop building.

**Accessory Use or Accessory Building (Non-Residential).** A subordinate non-residential use or building customarily incidental to and located on the same lot with the main use or building.

**Accessory Use or Accessory Building (Residential).** A noncommercial use or building customarily incidental and subordinate to but located on the same lot with the main residential use or building such as a private garage or carport, family garden, personal storage building, or workshop, all of which are totally for personal use.

**Act.** The North Carolina Sedimentation Pollution Control Act of 1973 and all rules and orders adopted pursuant to it.

**Activity Area.** The area occupied by any structures, driveways, parking, storage areas, both open and enclosed, and any other function of a use.

**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 that controls the soil material within the land area under responsible control of the person conducting the land-disturbing activity.

**Administrator, Subdivision.** The staff member of the Planning Department to whom the Planning Director has delegated authority to review, seek technical guidance and approve all subdivision plats submitted under the regulations in effect under this Ordinance.

**Adult Arcade (also known as "peep show").** 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 persons in booths or viewing rooms where the images so displayed depict or describe "specified sexual activities" or "specified anatomical areas".

**Adult Bookstore or Adult Video Store.** A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:

1. books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that depict or describe "specified sexual activities" or "specified anatomical areas"; or
2. instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities".

**Adult Cabaret.** A nightclub, bar, restaurant, or other commercial establishment that regularly features, exhibits or displays as one of its principal business purposes:

1. persons who appear nude or semi-nude; or
2. live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
3. films, motion pictures, video cassettes, slides, or other photographic reproductions which depict or describe "specified sexual activities" or "specified anatomical areas".

**Adult Motel.** A hotel, motel or similar commercial establishment that:

1. offers accommodations to the public for any form of consideration which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that depict or describe "specified sexual activities" or "specified anatomical areas" as one of its principal business purposes; or
2. offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
3. allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

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

**Adult Oriented Business.** An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude

model studio, sexual encounter center (including adult massage parlor and adult health club), sexually oriented device business or any combination of the foregoing or any similar business.

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

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

**Agricultural Use.** The use of waters for stock watering, irrigation, and other farm purposes.

**Agricultural Tourism.** An enterprise or activity operated on a bona fide farm and offered to the public or to invited groups for the purpose of recreation, education, active involvement or the sale of value-added products and services. These activities must be related to agriculture or natural resources and be incidental to the primary operation on the site. (See Chapter 3, R 2)

**Agriculture.** The science, art, business, or practice of cultivating the land or raising stock including the harvesting of crops, and the rearing and management of livestock; tillage; forestry.

**Airport.** Any area of land or water designated, set aside, used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas designated, set aside, used, or intended for use, for airport buildings or other airport facilities, rights-of-way, or approach zones, together with all airport buildings and facilities located thereon.

**Airport Elevation.** The established airport elevation above mean sea level, which is 965 feet at Statesville Municipal Airport.

**Airport Hazard.** Any structure or tree which obstructs the aerial approaches of a publicly owned airport or is otherwise hazardous to its use for landing or taking off.

**Alley.** A strip of land, owned publicly or privately, set aside primarily for vehicular service access to the back or side of properties otherwise abutting on a road.

**Alteration of a watercourse.** A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

**Amateur Ham Radio Tower.** Any apparatus designed for the transmitting and receiving of short wave radio signals for private non-commercial use.

**Animal Shelter.** A public, nonprofit or not-for-profit facility at which six (6) or more dogs, cats, and other domesticated animals are kept (primarily outdoors) for purposes of distribution to the general public. (See Chapter 3, R 40)

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

**Apartment.** A room or suite of rooms in an multi-unit residential building, generally rented by the occupant, which provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation in each separate unit.

**Appeal.** A request for a review of an interpretation of any provision of this ordinance.

**Approach Surface.** A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 4.6.1. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

**Area of Special Flood Hazard.** See "Special Flood Hazard Area (SFHA)".

**Assisted Living Facility.** A facility providing shelter and services for ambulatory individuals at least fifty-five (55) years of age who by reason of age, functional impairment, or infirmity may require meals, housekeeping, and personal care assistance. Assisted Living Facilities do NOT include nursing homes or similar institutions devoted primarily to the care of the chronically ill or the incurable. (See Section 3.1 R 27)

**Automotive Service Station.** An establishment where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles and where light maintenance activities such as engine tune-ups, lubrication, battery replacement, and minor repairs may be provided. Major repairs such as motor replacement or rebuilding, painting and body repair are not permitted.)

**Awning.** A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

**Bar.** A drinking establishment where alcoholic beverages are served and consumed on the premises. When food is also served on premises, the sale of food must represent less than thirty percent (30%) of the facility's total sales to be considered a bar. (See Chapter 3, R 38)

**Base Flood.** The flood having a one percent (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".

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

**Bed and breakfast.** A dwelling in which lodging, with NOT more than five (5) rooms available for rent to the public, with or without meals, is provided for overnight guests for a fee. (See Chapter 3, R 4)

**Being Conducted.** A land-disturbing activity has been initiated and permanent stabilization of the site has NOT been completed.

**Best Management Practices (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.

**Bike or Pedestrian Facility.** A trail, greenway, sidewalk, or bike lane of any surface type shown on a plan such as the Carolina Thread Trail, Lake Norman Regional Bike Plan, or any other county-adopted plan.

**Block.** A piece of land bounded on one or more sides by streets or roads.

**Bluecasting.** A process in which a message is broadcast to BlueTooth-enabled devices within a given physical area.

**Blueway Facility.** A facility that provides users of kayaks, canoes, rafts or similar objects access to a body of water, usually for recreational purposes. Such facility must be shown on a plan such as the Carolina Thread Trail, Lake Norman Regional Bike Plan, or any other county-adopted plan.

**Board of Adjustment.** County Board of Adjustment of Iredell County, North Carolina.

**Board of Commissioners.** County Board of Commissioners of Iredell County, North Carolina.

**Board of Education.** County Board of Education of Iredell County, North Carolina.

**Bona Fide Farm.** Bona Fide Farm. The production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agricultural products and as provided for in G.S. 153A-340(b)(2).

**Bona Fide Farm Building.** Any structure used for the storage of farm related materials and livestock when associated with a bona fide farm. These structures are exempt from zoning code. (See also Farm Building)

**Borrow.** Fill material that is required for on-site construction and is obtained from other locations.

**Boulevard.** A boulevard moves traffic at lower speeds (30-55 mph) to allow access to developed land. Traffic signals and driveway accesses are allowed. For further clarification refer to the Iredell Comprehensive Transportation Plan.

**Buffer, Landscaping.** Open space, either man-made or natural vegetated area, used to physically and visually separate a use or property from another and to provide protection from noise, odor dust, fumes, glare, or unsightly storage. An appropriate buffer may vary depending on uses, districts, and size.

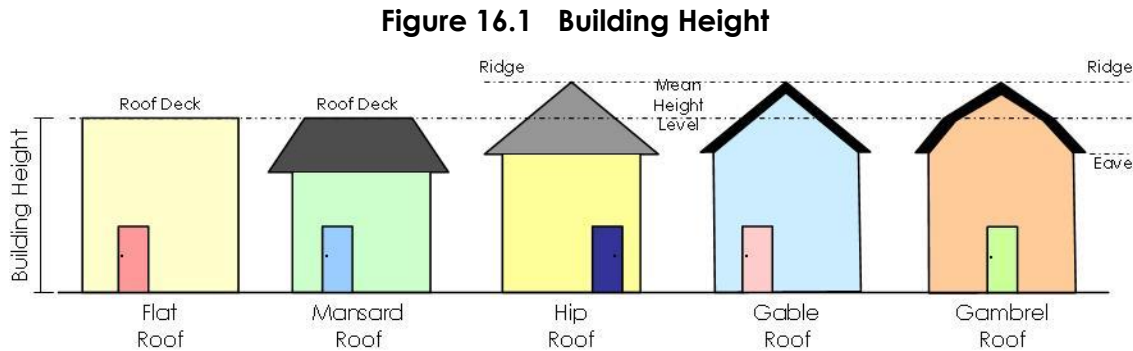
**Buffer, Vegetative.** An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does NOT become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers.

**Buffer Zone.** The strip of land adjacent to a lake or natural watercourse.



**Building.** See "structure."

**Building Height.** The vertical distance from the mean elevation of the finished grade along the front of the building to the highest point of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roof. (See Figure 16.1 below)



**Building, Main.** The principal structure in which the primary use of the property is undertaken.

**Building Occupancy.** See "Use".

**Building Setback Line.** A line parallel to the front property line in front of which no structure shall be erected. Setbacks shall be figured from the right-of-way line.

**Built-Upon Area.** Built-upon areas shall include that portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (e.g. roads, parking lots, paths), recreation facilities (e.g. tennis courts), etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.)

**Canopy.** A permanent structure other than an awning made of cloth, metal or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is NOT a completely enclosed structure.

**Canopy Tree.** A deciduous tree with a mature height of forty (40) feet or more and a mature crown width of thirty (30) feet which produces significant shade to adjacent ground areas. These can include oaks, maples, poplars, and hickories.

**Changeable Copy.** Copy that is or can be changed manually in the field or through mechanical or electronic means, e.g. reader boards with changeable letters.

**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.

**Cluster development.** Cluster development means the grouping of buildings in order to conserve land resources and provide for innovation in design including minimizing stormwater runoff impacts. (See Chapter 3, R 5)

**Cluster Development.** The grouping of buildings in order to conserve land resources and provide for innovation in the design of the project including minimizing stormwater runoff impacts. This term includes nonresidential development as well as single-family

residential and multi-family developments. For the purpose of this ordinance, planned unit developments and mixed use development are considered as cluster development.

**Co-location.** The installation of new wireless facilities on existing structures including towers, buildings, utility poles, and water tanks.

**Commission.** The North Carolina Sedimentation Control Commission.

**Common Open Space.** The open space land held in common ownership by property or unit owners in a development, normally provided for in the declaration or restrictive covenants and normally in common use. (See Open Space)

**Completion of Construction or Development.** That no further land-disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent ground cover.

**Composting Facility.** Composting Facility means a manufacturing facility that processes agricultural and horticultural residuals, municipal residuals, and/or industrial residuals using a controlled process of microbial degradation of organic materials into a stable, nuisance-free, humus-like agricultural and horticultural product. Activities of a composting facility may include management, collection, transportation, staging, composting, curing, storage, marketing and sales. A Composting Facility does not include backyard composting where a property owner and/or resident produces compost from waste generated solely by the owner on his property and the compost is not offered to the public. Further, a Composting Facility does not include farming and silvicultural operations where the compost is produced from materials grown on the owner's land and re-used on the owner's land or in his associated farming operations and not offered to the public. No toxic, hazardous or radiological residuals can be processed at an organics recycling facility.

**Comprehensive Transportation Plan (CTP).** A document prepared by the Transportation Planning Branch of the North Carolina Department of Transportation (NCDOT). This document recommends future width and design of roadways, based on trip generation and capacity and other transportation engineering principles.

**Condominium.** Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions.

**Congregate Care Facility.** A facility providing shelter and services for ambulatory individuals at least fifty-five (55) years of age who by reason of 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. (See Chapter 3, R 27)

**Conical Surface.** A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

**County.** Iredell County, North Carolina

**Critical Area.** The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed.

The critical area is defined as extending either one-half 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-half 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 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-half mile.

**Cul-De-Sac.** A short road having but one end open to traffic and the other end being permanently terminated and a vehicular turnaround provided.

**Day Care Center.** A facility providing care for children or adults for payment of a fee, but without transfer or assignment of custody. This is not intended to apply to a family day care home. (See Chapter 3, R 29)

**Dedication.** A gift to another party, by the owner, or a right to use of land for a specified purpose or purposes. Because a transfer of property rights is entailed, dedication must be made by written instrument, and is completed with an acceptance. All such dedications shall be recorded at the office of the Register of Deeds.

**Deeds Office.** See Register of Deeds.

**Design Flood.** See "Regulatory Flood Protection Elevation."

**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; or any land disturbing activity which 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.

**Development Activity.** Any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

**Digital Flood Insurance Rate Map (DFIRM).** The digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

**Disposal.** As defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

**Discharge Point.** That point at which storm water runoff leaves a tract of land.

**Distributed Antenna System (DAS).** A network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.

**Division of Environmental Health.** North Carolina Department of Environment and Natural Resources, Division of Environmental Health, or its successor agency responsible for regulation of public water supply systems (currently through the Public Water Supply and Groundwater Sections) and wastewater and sanitary sewer systems for sub-surface disposal methods (currently through the On Site Wastewater Section).

**Division of Highways.** North Carolina Department of Transportation, Division of Highways, or its successor agency responsible for regulation of state-maintained roads and the public road system.

**Division of Land Resources.** North Carolina Department of Environment and Natural Resources, Division of Land Resources, or its successor agency responsible for regulation of sedimentation and erosion control.

**Division of Water Quality.** North Carolina Department of Environment and Natural Resources, Division of Water Quality, or its successor agency responsible for regulation of wastewater and sanitary sewer systems for surface disposal methods.

**DOT District Highway Office.** North Carolina Department of Transportation, Division of Highways, District Highway Office, or its successor agency responsible for NC DOT's coordination with and assistance to local government in the County's jurisdiction.

**Dwelling, Single-Family Detached (Conventional or Modular).** A detached building constructed on-site or in industrialized modules in compliance with the North Carolina State Building Code and designed for or occupied exclusively by one family and which is completely surrounded by permanent open space.

**Dwelling, Two Family.** A detached residential building arranged or designed to be occupied by two (2) families living independent of each other. (See Section 3.1 R 7)

**Dwelling, Multi-Family.** A detached building constructed on-site in compliance with the North Carolina State Building Code and designed for three (3) or more dwelling units. (See Chapter 3, R 7)

**Dwelling Unit.** A room or combination of rooms providing complete independent living facilities including permanent provisions for living, eating, sleeping, cooking, and sanitation. The term "dwelling" shall not be deemed to include a motel, hotel, bed & breakfast, travel trailer, or other structure designed for transient travel.

**Easement.** A grant by the property owner to the public, a corporation, or persons of the right to use a specified portion of a tract or tracts of land for a specified purpose.

**Elevated Building.** A non-basement building which has its lowest elevated 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, structures or development into a special flood hazard area, which may impede or alter the flow capacity of a floodplain.

**Energy Dissipater.** A structure or 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 Management Commission.** North Carolina Environmental Management Commission, or its successor agency, responsible for promulgating rules governing water supply watershed protection.

**Erect.** To assemble, build, construct, raise, install, attach, hang, place, suspend, affix, post, create, paint, draw, apply or in any other way bring into being or establish.

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

**Erosion Control Measure.** Those best management practices employed to prevent or reduce erosion or sedimentation and are typically necessary when ground disturbance occurs.

**Escort.** A person who, for any tips or any other form of consideration, agrees or offers to act as a date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

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

**Existing Building and Existing Structure.** Any building and/or structure for which the "start of construction" commenced before April 7, 1987.

**Existing Manufactured Home Park or Manufactured Home Subdivision.** 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) was completed before the initial effective date of the floodplain management regulations adopted by the community.

**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 January 1, 1994.

**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 January 1, 1994, or a lot described by metes and bounds, the description of which has been so recorded prior to January 1, 1994.

**Expressway.** An **expressway** has high traffic volumes moving at medium to high speeds (45-60mph). Access is allowed to the highway at limited locations. There are no traffic signals, and median openings are limited. U-turns may be allowed at some intersections. For further clarification refer to the Iredell Comprehensive Transportation Plan.

**Facing or Surface.** The surface of a sign upon, against, or through which the message is displayed or illuminated on the sign.

**Family.** Any number of persons related by blood, adoption or marriage or no more than four (4) persons NOT related by blood, adoption or marriage, living together as a single housekeeping unit sharing the same domestic facilities. It does NOT include congregate residential care facilities; family care and group care facilities; foster homes for children; homes for the aged and infirmed; family- care homes for the aged and

infirm; day care facilities; day care centers; and family day care homes; shelter homes for children and/or families including foster shelter homes and group shelter homes; adult day care centers; day nurseries; preschool centers; hospitals; nursing homes; sanitariums; and dormitories, fraternal organizations, or other organized social or institutional residential situations.

**Family Day Care Home.** A building used as a residence for a family which is also used to provide day care services on a temporary basis without transfer of custody for eight (8) or fewer children, for a fee. The family day care operator may have up to a total of three (3) of their own children under the age of twelve (12) in the home that are NOT counted. Any number over three (3) would count towards the eight (8) children limit. (See Chapter 3, R 13)

**Family Care Home.** A home with support and supervisory personnel which provides room and board, personal care and habilitation services in a family environment for NOT more than six (6) resident handicapped persons. (See Chapter 3, R 13)

**Family Members, Direct.** Direct lineal decedents (children, grandchildren, and great grandchildren) and direct lineal ascendants (father, mother, grandfather and grandmother); and brothers, sisters, nieces and nephews.

**Farm Building.** Any structure used for the storage of farm or agricultural related materials or livestock, when NOT associated with a bona fide farm. These structures must meet all setbacks for a principal structure in the underlying district. (See Chapter 3, R 14; See also Bona fide Farm Building)

**Farm Type Enterprise Processing.** A commercial or industrial type processing facility related to farming activities including but NOT limited to grain mill products, cannery's, meat/poultry packing and processing, wholesaling livestock, and other similar high intensity commercial farm uses. (See Chapter 3, R 46)

**Farm Type Enterprise Services.** A commercial or industrial type service facility related to farming activities including but NOT limited to plant nurseries, fruit or vegetable packing sheds, retail sale of products grown on premises, hatcheries, farm machinery sales and service, animal clinics, and other similar activities. (See Section 3.1 R 45)

**Filling Station.** An establishment where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer for sale at retail other convenience items and may also include a freestanding automatic carwash.

**Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from (a) the overflow of inland or tidal waters; and/or (b) 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. (See also DFIRM)

**Flood Insurance Study (FIS).** An examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the Federal Emergency Management Agency. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

**Flood Prone Area.** See Floodplain.

**Floodplain.** Any land area susceptible to being inundated by water from any source.

**Floodplain Administrator.** The individual appointed to administer and enforce the floodplain management regulations.

**Floodplain Development Permit.** Any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

**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 Management Regulations.** This ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. 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 flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

**Flood-Resistant Material.** Any building product [material, component or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

**Floodway.** The channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

**Floodway Encroachment Analysis.** An engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to

have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and models.

**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 height added to the Base Flood Elevation (BFE) to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed. The BFE plus the freeboard established the "Regulatory Flood Protection Elevation".

**Freeway.** A freeway has high traffic volumes moving at high speeds. The intent is to move people and goods over long distances without interruption. Access to this roadway is only allowed at interchanges (Examples: I-77, I-40). For further clarification refer to the Iredell Comprehensive Transportation Plan.

**Frontage.** The property abutting on one side of a street measured along the street right-of-way line.

**Full Access Driveway.** A full access driveway is a driveway providing access to and from a lot adjoining the frontage roadway, which is intended to provide both ingress to and egress from the lot for traffic entering and exiting the lot from the left and from the right.

**Functionally Dependent Facility.** A facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to 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.

**Good Repair.** A condition in which structures, improvements, vegetation or other areas remain attractive, safe and presentable and carry out the purposes for which they were installed, constructed, or required.

**Grade.** The height of the top of the curb, or if no curb exists, the height of the edge of pavement in the lane of travel adjacent to a freestanding sign.

**Grading.** Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, and changes in topography.

**Greenhouse, Commercial.** An establishment primarily engaged in the retail sale and wholesale of trees, shrubs, other plants, seeds, bulbs, mulches, soil conditioners, fertilizers, pesticides, garden tools, and other garden supplies to the general public and private contractors. These establishments primarily sell products purchased from others, but may sell some plants which are grown at the establishment.

**Greenhouse, Private.** A small facility where plants are grown for personal use, NOT for retail or commercial sale.

**Gross Floor Area.** The total area of any buildings in the projects, including the basements, mezzanines and upper floors, exclusive of stairways and elevator shafts. It



excludes separate service facilities outside the store such as boiler rooms and maintenance shops.

**Ground Cover.** Any natural vegetative growth or other material that renders the soil surface stable against accelerated erosion.

**Group Care Facility.** A facility licensed by the State of North Carolina, (by whatever name it is called, other than "Family Care Home, Nursing Home, or Assisted Living Facility" as defined by this Ordinance), with support and supervisory personnel that provides room and board, personal care, or habilitation services in a family environment. (See Chapter 3, R 27)

**Habitable Space.** A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are NOT considered habitable spaces (NC State Building Code).

**Handicapped Person.** A person with a temporary or permanent physical, emotional or mental disability including but NOT limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments, but does NOT include mentally ill persons who are dangerous to others as defined in section 122C-3 (11) b of the General Statutes of North Carolina, or any amendment thereto.

**Hazardous Waste Management Facility.** As defined in NCGS 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

**Health Commission.** North Carolina Health Commission, or its successor agency, responsible for promulgating rules governing water supply and wastewater systems.

**Health Department.** County Health Department of Iredell County, North Carolina.

**Height.** The vertical distance from the ground elevation to the highest point of a structure or tree, including any appurtenance thereon.

**High Density Option.** A development which contains engineering stormwater control devices approved in a manner as called for in this Ordinance, thereby enabling development to occur at a higher intensity (than if the low-density option were used) as prescribed by the Environmental Managements Commission's adopted Water Supply Watershed Protection Rules.

**High Quality Waters.** Waters that are rated as excellent based on biological and physical/chemical characteristics through monitoring or special studies, native and special native trout waters (and their tributaries) designated by the Wildlife Resources Commission, primary nursery areas (PNA) designated by the Marine Fisheries Commission and other functional nursery areas designated by the Marine Fisheries Commission, all water supply watersheds which are either classified as WS-I or WS-II or those for which a formal petition for reclassification as WS-I or WS-II has been received from the appropriate local government and accepted by the Division of Water Quality and all Class SA waters. (15A NCAC 2B.0101 (e) (5)).

**High Quality Water (HQW) Zones.** Areas within one (1) mile and draining to HQW's.

**Highest Adjacent Grade (HAG).** The highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

**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 local inventory of historic landmarks in communities with a "Certified Local Government (CLG) Program"; or
4. certified as contributing to the historical significance of a historic district designated by a community with a "Certified Local Government (CLG) Program".

Certified Local Government (CLG) Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

**Homeless Shelter.** A facility operating year-round or seasonal, which provides lodging and supportive services (including, but NOT limited to, a community kitchen; assistance in obtaining permanent housing; medical counseling, treatment, and/or supervision; psychological counseling, treatment, and/or supervision; assistance in recuperating from the effects of or refraining from the use of drugs and/or alcohol; nutritional counseling; employment counseling; job training and placement; and child care) for indigent individuals and/or families with no regular home or residential address.

**Home Occupation.** An occupation conducted incidental to the use of property as a dwelling unit, which does NOT adversely impact or change the residential character of the neighborhood. (See Chapter 3, R 16, 17 & 18)

**Horizontal Surface.** A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

**Hotel or Motel.** A building which provides sleeping accommodations in six (6) or more rooms, commonly available for pay on a daily basis to transient or permanent guests.

**Industrial Development.** Any non-residential development that requires an NPDES permit for an industrial discharge and/or requires the use or storage of any hazardous material for the purpose of manufacturing, assembling, finishing, cleaning or developing any product or commodity.

**Impervious Surface.** Any material that prevents the natural infiltration of water into the soil.

**Interstate Highway System.** That portion of the national system of interstate and defense highways located within the State as officially designated or as may hereafter be so designated by the Board of Transportation or other appropriate authorities and are also so designated by interstate numbers.

**Junk Vehicle.** Vehicles which are NOT registered with the State, do NOT have current inspection stickers, are incapable of operation, or are partially dismantled. (See Chapter 3, R 42)

**Junk Yard.** A lot or group of contiguous lots where more than 600 square feet of area is used for the dismantling or the storage of wrecked or used automobiles or the storage, sale, or dumping of dismantled or wrecked cars or their parts, or for storage of appliances, machinery and other salvage goods. (See Section 3.1 R 42)

**Kennel, Commercial.** An establishment wherein any person engages in business or practice, for fee, of boarding, breeding, grooming, letting for hire, or training of more than six (6) domesticated animals at any one (1) time; or an establishment wherein any person engages in the business or practice, for a fee, of selling more than one (1) litter of domesticated animals at any one (1) time. Domesticated animals, for the purpose of this ordinance, shall be defined as dogs, cats, and other generally acceptable household pets. Litter, for the purpose of this ordinance, shall be defined as the progeny resulting from the breeding of two (2) domesticated animals. The following shall NOT constitute the operation of a kennel as defined above and in no way shall this provision regulate the following:

1. The ownership of domesticated animals as household pets;
2. The ownership of domesticated animals for hunting or tracking purposes;
3. The ownership of domesticated animals for the purpose of exhibiting at shows, obedience or field trials; and
4. The ownership of domesticated animals for the purpose of protection or guarding of residences or commercial establishments.(See Chapter 3, R 47)

**Kennel, Private.** A structure used by the occupant of the property for the outdoor storage of animals and not operated on a commercial basis.

**Lake or Natural Watercourse.** Any stream, river, brook, swamp, wetland, 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.

**Landfill, Land Clearing and Inert Debris.** A facility for the land disposal of land clearing waste, concrete, brick, concrete block, uncontaminated soil, gravel and rock, untreated and unpainted wood, and decomposable vegetative yard trash such as brush and stumps. (See Chapter 3, R 54)

**Landfill, Sanitary.** Any disposal facility or part of a disposal facility where waste is placed in or on land, whether publicly or privately owned, and holding a permit from the State of North Carolina.; or a facility for the disposal of all types of solid wastes, excluding hazardous wastes or toxic substances. (See Section 3.1 R 55)

**Landowner.** Any owner of a legal or equitable interest in real property, including the heirs, devise, successors, assigns and personal representative of such owner. The owner may allow a person holding a valid option to purchase, to act as his agent or representative for purposes of submitting a proposed site specific development plan in the manner allowed by this Ordinance.

**Landscaping.** An expanse of scenery including but not limited to lawns, trees, plants, and other organic or inorganic materials used to soften or mitigate the impacts of development.

**Letter of Map Change (LOMC).** An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

1. Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
2. Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
3. Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
4. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

**Light Duty Truck.** Any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
3. Available with special features enabling off-street or off-highway operation and use.

**Limited Access.** Connections to a facility provided only via ramps at interchanges (major crossings) and at-grade intersections (minor crossings and service roads). No private driveway connections allowed.

**Local Government.** Any county, incorporated village, town or city, or any combination of counties, incorporated villages, towns, and cities, acting through a joint program pursuant to the provisions of the Act.

**Logo.** A business trademark or symbol.

**Lot.** A parcel of land occupied or capable of being occupied by a building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same and the boundaries of which are established by some legal instrument such as a deed or a recorded plat (but not tax maps).

**Lot Area.** The total area within the lot lines of a lot, excluding any road rights-of-way.

**Lot, Corner.** A lot located at the intersection of two (2) or more roads. A lot abutting on a curved road or roads shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

**Lot, Double Frontage.** A lot having frontage on two (2) parallel or approximately parallel roads; or a lot having frontage on a road and the lake. In all zoning districts, double frontage lots shall provide the minimum yard requirements for front yards along both street fronts.

**Lot Front.** The side of a lot that abuts a dedicated road right-of-way. On a panhandle lot, the front is that portion of the lot that is parallel to the dedicated road right of way. On a corner lot, the frontage shall be designated by the owner. However, setbacks on a recorded plat would have to be met.

**Lot, Interior.** A lot other than a corner lot with only one frontage on a road.

**Lot Lines.** The line forming the perimeter or boundary of the lot.

**Lot Width.** The distance from side lot line to side lot line measured at the required minimum front yard setback parallel to the front property line. For lots with a radial side line(s), lot width may be measured at a front yard setback of up to fifteen (15) feet greater than the minimum required front yard setback. In such case the point where the minimum lot width is measured shall become the front yard setback for that lot.

**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, or a lot which is described by metes and bounds, the description of which has been so recorded, prior to the effective date of this Ordinance.

**Low Density Option.** A development which does NOT contain engineered stormwater control devices (i.e., wet detention ponds) which are approved by the Board of Commissioners in conjunction with development in a WS district.

**Lowest Adjacent Grade (LAG).** The elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

**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.

**Low Impact Design.** Strategies that integrate green space, native landscaping, natural hydrologic functions, and various other techniques to generate less runoff from developed land.

**Major Collector.** A road which serves major intracounty travel corridors and traffic generators and provides access to the arterial system.

**Major Thoroughfare.** Roadways that have more than three lanes for travel are in this category. This category also includes all undivided US and NC routes, regardless of number of lanes. These roads are to provide access to local development (Example: NC 150). For further clarification refer to the Iredell County Comprehensive Transportation Plan.

**Manufactured Home.** A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does NOT include a "recreational vehicle".

**Manufactured Home Park or Subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Manufacturing.** The processing of raw products and materials into items for sale.

**Mapping Department.** County Mapping Department of Iredell County, North Carolina.

**Marina, Commercial.** A facility containing moorings and boat slips available for the use of the general public including structures and activities normally integral to the operation of a marina such as but not limited to dry dock, repair services, fueling, pumping-out, chartering, launching, boat and jet ski rentals, the sale of supplies and convenience goods for use in recreational boating and boat maintenance, and recreational concession stands. This does not include community piers or other non-commercial boat docking and storage facilities. (See Chapter 3, R 33) (*amended 3/5/13, TA-2012-02*)

**Market Value.** The building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

**Marquee.** A permanent roof-like structure other than a roof attached to, supported by, and projecting from a building, providing protection from natural elements over the ground, sidewalk or walkway.

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

**Minor Thoroughfare.** Undivided roadways that have three lanes or less for travel and do NOT meet the criteria for Major Thoroughfares are included in this category (Examples: Old Mountain Road, Old Mocksville Road). For further clarification refer to the Iredell County Comprehensive Transportation Plan.

**Mobile Home, Accessory.** A manufactured home permitted on the same parcel as a stick-built or modular home, but that is clearly incidental and subordinate to the principle building. (See Chapter 3, R 8)

**Mobile Home.** A manufactured housing unit, constructed after July 1, 1976, that meets the standards of the US Department of Housing and Urban Development manufactured home construction standard at the time of construction. For the purposes of this ordinance, mobile homes are broken into the following classes:

1. Class A, which is a multi-sectional unit that must meet the appearance criteria in Section 3.1 R 9, and
2. Class B, which is a single-sectional unit that must meet the appearance criteria in Section 3.1 R 10.

**Mobile Home, Temporary.** A manufactured home on the same parcel as a stick-built, modular home, or otherwise that is based on a medical hardship and renewed every twelve (12) months. (See Chapter 3, R 11)

**Mobile Home Park.** A lot(s) or tract(s) of land used or intended to be used, leased or rented for occupancy by mobile homes in conformity with the mobile home park provision of this Ordinance. (See Chapter 3, R 19)

**Mobile Home Park, Non-Conforming.** A lot(s) or tract(s) of one (1) and for two (2) or more mobile homes sharing common ownership and/or facilities and which do NOT qualify as individual mobile homes on individual lots and which park is NOT in conformance with all the requirements for the initial establishment for a mobile home park as defined above.

**Modular Home; Building.** Any building or structure which was pre-manufactured, all or in part, at some point other than the building site for assembly or installation later at the building site and which complies with the State of North Carolina Building Code. Further defined, such building may be assembled from pre-manufactured rooms, wall panels, frame units, or other factory manufactured parts, which may be fabricated of wood, concrete, metal or other materials, and anchored on a permanent foundation or foundation material at the building site. This definition does NOT include mobile homes as defined in this Ordinance.

**National Historic Register.** United States Department of Interior National Register of Historical Places, or its successor agency responsible for maintaining a national register of historic places.

**Natural Drainage Flow.** The pattern of surface and storm water drainage from a particular site before the construction or installation of improvements prior to any re-grading.

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

**NC DOT.** North Carolina Department of Transportation, or its successor agency responsible for regulation of state-maintained roads, the public road system and surface water drainage systems.

**Net Residential Area (Net Land).** That portion of a development or project site designated for residential lots and related common open space areas excluding dedicated public rights-of-way.

**New Construction.** Structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

**Nonconforming Lot of Record.** A lot described by a plat or a deed that was recorded prior to the effective date of local regulations (or their amendments) that does NOT meet the minimum lot size or other development requirements.

**Nonconforming Structure.** Any structure or tree which does NOT conform to this ordinance as of the effective date of these regulations.

**Nonconforming Use.** Any use which legally existed on the effective date of this Ordinance, and which does NOT conform with each regulation of the zoning district in which it is located, including any nonconforming use legally recognized under a prior ordinance.

**Non-Conversion Agreement.** A document stating that the owner will not convert or alter what has been constructed and approved. Violation of the agreement is considered a violation of the ordinance and, therefore, subject to the same enforcement procedures and penalties. The agreement must be filed with the recorded deed for the property. The agreement must show the clerk's or recorder's stamps and/or notations that the filing has been completed.

**Non-Encroachment Area (NEA).** The channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (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 one horizontal guidance, or are type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

**Non-residential Development.** All development other than residential development, agriculture and silviculture.

**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, or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall NOT include a proprietary 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; or in a structure:

1. that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
2. where in order to participate in a class a student must enroll at least three days in advance of the class; and
3. where no more than one nude or semi-nude model is on the premises at any one time.

**Nude or A State of Nudity.**

1. the appearance of a human anus, male genitals or female genitals; or
2. a state of dress which fails to opaquely cover a human anus, male genitals or female genitals.

**Nursing Home.** A building or facility licensed by the State which 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. (See Chapter 3, R 27)

**Official Maps or Plans.** Any maps or plans officially adopted by the Board of Commissioners.

**Open Space.** Any land or area, the preservation of which in its present use would: (1) conserve and enhance natural or scenic resources; or (2) protect streams or water supply; or (3) promote conservation of soils, wetlands, beaches, or tidal marshes; or (4) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, or sanctuaries; or (5) enhance recreation opportunities.

**Overlay District.** A zoning district which overlays and combines with one of the principal zoning districts established by this Ordinance. In such case the property involved is subject to the requirements of both districts.

**Panhandle Lot.** A lot which contains a narrow strip providing road access.

**Parapet.** The portion of a building wall or false front that extends above the roof.

**Parent.** An affiliate that directly, or indirectly through one or more intermediaries, controls another person.

**Parking Lot.** An area or tract or partial tract of land used for the storage or parking of vehicles.

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

**Person Conducting Land-Disturbing Activity.** Any person who may be held responsible for violation unless expressly provided otherwise by this Ordinance, the Act, or any order adopted pursuant to this Ordinance or the Act.

**Person Responsible for the Violation.**

1. The developer or other person who has or holds himself out as having financial or operation control over the land-disturbing activity; or
2. The landowner or person in possession or control of the land that has directly or indirectly allowed the land-disturbing activity, or benefited from it or failed to comply with a duty imposed by any provision of this Ordinance, the Act, or any order adopted pursuant to this Ordinance or the Act.

**Phase of Grading.** One of two types of grading: rough or fine.

**PIN Number.** Parcel Identification Number assigned to tax parcels by the County Department of Tax Administration and Land Records.

**Planned Unit Development.** A tract(s) of land under single corporation, firm, partnership or association ownership, or otherwise under unified ownership or control, planned and developed as integral unit in a single development scheme or a well-defined series of development operations in accordance with an approved site plan. (See Chapter 3, R 20)

**Planning Board.** County Planning Board of Iredell County, North Carolina.

**Planning Department.** County Planning Department of Iredell County, North Carolina.

**Planning Director.** County Planning Director of Iredell County, North Carolina.

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

**Post-FIRM.** Construction or other development for which the "start of construction" occurred on or after May 15, 1980, the effective date of the initial Flood Insurance Rate Map.

**Pre-FIRM.** Construction or other development for which the "start of construction" occurred before May 15, 1980, the effective date of the initial Flood Insurance Rate Map.

**Precision Instrument Runway.** A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

**Premises.** A lot or parcel of real property where a business, profession, service, commodity, product, accommodation, event, attraction or other enterprise or activity or use exists or is conducted, manufactured, sold, offered, maintained or takes place.

**Primary Approach Surface.** A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the pavement with zero slope at the elevation as set forth in Section 4.6.1 of this Ordinance. In plan, the perimeter of the primary approach surface coincides with the perimeter of the primary approach zone.

**Primary Surface.** A surface longitudinally centered on a runway. When the runway has a specifically prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is 1,000 feet wide and centered on the runway centerline. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

**Principally Above Ground.** That at least fifty-one percent (51%) of the actual cash value of the structure is above ground.

**Private Passenger Vehicle.** Vehicles used primarily for customers, visitors, and employees.

**Private Recreational Vehicle Campsite.** Individual recreational vehicle campsite where no fee is charged.

**Private Road.** A dedicated right-of-way NOT maintained by NC DOT or any municipality in Iredell County.

**Property.** A lot, parcel, tract, or plot of land together with the buildings and structures thereon that is subject to the regulations and restrictions and zone boundaries within the jurisdiction of the County.

**Protected Area.** The area adjoining and upstream of the critical area of WS-IV watersheds. The boundaries of the protected area are defined as within five miles of and draining to the normal pool elevation of the reservoir or to the ridgeline of the watershed (whichever comes first); or within ten (10) miles upstream and draining to the intake located directly in the stream or river (run-of-the-river), or to the ridgeline of the watershed (whichever comes first). Major landmarks such as highways or property lines may be used to delineate the outer boundary of the protected area if these landmarks are immediately adjacent to the appropriate outer boundary of five (5) or ten (10) miles. In some cases the protected area will encompass the entire watershed.

**Public Hearing.** A duly advertised meeting called by the County Commissioners for the purpose of taking formal public comment, both in favor and opposition to a proposed action.

**Public Meeting.** An informal meeting to obtain comments from the public prior to the local government's decision on a proposed action. The proceedings may be recorded and a recommendation may be included.

**Public Safety and/or Nuisance.** Anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**Public Utility Facility.** Facilities of any agency which under public franchise or ownership, provides the general public with electricity, gas, oil, water, sewage, electronic signals, or rail transportation. The term utility shall NOT be construed to include the following: corporate or general offices; storage or service buildings or yards; gas or oil processing, manufacturing or storage facilities; transmission towers; or postal facilities.

**Race Shop.** A garage for the preparation of vehicles and engines for on or off road competition including the preparation of motor vehicles, engines, boats, go-carts and the like. (See Chapter 3, R 58)

**Recreation Area or Park.** An area of land or combination of land and water resources that is developed for active and/or passive recreation pursuits with various man-made features that accommodate such activities.

**Recreational Concession Stand.** A structure devoted to the sale of snacks, beverages, or other light meals, whether prepared in the structure or pre-prepared, and providing no inside seating or drive-thru service. This use shall be operated in conjunction with a use permitted in the district.

**Recreational Vehicle or Travel Trailer.** 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;
4. designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use, and
5. is fully licensed and ready for highway use.

For the purpose of this ordinance, "Tiny Homes/Houses" and Park Models that do not meet the items listed above are not considered Recreational Vehicles and should meet the standards of and be permitted as Residential Structures.

**Reference Level.** The bottom of the lowest horizontal structural member of the lowest floor for structures within all Special Flood Hazard Areas.

**Register of Deeds.** County Register of Deeds of Iredell County, North Carolina.

**Regulatory Flood Protection Elevation.** The "Base Flood Elevation" plus the "Freeboard". In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus two (2) feet of freeboard. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade.

**Remedy a Violation.** To bring the structure or other development into compliance with State and 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.

**Reservation.** A reservation of land does NOT involve any transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time.

**Residential Development.** Buildings for residence such as attached and detached single-family dwellings, apartment complexes, condominiums, townhouses, cottages, etc. and their associated outbuildings such as garages, storage buildings, gazebos, etc. and customary home occupations.

**Residuals.** Any solid or semi-solid waste generated from a wastewater treatment plant, water treatment plant or air pollution control facility permitted under the authority of the Environmental Management Commission.

**Restaurant.** An eating establishment where food, with or without alcoholic beverages, is served and consumed on premises. When alcoholic beverages are also served, the sale of food must represent thirty percent (30%) or more of the facility's total sales.

**Retreat Center.** A facility operated by a corporation or association of persons or churches for social and recreational purposes.

**Right-in/Right-out Driveway.** A driveway providing access to and from a lot adjoining a frontage roadway, which is intended to provide ingress to the lot with a right turn and egress from the lot with a right turn; left turns are prohibited.

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

**Road.** A dedicated public right-of-way for vehicular traffic (or a private road when permitted by this Ordinance). The word "road" includes, but is NOT limited to, "street, freeway, highway, expressway and thoroughfare".

**Road, Frontage.** A local road that is parallel to a full or partial access controlled facility and functions to provide access to adjacent land.

**Road, Local.** A local road serves primarily to provide access to adjacent land and for travel over relatively short distances.

**Road, Local Residential.** Cul-de-sacs, loop roads less than 2,500 feet in length, or roads less than one mile in length that do NOT connect thoroughfares, or serve major traffic generators, and do NOT collect traffic from more than 100 dwelling units.

**Road, Private.** A vehicular travel way NOT dedicated as a public street to a municipality or the North Carolina Department of Transportation, or a dedicated but unaccepted vehicular travel way by a municipality or the North Carolina Department of Transportation, maintenance of which is usually the responsibility of the adjacent owners or the Homeowners Association.

**Road, Public.** A public right-of-way for vehicular travel which has been constructed and then dedicated to and accepted by a municipality or the North Carolina Department of Transportation for public use or which has been otherwise obtained by such agencies for such use or which is proposed to be constructed and then dedicated to and accepted by such agencies as a public right-of-way for vehicular traffic for public use.

**Road, Residential Collector.** A local access road which serves as a connector road between local residential roads and the thoroughfare system. Residential collector roads typically collect traffic from 100 to 400 dwelling units.

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

**Rural Commercial Recreational and Rural Commercial Educational Facilities.** An establishment providing amusement, entertainment, education or recreation outdoors which may include associated living quarters, typically for a charge or membership fee. Types of outdoor recreational facilities include but are NOT limited to: ball fields; commercial stables; paint ball courses; endurance courses; bike, motorcycle, automobile or ATV courses; archery ranges; live outdoor theater; rodeos; fishing ponds, dog trainer schools, and youth camps. (See Chapter 3, R 30)

**Salvage Yard.** Any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but NOT limited to vehicles, appliances and related machinery.

**Sanitary Sewage System.** A complete system of sewage collection, treatment and disposal including approved privies, septic tank systems, connection to public or community sewage systems, sewage reuse or recycle systems, mechanical or biological treatment systems, or other such systems.

**Sawmill, Industrial.** A mechanized facility or operation where logs are sawn, split, shaved, stripped, chipped, or otherwise processed into wood products; which includes, but is NOT limited to, manufacturing, fabrication, wholesale, and kiln drying.

**Sawmill, Rural.** A mechanized facility or operation where logs are sawn, split, shaved, stripped, chipped, or otherwise processed into wood products; which has a maximum activity area of three (3) acres and excludes manufacturing, fabrication, wholesale, and kiln drying.

**Screen.** A device such as a fence or planting area used to visually separate property.

**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.

**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.

**Septage.** Solid waste that is a fluid mixture of untreated and partially treated sewage solids, liquids and sludge of human or domestic origin which is removed from a septic tank system.

**Septage Detention Systems.** A method of temporary storage of septage during periods of adverse weather conditions.

**Septage Management Firm.** A person engaged in the business of pumping, transporting, storing, treating or disposing septage. The term does NOT include public or community sanitary sewage systems that treat or dispose septage.

**Service Station.** A lot or building where gasoline, oil, grease and automobile accessories are supplied and dispensed to the motor vehicle trade, or where battery, tire and other similar repair services are rendered.

**Setback.** The horizontal distance from the property line or street right-of-way line to the nearest part of the applicable building, structure, sign, or use, measured perpendicularly to the line. (See Appendix B)

**Sewage.** The wastewater, and its contents from kitchen, bathroom, toilet, lavatory and laundry of any residence, business establishment, industrial plant, institution, or any public building.

**Sewer System, Public.** A means of collecting, transporting and treating sewage by a public entity (e.g., City, Town, County, District), or other public body created by, or pursuant to State, Federal, and Local laws, or any combination thereof acting cooperatively or jointly. A package treatment plant shall be considered part of a public sewer system if owned by a City, Town, County, District, etc.

**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 (including sexually oriented massaging) between persons of the opposite sex, or similar activities between male and female persons and/or between persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

**Sexually Oriented Devices.** Any artificial or simulated specified anatomical area or other device or paraphernalia that is designed principally for specified sexual activities but shall NOT mean any contraceptive device.

**Sign.** Any object, placard, device, display or structure, or part thereof, made of any material, except live vegetation, including any surface, fabric or other background material which is designed, constructed and/or used for the purpose of relaying information from a fixed or mobile position to visually inform, advertise, identify, display, promote, direct or attract the attention of general or privileged persons to an object, person, institution, organization, corporation, business, profession, commodity, product, service, event or location by any means including, but NOT limited to, words, letters, phrases, sentences, emblems, trademarks, trade names, insignias, numerals, figures, devices, designs, symbols, pictures, logos, fixtures, colors, illumination or projected images or any other attention directing device, displayed by means of paint, bills, posters, panels, or other devices erected on an open framework, or attached or otherwise applied to stakes, poles, trees, buildings or other structures or supports. The term sign shall include the terms advertisement, announcement, insignia, billboard, bill, billet, badge, display, brand, emblem, flyer, label, message board, poster, shingle, symbol, title and trademark. The term sign shall NOT include the terms television, telegraph, radio, signal or transmission. If the message is removed from a structure that was originally designed and used as a sign, this structure shall still be considered a sign.

**Sign, Awning.** A sign placed directly on the surface of an awning. For purposes of this Ordinance an awning sign for measuring purposes will be considered a wall sign.

**Sign, Business.** A permanent, on-premise sign that is affixed to the ground or to a building which directs attention to a service, commodity, goods or entertainment sold or offered on the premises on which such sign is located.

**Sign, Campaign or Election.** A sign that advertises a candidate or issue to be voted upon on a definite election day.

**Sign, Canopy.** A sign attached to or painted onto or forms a part of a canopy. For the purposes of this Ordinance a canopy sign for measuring purposes will be considered a wall sign.

**Sign, Changeable Copy.** A sign message center or reader board that is designed so that its informational content or copy can be changed or altered by manual, electrical,

electro-mechanical or electronic means. A changeable copy sign shall be counted as a sign face.

**Sign Clearance.** The smallest vertical distance between the grade of the adjacent street, and the lowest point of any sign, including framework and embellishment, extending over that grade.

**Sign, Conforming.** A sign which is in compliance with all the provisions of this Ordinance.

**Sign, Construction.** A sign placed at a construction site giving the name or names of building owners or developers, architects, engineers, and/or lending institutions and principal contractors, subcontractors and material suppliers participating in construction on the site where the sign is placed, together with other appropriate information included thereon.

**Sign Copy.** Alphabetic, pictorial, numerical and/or graphic display of permanent or removable words, letters, numbers, figures, characters, symbols, logos or insignia that are used on a sign display surface area for advertising and/or informational purposes.

**Sign Copy Area.** Area measured by the smallest circle, square or rectangle which will encompass all elements of informational or representational matter including all cut outs or extensions together with any materials or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. The term sign copy area shall also include the terms display area, surface area and the word area as it relates to signage. The term sign copy area shall NOT be construed to include architectural trim, frames and structural supports that do NOT bear any sign copy. In computing area, only one (1) side of a double-faced sign shall be considered. The maximum angle of a double-faced sign shall be forty-five (45) degrees, except for signs located at corners in which case the maximum angle may be ninety (90) degrees. This refers to the distance between sign faces on a single structure.

**Sign, Discontinued.** Any conforming or legal nonconforming sign, other than a billboard sign, which no longer identifies or advertises a bona fide business, service, product or activity, and/or for which no legal owner can be found which has been discontinued for a period of 120 days or more regardless of reason or intent, or a temporary sign for which the permit has expired. This is NOT intended to apply to seasonal type businesses which annually operate "in season." However, failure to operate any such seasonal business for a minimum of 190 consecutive days in a calendar year will deem these signs to have been discontinued.

**Sign, Double-Faced.** A sign designed to be seen from two (2) opposite directions shall be considered as one (1) sign, provided that the two (2) sign faces shall be supported on the same pole(s) or other structure, are at the same elevation and form an angle of forty-five (45) degrees or less on an interior lot or ninety (90) degrees or less on a corner lot.

**Sign Face.** The part of a sign that is or can be used to identify, advertise or communicate information, or is used for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim, color or internal illumination used that differentiates that sign from the building, structure, backdrop, surface or object upon which or against which it is



placed. The sign structure shall NOT be included as a portion of the sign face provided that no identifying/advertising message, symbol or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure, whether structurally necessary or NOT.

**Sign, Flags (Non-Advertising) (Non-Informational).** Flags except when such are used in connection with a commercial promotion or as an advertising device or as an integral part of a sign regulated under this Chapter; provided NOT more than three (3) such flags shall be flown on any lot or parcel and provided such flags are displayed on permanent pole structures. Failure to display such flags in a manner, which meets Congressional protocol will be a violation of this Ordinance. Plain flags with no advertising or information provided such flags are displayed on permanent pole structures and are properly maintained. Proper maintenance shall NOT permit flags, which are torn, ripped, frayed, separated from their grommets or incompletely affixed to their pole structures. All flags used in connection with a commercial promotion as an advertising device or as an integral part of a commercial sign must comply with the regulations of this Article for area, height, number and location.

**Sign, Flashing.** Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are classified as changeable copy signs, NOT flashing signs.

**Sign, Freestanding.** A sign which is permanently affixed to and supported by structures or supports such as poles, masts or frames which are placed upon or anchored in the ground and which structures or supports are independent from any building or other structure. For the purposes of this Ordinance a freestanding sign shall be only those signs meeting the definition given above and which are located on the same premises for which its' message is carried. Pole, ground and billboard signs are examples of freestanding signs.

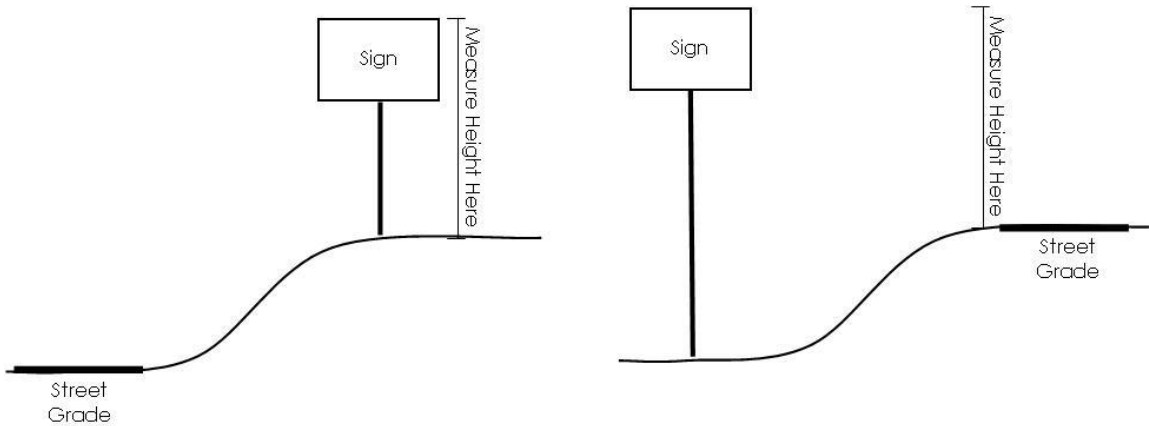
**Sign, Government.** Any temporary or permanent sign, symbol or device erected and maintained for any Federal, State, County or Municipal governmental purposes including, but NOT limited to, legal notices, identification and informational signs, and traffic warning, directional or regulatory signs.

**Sign, Ground.** A freestanding sign with a base which either appears to rest on the ground or which has a support(s) which places the base and portion of the sign copy area thereof less than ten (10) feet from the ground. A monument sign is a ground sign.

**Signs, Handicapped.** Handicapped signs as required by the Americans with Disabilities Act.

**Sign Height.** The vertical distance measured from the highest point of the sign, including decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less. (See Figure 16.2)

**Figure 16.2 Sign Height**



**Sign, Identification.** Means either or both of the following:

1. A sign used to display only the name, address, crest or trademark of the business, individual, family, organization or enterprise occupying the premises; the profession of the occupant; the name of the building on which the sign is displayed.
2. A permanent sign announcing the name of a subdivision, tourist home, group housing project, church, school, college, park or other public or quasi-public structure, facility or development and the name of the owners or developer but bearing information pertaining only to the premises on which such sign is located and carrying no advertising message.

**Sign, Illegal.** A sign which does NOT meet the requirements of this Ordinance and which has NOT received legal non-conforming status.

**Sign, Incidental.** Small decals consolidated and affixed to window or door panes, such as indicating membership in a business group or credit cards accepted at the establishment. Any sign, painted or affixed to an object or product, where the sign is clearly incidental and accessory to the primary use and purpose of the object or product including, but NOT limited to, product dispensers and point of purchase displays for newspapers, soft drinks, gasoline, ice, telephone, ATM or similar items which indicate the contents of the machine, the name or logo of the supplier, the price and/or operating instructions. These may also include public signs, warning signs, signs required by law, transportation facilities signs, road numbers, window signs, handicapped signs, public interest signs, security warning signs, open/closed/hours signs, building memorial signs, occupant/address signs, and private drive signs.

**Sign, Illuminated.** A sign illuminated in any manner by an artificial light source, whether internally or externally lit.

**Sign, Informational or Instructional.** An on-premises sign designed to guide vehicular and or pedestrian traffic and give other instruction or direction to the public but NOT including any advertising message. The name or logo of the business or use about which the sign is giving direction may also be included on the sign, provided such name or logo does NOT comprise more than ten percent (10%) of the copy area. Such signs include, but are NOT limited to, the following: the identification of rest rooms,

public telephones, walkways, entrance and exit drives, parking, handicapped access, freight entrances and traffic direction.

**Sign Maintenance.** For the purposes of this Ordinance, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does NOT alter the basic copy, design or structure of the sign.

**Sign, Marquee.** A sign affixed, superimposed, or painted on a marquee identifying the name of an establishment, type of product sold, manufactured or assembled, and/or service or entertainment offered on the premises where such a sign is displayed. For purposes of this Ordinance a marquee sign for measuring purposes will be considered a wall sign.

**Sign, Memorial.** A sign designating names of buildings and/or date of erection and other items such as architect, contractor, or others involved in the building's creation, cut into or attached to a building surface.

**Sign, Motion.** A sign or device designed to attract attention, all or any part of which uses movement or apparent movement by fluttering, revolving, rotating, spinning, swinging, animation or moving in some other manner and is set in motion by movement of water or the atmosphere or by mechanical, electrical or any other means.

**Sign, Movable.** A sign which is movable by two (2) or fewer individuals without aid of a motor vehicle or other mechanical equipment. The term movable sign includes the terms A-frame sign, T-shaped sign and tent sign.

**Sign, Noncommercial.** Any sign, display or device that does NOT direct attention to a business operated for profit, or to a commodity, product or service for sale which displays a substantive message, statement or expression that is protected by the First Amendment to the US Constitution.

**Sign, Non-Conforming.** Any sign which was lawfully erected in compliance with applicable code provisions and maintained prior to the effective date of this Ordinance, and any amendments to, and which fails to conform to all applicable standards and restrictions of this Ordinance. An illegal sign is NOT a nonconforming sign.

**Signs Not Legible Off-Premises.** Signs which are NOT legible from the boundaries of the lot or parcel upon which they are located, or from any public thoroughfare or right-of-way.

**Sign, Object or Product.** A sign used in conjunction with equipment or other functional elements of a use or operation. These shall include, but NOT be limited to, drive-through window menu boards, and signs on automatic teller machines, gas pumps, vending machines or newspaper boxes.

**Sign, Off-Premise.** A sign or Structure, pictorial or otherwise, regardless of size or shape that draws attention to or communicates information about a business, profession, service, commodity, product, accommodation, event, attraction or other enterprise or activity that exists or is conducted, manufactured, sold, offered, maintained or provided at a location other than on the premises where the sign is located. Several types of off-premise signs may exist or otherwise be subject to the requirements of this Ordinance. Billboards are examples of off-premise signs. This definition does NOT

include governmental, traffic, directional, or regulatory signs or notices of the federal, state, county or town government or their public agencies.

**Sign, On-Premise.** A sign or structure, pictorial or otherwise, regardless of size or shape that draws attention to or communicates information about a business, profession, service, commodity, product, accommodation, event, attraction or other enterprise or activity that exists or is conducted, manufactured, sold, offered, maintained or provided on the premises or at the same location (site or tract) as that where the sign is located. Several types of on-premise signs may exist or otherwise be subject to the requirements of this Ordinance regarding said signs. Ground signs and directional signs are examples of on-premise signs.

**Sign, Outdoor Advertising, Electronic Changeable Face (Digital Billboard).** A sign, display, or device, or portion thereof, which electronically changes the fixed display screen composed of a series of lights, including light emitting diodes (LED's), fiber optics, or other similar new technology where the message change sequence is accomplished immediately. Electronic changeable face outdoor advertising signs include computer programmable, microprocessor controlled electronic or digital displays that display electronic, static images, static graphics, or static pictures, with or without textual information, and tri-vision outdoor advertising signs. Electronic changeable face outdoor advertising signs do NOT include animated or scrolling images, graphics, video active images (similar to television images), projected images or messages onto buildings or other objects, or static outdoor advertising signs.

**Sign, Pole.** A freestanding sign with the base and all of the sign copy area at least ten (10) feet above the ground and which is supported from the ground by one or more poles or similar support structures of narrow width (maximum of ten percent (10%) of the width of the sign face) and not attached to any building (not a ground sign).

**Sign, Political.** A temporary sign used in connection with a local, state, or national election or referendum.

**Sign, Portable.** A sign designed or intended to be readily relocated from one location to another whether on the same premises or a different premises, is NOT permanently attached to the ground, building or other permanent structure and is differentiated from a Movable Sign in that it may be equipped for transportation by motor vehicle or other mechanical means. The term Portable Sign shall include signs on wheels, trailers, truck beds, or any other device which is capable of or intended to be moved from one location to another. Signs defined as temporary signs are NOT included in this definition.

**Sign, Projecting.** A sign which projects from and is supported by a building or other structure only when said projection is greater than twelve (12) inches. The term Projecting Sign does NOT include the terms wall, awning, canopy or marquee sign, which are otherwise defined herein.

**Sign, Public (Governmental, Utility).** Signs erected by, on behalf of, or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic warning, directional or regulatory signs. Official signs of a non-commercial nature erected by public utilities, including safety, warning and informational signs.

**Sign, Public Interest.** A sign on private property that displays information pertinent to the safety or legal responsibilities of the general public such as warning and no trespassing signs.

**Sign, Real Estate.** A temporary sign that is used to offer for sale, lease, rent or development the premises upon which such sign is placed.

**Signs Required by Law.** Legal notices and signs required by law, statute or ordinance.

**Signs, Road Numbers.** Display of road numbers on residential and non-residential buildings, structures and mailboxes.

**Sign, Roof.** A sign erected or maintained in whole or in part on, upon or over the roof or parapet of a building or structure and which is wholly or partially dependent upon the roof of the building or structure for support.

**Sign, Static Billboard.** A permanent, usually free-standing, off-premise sign that is affixed to the ground or to a building, owned by a person, corporation or other entity that engages in the business of selling or leasing the advertising space on that sign and which advertises an establishment, service, commodity, goods or entertainment sold or offered on premises other than that on which such sign is located. Such signs commonly referred to as "outdoor advertising signs" are generally designed so that the copy or posters on the sign can be changed frequently.

**Sign Structure.** Any structure which supports, has supported or is capable of supporting a sign, including any decorative cover for said sign structure.

**Sign, Snipe.** A temporary sign or poster affixed to a fence, pole, post, hydrant, bridge, another sign, public bench, street light or any tree, rock or other natural object.

**Sign, Temporary.** Any sign, designed in structure, materials and/or copy message, which is temporary in nature to be used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, whether attached to a structure, fence or freestanding, and whether or NOT it contains a frame. The term Temporary Sign includes the terms Banner, Pennant, Valance, Flyer and Announcement. Temporary Sign materials consist of cloth, vinyl, canvas, light fabric, cardboard, paper, wall board or other light material. This definition shall NOT include a permanent sign display area with changeable copy, or to movable or portable signs.

**Signs, Transportation Facilities.** Informational signs indicating bus stops, taxi stands, train stations and similar transportation facilities.

**Sign, Vehicle.** A sign on a parked vehicle visible from the public right-of-way where the primary purpose of the vehicle is to advertise a product or to direct people to a business or activity located on the same or nearby property. For the purposes of this Ordinance, vehicular signs shall NOT include business logos, identification or advertising on vehicles primarily used for other business purposes.

**Sign, Wall.** A sign which is placed on and/or attached to and supported throughout its entire length by the facade or exterior side of a building (or fence) wall by means of adhesive, paint, manufacturing process, structural and/or mechanical attachment, which said sign is NOT more than twelve (12) inches from the facade or exterior wall line and when its exposed face is parallel or approximately parallel to the plane of the

building or structure on which the sign is affixed. Such sign may NOT extend above the roof line.

**Sign, Warning (Health, Safety, Hazard).** Signs erected by government agencies, public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices or signs providing directions around such conditions.

**Sign, Window.** A sign that is placed on and/or attached to the interior side of a window or door glass of a building by means of adhesive, paint and/or manufacturing process intended for viewing from the exterior of such building; or a sign within a building, placed no more than twelve (12) inches behind the window which is visible through the window.

**Siltation.** Sediment resulting from accelerated erosion which is precipitative 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.

**Single Family Residential.** Any development where: 1) no building contains more than one dwelling unit, 2) every dwelling unit is on a separate lot, and 3) where no lot contains more than one dwelling unit.

**Site Specific Development Plan.** A plan which has been submitted to the County by a landowner describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property.

**Sludge.** Any solid, semisolid or liquid waste generated from residential wastewater treatment plant. (See Chapter 3, 1 R 21)

**Solar Energy System.** An array of solar collection devices (including all related equipment) to generate solar energy for collection and distribution, predominantly off-site use.

**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.** As defined in NCGS 130A-290(a) (36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

**Source Reduction Facility (processing & wholesale).** A facility designed to both process and recycle reclaimed material associated with both inert debris and nonhazardous waste, including brush, stumps, concrete, brick, block, stone and other land clearing waste normally received at an LCID (Land clearing and inert debris landfill).

**Special Event.** A planned, temporary activity.

**Special Flood Hazard Area (SFHA).** The land in the floodplain subject to a one percent (1%) or greater chance of being flooded in any given year, as determined in Appendix G, Article 3, Section B of the Flood Damage Protection Ordinance.

**Specified Anatomical Areas.** Human genitals in a state of sexual arousal.

**Specified Sexual Activities.** Is and includes any of the following:

1. the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; or
2. sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
3. masturbation, actual or simulated; or
4. excretory functions as part of or in connection with any of the activities set forth in 1. through 3. above.

**Stables, Commercial.** The keeping of horses for profit engendered through horse rental, boarding, riding lessons, training, etc. (See Chapter 3, R 30)

**Stables, Private.** The keeping of horses not for profit, but for the enjoyment of the property owners or lessees.

**Stacking Space.** A space to store an automobile off-street while waiting in line for a drive-through service such as an automatic teller service, drive-through restaurant etc.

**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 on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does NOT include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include 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.

**State.** State of North Carolina.

**State Board of Examiners.** North Carolina State Board of Examiners for Engineers and Land Surveyors, or its successor agency responsible for registering Professional Engineers and Land Surveyors licensed in the State.

**Storm Drainage Facilities.** The system of inlets, conduits, channels, ditches and appurtenances which serve to collect and convey storm water through and from a given drainage area.

**Storm Water Runoff.** The surface flow of water resulting from precipitation in any form and occurring immediately after rainfall or melting.

**Street.** Any publicly maintained right-of-way set aside for public travel which has been accepted for maintenance as a street by the North Carolina Department of Transportation.

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

**Structural Alterations.** Any change, except for the repair or replacement, in the supporting members of a building such as load bearing walls, columns, beams or girders.

**Structural (Architectoral) Trim.** The molding, battens, capping, nailing strips, latticing and platforms which are attached to a sign structure.

**Structure.** Anything constructed or erected, including but NOT limited to a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground, which requires location on the land or attachment to something having permanent location on the land and is intended for shelter, housing or enclosure of persons, animals or property. For the purposes of this ordinance, dog houses, well houses, deer stands, and play houses are exempt from this definition.

**Subdivider.** Any person, firm or corporation who subdivides or develops any land deemed to be a subdivision as herein defined.

**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 nor be subject to the regulations authorized by this ordinance:

1. 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;
2. The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved;
3. The public acquisition by purchase of strips of land for the widening or opening of streets;
4. The division of a tract in single ownership whose entire area is no greater than two (2) acres into NOT more than three (3) 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;
5. The division of a tract into plots or lots used as a cemetery. Check GS 153A-335 to see if this is included in subdivision definition.

**Subdivision, Cluster Development.** Refer to Section 8.5.1 of this Ordinance.

**Subdivision, Family.** Refer to Section 8.5.1 of this Ordinance.

**Subdivision, Major.** Refer to Section 8.5.1 of this Ordinance.

**Subdivision, Minor.** Refer to Section 8.5.1 of this Ordinance.

**Subdivision, Special.** Refer to Section 8.5.1 of this Ordinance.

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

**Substantial 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 percent (50%) 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 percent of the market value of the structure before the damage occurred.

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

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 and the alteration is approved by variance issued pursuant to Appendix G Article 4 Section E of this ordinance.

**Swimming Pool.** Any structure intended for swimming, recreational bathing or wading that contains water over twenty-four (24) inches deep. This includes in-ground, above-ground, and on-ground pools; hot tubs and fixed-in-place wading pools. (See Chapter 3, R 22)

**Technical Bulletin and Technical Fact Sheet.** A FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.

**Technical Review Committee.** The group charged with the review and recommendation of Major Subdivision Concept Plans. The committee shall be supervised by the Subdivision Administrator shall consist of the following:

- Fire Marshal
- Iredell County Soil and Erosion Control representative

- NCDOT representative
- ECOM representative
- Iredell-Statesville Schools representative
- Mooresville Graded School District representative
- Health Department representative
- Mapping Department representative
- Two (2) Planning Board members

**Temperature Controlled.** Having the temperature regulated by a heating and/or cooling system, built-in or appliance.

**Temporary Buildings.** A structure established for a limited duration with the intent to discontinue use of the structure when the time frame has expired. (See Chapter 3, 1 R 23)

**Temporary Events.** A use established for a limited duration with the intent to discontinue such use when the timeframe has expired. Temporary uses shall include, but are NOT limited to: circus, carnival, fair, rodeo, team pinning, religious events, and special events by non-profit organizations. (See Chapter 3, R 24)

**Ten-Year Storm.** The storm water runoff resulting from precipitation of an intensity that is expected to be equaled or exceeded, on the average, once in ten (10) years, and of a duration that will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions. (See Appendix E)

**Townhouse.** A single-family dwelling unit constructed in a series or group of attached units with property lines separating each such unit.

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

**Tract.** All contiguous land and bodies of water being disturbed or to be disturbed as a unit, regardless of ownership.

**Transitional Surfaces.** Surfaces that extended outward at ninety (90) degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at ninety (90) degree angles to the extended runway centerline.

**Transmission Tower.** A structure, either freestanding, supported by guy wires, or attached to a building, and accessory equipment related to broadcast services, private radio services, including AM, FM, two-way radio, television and cable antenna television transmission, microwave transmission and facilities such as satellite dish receiving centers. This definition does NOT include electrical transmission distribution

poles, towers, and line, personal satellite dishes, or structures not more than thirty-five (35) feet in height.

**Travel Trailer Parking Area.** A parcel of land in which two (2) or more spaces are designed, occupied or intended for occupancy by trailers for transient dwelling purposes. (See Chapter 3, R 49)

**Tree.** Any self-supporting woody plant that usually provides one main trunk and produces a more or less distinctive head with many branches.

**Truck/Freight Terminal.** Any facility where cargo and trucks are stored and where trucks load and unload cargo on a regular basis.

**Truck Stop.** A facility typically offering multiple service to the traveling public which are particularly designed to serve the need of freight trucks and their drivers. Such facilities typically include fuel stations, one (1) or more eating establishments, sales of convenience and sundry items, and overnight lodging and parking facilities.

**Twenty-five Year Storm.** The storm water runoff resulting from precipitation of an intensity that is expected to be equaled or exceeded on the average, once in twenty-five (25) years, and of a duration that will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions. (See Appendix E)

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

**Understory Tree.** Small deciduous trees fifteen to thirty (15-30) feet in height that grow best in shade provided by larger trees. These can include ornamental trees and fruit trees.

**Undertaken.** The initiating of any activity, or phase of activity, which results or will result in a change in the ground cover or topography of a tract of land.

**Use.** The purpose for which a building, lot, sign or structure is intended, designed, occupied or maintained.

**Utility Easement.** An easement which grants to the utility provider the right to install and thereafter maintain any and all utilities including, but NOT limited to, water lines, sewer lines, storm sewer lines, electrical power lines, telephone lines, natural gas lines, and community antenna television systems.

**Variance.** A grant of relief from the requirements of this ordinance. (See also, Watershed Variance)

**Variance, Watershed.** A permission to develop or use property granted by the Watershed Review Board relaxing or waiving a water supply watershed management requirement adopted by the Environmental Management Commission that is incorporated into this ordinance.

**Major Variance.** A variance from the minimum statewide watershed protection rules that results in any one or more of the following:

1. the relaxation, by a factor greater than ten percent (10%), of any management requirement under the low density option;

2. the relaxation, by a factor greater than five percent (5%), of any buffer, density or built-upon area requirement under the high density option;
3. any variation in the design, maintenance or operation requirements of a wet detention pond or other approved stormwater management system.

**Minor Variance.** A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to five percent (5%) of any buffer, density or built-upon area requirement under the high density option; or that results in a relaxation, by a factor of up to ten percent (10%), of any management requirement under the low density option.

**Vegetation.** Plants such as trees or shrubs.

**Vehicle.** A device for transporting goods, passengers, or equipment.

**Vehicular Surface Area.** The area primarily used for the parking of private passenger vehicles including the means of ingress and egress to the area where private passenger vehicles are parked and also including any median, traffic island, or other traffic control device or structure contained wholly within the vehicular parking area. Covered and multilevel vehicle parking areas are NOT included.

**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.

**Vested Right or Zoning Vested Right.** The right to undertake and complete the development and use of the property under the terms and conditions of an approved site specific development plan.

**Violation.** The failure of a structure, use or other development to be fully compliant with the regulations of this ordinance.

**Violation, Floodplain.** The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevations certificate, other certifications, or other evidence of compliance required in Appendix G, Articles 4 and 5 of the Flood Damage Prevention Ordinance is presumed to be in violation until such time as that documentation is provided.

**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.

**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.

**Water Point Source.** Water points can be any of the following:

1. A static (pond or lake) or dynamic (creek or stream) that can be drafted from with responding fire apparatus. Construction of a pond must be provided at a location in, adjacent to or within one and one-half (1½) road miles of all lots in the proposed subdivision and not to exceed three (3) miles between water points. Construction of the pond and installation/use of a float dock or dry hydrant for drafting of water shall be in accordance with standards and practices of NFPA 1142. The pond must have the capacity to maintain in excess of thirty thousand (30,000) gallons as certified by a certified hydrologist, professional engineer to account for seasonal variations and water availability/sediment below the strainer, and/or be able to withstand a 50-year drought as certified by a certified hydrologist, professional engineer. Ponds created through use of existing streams or by continuous fill from a ground water well, must also obtain the drought tolerance certification from any of the aforementioned sources; or
2. A water storage tank or cistern which should hold a minimum of thirty thousand (30,000) usable gallons and be designed, constructed, installed and maintained in accordance with NFPA 22. In-ground cistern or aboveground water tank. Installation of a cistern or aboveground tank must be provided at a location in, adjacent to or within one and one-half (1½) road miles of all lots in a proposed major subdivision and not to exceed three (3) miles between water points; or
3. Year round large public swimming pools with dry hydrant installation for drafting.

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

**Water Supply Watershed Area.** The region drained by or contributing water to a stream, lake, or other body of water used as a public water supply as described in Section 4.5.

**Water Surface Elevation (WSE).** The height, in relation to NAVD 1988, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

**Water System, Public.** The provisions to the public of piped water by a system owned and operated by a public entity.

**Wind Energy System.** A machine that converts the kinetic energy in the wind into a usable form (also known as a wind turbine or windmill).

**Winery:** A facility or establishment engaged in the processing of grapes to produce wine or wine-like beverages. (See Chapter 3, R 60)

**Wireless Telecommunication Tower.** A tower supporting licensed or unlicensed wireless telecommunication facilities including cellular, digital cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), commercial or private paging services, or similar services marketed or provided to the general public. This definition does NOT include services by non-commercial entities in the Amateur Radio Service, Public Safety Radio Service, or licenses assigned to non-profit organizations, such as the Red Cross, Civil Air Patrol, Military Affiliated Radio Service (MARS) that are licensed by the Federal Communications Commission. (See Chapter 3, R 64)

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

**Yard.** An open space located on the same lot with a building, unoccupied and unobstructed from the ground upward, except by trees, shrubbery or as otherwise provided herein. A yard is the area created by a setback.

**Yard, Front.** A yard extending across the full width of the lot and extending from the closest front wall of the building to the property line or established edge of a right-of-way, whichever is closer.

**Yard, Rear.** A yard extending across the full width of the lot and extending from the closest rear wall of the main building to the rear of the property.

**Yard, Side.** A yard which extends from the closest side wall of a building to the nearest side property line or the established edge of the street right-of-way, whichever is closer, if the lot is a corner lot.

**Zoning Administrator.** An employee or agent of the Iredell County who is assigned primary responsibility for the administration and enforcement of the Zoning Ordinance.

**Zoning Permit.** A permit issued by the County conferring the right to undertake and complete the development of and use of property.

**Zoning Permit with Vested Rights.** A permit issued by the County concerning the right to undertake and complete the development of and use of property under the terms and conditions of an approved site specific development plan.

*(amended 10/4/11, TA-2011-01; amended 7/17/12, TA-2012-01; amended 3/5/13, TA-2012-02; amended 12/3/13, TA-2013-01; amended 9/2/14, TA-2014-01; amended 1/17/17, TA-2017-01; amended 9/18/18, TA-2018-01 ; amended 10/15/19, TA-2019-01; amended 6/2/20, TA-2020-02)*