

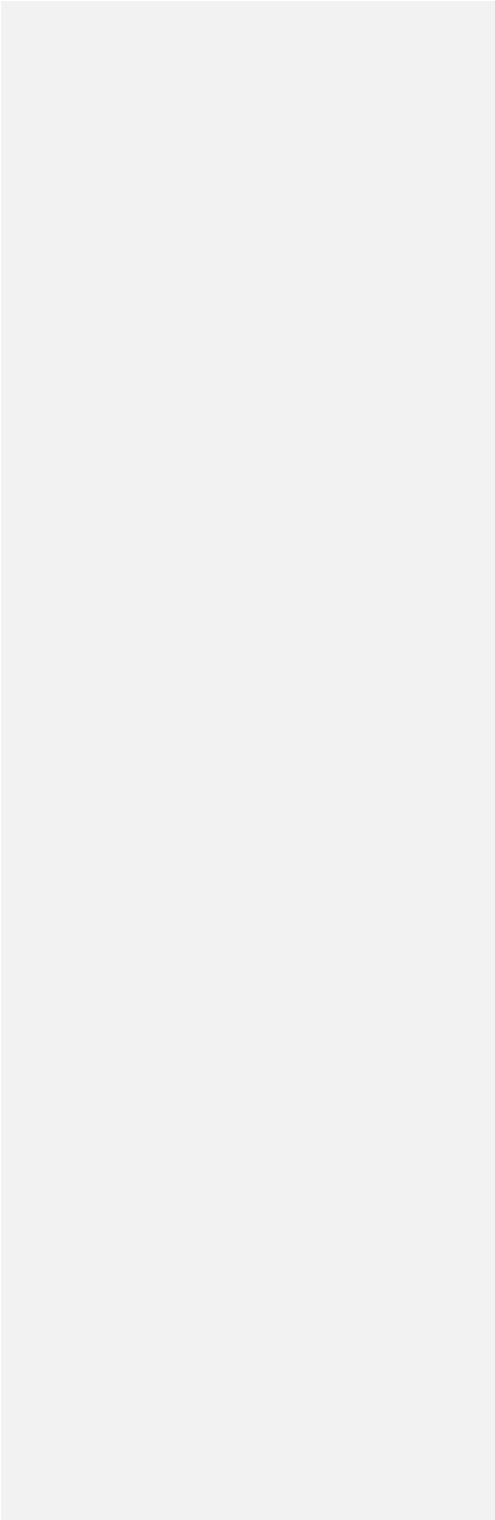
18

DEFINITIONS & ACRONYMS

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CHAPTER 18 DEFINITIONS & ACRONYMS¹

18.1 ACRONYMS²

(A, B, C)

BMP: Best Management Practice

BUA: Built-upon area

(D, E, F)

FAA: Federal Aviation Administration

FC: Footcandle

FCC: Federal Communications Commission

(G, H, I)

GFA: Gross floor area

HID: High intensity discharge lighting

IESNA: Illuminating Engineering Society of North America

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

² This new section defines acronyms used in the UDO.

(J, K, L)

(M, N, O)

NCDEQ: North Carolina Department of Environmental Quality

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

NPDES: National Pollutant Discharge Elimination System Permit

(P, Q, R)

PUD: Planned unit development

RV: Recreational vehicle

(S, T, U)

SCM: Stormwater control measure

SES: Solar energy system

SWCC: Soil & Water Conservation Commission

UDO: Unified Development Ordinance

(V, W, X, Y, Z)

18.2 DEFINITIONS³

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

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

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

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

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

(A)

Accessory Building: A detached subordinate building the use of which is incidental to that of the principal building and located on the same lot therewith.

~~**Accessory Dwelling Unit:** (i.e. guest house, pool house, garage apartment, in-house apartment); An accessory dwelling unit that is smaller than the principal residential dwelling. The accessory dwelling unit is situated on the same lot as the principal residence and may be located within the principal residence or in a separate building with a separate access. The accessory dwelling unit is restricted~~

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

~~to 1,500 square feet of heated living space. The use is to conform to the character of the existing structures and neighborhood, i.e. mobile homes are not allowed as an accessory dwelling unit on lots smaller than 80,000 square feet. {ZO, SR}~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Agricultural: See **Agriculture.**

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

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

⁴ This definition is revised to reflect the current definition of "agriculture" in N.C.G.S. [§ 106-581](#): *Agriculture defined.*

Commented [KAC1]: Resolve duplicate definitions

Commented [GG2]: The Watershed Regulations have a separate definition of "Agricultural Activities" which do not appear to be drawn from any state regulations or any specific definition in state statutes. The definition is different, but I don't think that it's sufficiently different in meaning that we would need to carry forward a separate definition for watershed purposes.

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

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

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

Aircraft: A device that is used or intended to be used for flight in the air.⁶

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

Airport, Private-Use: An airport available for use by the owner only or by the owner and other persons authorized by the owner.⁸ For the purposes of this definition, airport includes heliports, helistops, vertiports, gliderports, ultralight flightparks, manned balloon launching facilities, or other aircraft landing or takeoff areas.⁹

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

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

Commented [KAC3]: Resolve duplicate definitions

Amusements, Indoor: A use classification for facilities offering sports, recreation, and entertainment activities that primarily occur inside a building, including game arcades, billiard halls, bowling centers, skating rinks, fitness and recreational sports centers, and fitness and dance studios. Such facilities may also engage in retail sales of specialty products and services and provide ancillary indoor activities such as restaurants, concessions, and locker rooms. Indoor amusements do not include indoor shooting ranges.

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

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

⁶ This definition is from [14 CFR Part 1: Definitions and Abbreviations](#).

⁷ This definition is from [FAA Advisory Circular 150/5300-19](#).

⁸ This definition is from [14 CFR Part 157: Notice of Construction, Alteration, Activation, and Deactivation](#).

⁹ The second sentence in this definition is from [14 CFR Part 157: Notice of Construction, Alteration, Activation, and Deactivation](#).

animal farms, wild animal farms, aviaries, snake, alligator and frog farms, laboratory animal farms, worm farms, and fish farms.

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

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

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

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

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

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

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

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

Attached Sign: Any sign attached to, painted on the wall surface of, or erected and confined within the limits of the outside wall of any building or structure, which is supported by such wall or building.

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

Automobile Graveyard: Any tract of land, establishment, or place of business ~~and which that~~ is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts for profit, ~~and shall~~ An automobile graveyard includes any tract of land, establishment, or place of business upon which more than six motor vehicles ~~which that~~ cannot be operated under their own power; and that are not actively being restored to

Commented [GG4]: Carried forward but the nearest reference I could find defining it references 40 CFR Part 122 Appendix B which has been withdrawn, so I'm not sure there is a currently EPA definition. (relevant to the watershed district regulations)

operable condition, ~~and which~~ are kept or stored for profit for a period of 90 days or more.¹⁰

Automobile Service Station: ~~A commercial establishment that provides one or more types of maintenance services for motor vehicles. This definition includes facilities offering tune-ups or minor repairs, tire service, manual or automatic washing facilities, and similar services.¹¹ This definition does not include gas stations.~~

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

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

(B)

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

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

Bed and Breakfast Home: ~~Owner-occupied bed and breakfast homes with no more than two (2) rooms (units) for rent for stays no longer than seven (7) consecutive days and may be located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard setbacks as set in the district in which it is located. A business located in a private, owner-occupied home that offers overnight guest accommodations and serves one or more meals only to overnight guests of the home.¹²~~

Bed and Breakfast Inn: ~~Small, owner-operated businesses where the owner usually lives on premises, but is not required to do so. The building's primary usage is for lodging of overnight guests and meals served in conjunction with the stay of guests. A business that offers overnight guest accommodations and serves one or~~

¹⁰ This definition is carried forward from the Junk Yard Control Ordinance. Note N.C.G.S. [§ 136-143\(1\)](#) specifies 15 days, rather than 90. This timeframe may be updated to align with the statute.

¹¹ These use examples are from ZO Section 10.13, Table 1: *Zoning Table of Permitted Uses*.

¹² This definition is revised to generally align with the definition in [N.C.G.S. § 130A-247](#) (Part 6. *Regulation of Food and Lodging Facilities*). The other standards are carried forward in Chapter 4: *Use Regulations*.

~~more meals only to overnight guests.~~ Inns advertise, have business licenses, comply with government ordinances, pay all appropriate taxes, ~~and~~ post signs, ~~and meet~~. ~~The inn may host events such as weddings, small business meetings, et cetera, with up to 8 overnight rooms for rent to overnight guests, provided all other applicable local and state requirements are met.~~¹³

Beneficial Fill: A fill activity to level or bring an area to grade for the beneficial purpose of stabilizing the land or improving the land use potential using only inert debris waste.¹⁴

Best Management Practice (BMP): A structural or nonstructural management-based practice used singularly or in combination to reduce nonpoint source inputs to receiving waters in order to achieve water quality protection goals.

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

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

Board: The Chatham County Planning Board.

Board of Commissioners: The Chatham County Board of Commissioners.

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

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

Bona Fide Farm ActivitiesPurposes¹⁵: Any activity including the production and activities relating or incidental to the production of crops, grains, fruits, vegetables,

Commented [GG5]: Watershed Protection definition not carried forward: "Effective and practical structural or nonstructural methods which prevent or reduce the movement of sediment, nutrients, pesticides and other pollutants from the land to surface or ground water, or which otherwise protect water quality from potential adverse effects of development, silvicultural, agricultural and other land disturbance activities. These practices are developed as industry standards to achieve a balance between water quality and natural habitat protection and the economic benefits and desired use of the land."

Commented [KAC6]: Resolve duplicate definitions

¹³ This definition is revised to generally align with the definition in N.C.G.S. § 130A-247 (Part 6. *Regulation of Food and Lodging Facilities*). The other standards are carried forward in Chapter 4: *Use Regulations*.

¹⁴ This definition is from 15A NCAC 13B .0562.

¹⁵ This definition is revised to align with N.C.G.S. § 160D-903(a). The four types of evidence considered sufficient to establish that a property is being used for bona fide farm purposes are addressed in Section 1.4: Applicability. Note the list of evidence now excludes "farm identification number," which was removed from the statute in 2017.

ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agricultural products as defined in N.C.G.S. § 106-581.1 ~~having a domestic or foreign market, except as provided in N.C.G.S. § 106-743.4 for farms that are subject to a conservation agreement under N.C.G.S. § 106-743.2. Activities incident to the farm include existing or new residences constructed to the applicable residential building code situated on the farm occupied by the owner, lessee, or operator of the farm and other buildings or structures sheltering or supporting the farm use and operation. For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:~~

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

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

~~A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return;~~

~~A forest management plan;~~

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

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

Brewery: An establishment that commercially produces less than 6,000,000 barrels¹⁶ of malt beverages, as defined in N.C.G.S. § 18B-101(9), per year. Such facilities include all aspects of production and may include administrative offices and a tap room. A brewery may be established in conjunction with a restaurant. A brewery that produces more than 6,000,000 barrels per year is considered "Beverage Manufacturing" (NAICS 312), which is categorized as a **Light Industrial Use**.

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

Building: Any structure having a roof supported by walls or columns constructed, used or intended for supporting or sheltering any use or occupancy. [ZO]

¹⁶ This figure is derived from the Brewers Association definition of the craft beer industry market segments "microbrewery" and "regional brewery."

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

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

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

Building Height: The vertical distance measured from the average elevation of the finished grade to the topmost section of the roof.

Building Line: A line perpendicular to the lot depth which establishes the horizontal distance between the structure and the front property line excluding the outermost steps, uncovered porches, gutters, and similar features. [ZO]

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

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

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 roads, recreation facilities (e.g. tennis courts), etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.) [CCO, WPO]

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

Commented [GG7]: added from WPO -- note that this is identical to prior definition but for the last clause.

Commented [KAC8]: Resolve duplicate definitions

Commented [KAC9]: Consolidate and/or add definitions for side and rear setback lines.

(C)

Campground: See [Recreation Camps & Grounds](#).

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

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

Cemetery: [Land used for the interment of human or animal remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof.¹⁷ This definition excludes family cemeteries located on private lots, which are not regulated by this UDO.](#)

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

Child Care Center: [An arrangement where, at any one time, three or more preschool-age children or nine or more school-age children receive child care. This does not include arrangements classified as a Family Child Care Home.¹⁸](#)

Child Care Center Located in a Residence: [A child care center located in a dwelling unit that is licensed to provide care for up to 12 children when any child present is of preschool age or up to 15 children when all children are school-age.¹⁹](#)

Churches: See [Place of Worship](#).

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

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

Commented [KAC10]: Delete if no longer used

¹⁷ This definition is from the Carroll County, MD, Zoning Regulations (§ 158.002).

¹⁸ This definition is from 10A NCAC 09 .0102 (Child Care Rules).

¹⁹ This definition is derived from the North Carolina Department of Health and Human Services Division of Child Development and Early Education handout "Child Care Centers: Basic Information for Potential Providers."

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

Commented [GG11]: update for consistency with UDO revisions

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

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

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

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

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

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

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

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

Commented [KAC12]: Resolve duplicate definitions or delete if no longer needed

Communications & Information: A use classification for establishments that produce or distribute information, including publishing, motion picture and sound recording, broadcasting, media streaming and distribution services, and information services industries.

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

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

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

Concealed Wireless Facility: Any tower, ancillary structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. There are two (2) types of concealed facilities: 1) Antenna Attachments, including painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure and 2) Freestanding. Freestanding concealed tower's usually have a secondary, obvious function which may include church steeple, bell tower, clock tower, light standard, flagpole, or tree.

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

Conditional Use Permit: See definition for Special Use Permit.

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

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

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

Congregate Care Facility: A facility providing shelter and services for ambulatory individuals at least 55 years of age who by reason of their age, functional impairment, or infirmity may require meals, housekeeping, and personal care assistance. Congregate Care Facilities do not include nursing homes or similar institutions devoted primarily to the care of the chronically ill or the incurable.

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

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

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

Continuing Care Retirement Community: A facility in which a provider provides continuing care to an individual. "Continuing care" is the furnishing to an individual other than an individual related by blood, marriage, or adoption to the person furnishing the care, of lodging together with nursing services, medical services, or other health related services, under a contract approved by the Department of Insurance of North Carolina in accordance with N.C.G.S. Chapter 58, Article 64: Continuing Care Retirement Communities effective for the life of the individual or for a period longer than one year.²⁰

Convalescent Home: See Nursing Home.

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

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

²⁰ This definition is derived from N.C.G.S. § 58-64-1(1) and (3).

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

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

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

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

Critical Area: The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed. The critical area is defined ~~at 15A NCAC 02B .0202 as extending either one mile from the normal pool elevation of the reservoir in which the intake is located or to the ridge line of the watershed (whichever comes first); or one mile upstream from the intake located directly in the stream or river (run of the river), or the ridge line of the watershed (whichever comes first). Local governments may extend the critical area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the critical area if these landmarks are immediately adjacent to the appropriate outer boundary of one mile.~~²¹

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

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

(D)

Data Processing, Web Hosting, & Related Services: This use classification comprises establishments primarily engaged in providing computing infrastructure, data processing services, Web hosting services (except software

²¹ Updated to replace detail criteria with reference to state regulations.

publishing), and related services, including streaming support services (except streaming distribution services). Data processing establishments provide complete processing and specialized reports from data supplied by clients or provide automated data processing and data entry services. Examples include application hosting, cloud storage services, computer data storage services, computing platform infrastructure provision, infrastructure as a service (IaaS), optical scanning services, platform as a service (PaaS), video and audio technical streaming support services, and web hosting.²²

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

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

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

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

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

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

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

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

Development: The planning for or carrying out of a building activity, the making of a material change in the use or appearance of any structure or property, or the dividing of land into two or more parcels. When appropriate to the context, "development" refers to the planning for or the act of developing or to the result of

²² This definition is from the 2022 North American Industry Classification System (NAICS) Manual (518210 Computing Infrastructure Providers, Data Processing, Web Hosting, and Related Services).

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Commented [KAC15]: Resolve duplicate definitions

development. Reference to a specific operation is not intended to mean that the operation activity, when part of other operations or activates/, is not development. Reference to particular operations is not intended to limit the generality of this item. [ZO]

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

Commented [KAC16]: Resolve duplicate definitions

Diffuse Flow: Non-concentrated, low velocity flow of storm water runoff that is spread out or distributed evenly along the same elevation. Diffuse flow prevents or reduces scour and erosion and provides for increased ground contact for infiltration and pollutant removal. [WPO]

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

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

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

Distillery: An establishment that commercially produces a maximum quantity of 125,000 cases²³ of spiritous liquor, as defined in N.C.G.S § 18B-101(14), per year. Such facilities include all aspects of production and may include administrative offices and a tasting room. A distillery may be established in conjunction with a restaurant. A distillery that produces more than 125,000 cases per year is considered "Beverage Manufacturing" (NAICS 312), which is categorized as a **Light Industrial Use**.

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

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

²³ This figure is derived from the definition of "micro-distillery" in the South Carolina Alcoholic Beverage Control Act [SC Code § 61-6-1095(A)]. North Carolina law does not include a similar definition.

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

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

Dwelling: Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured home, mobile home, or recreational vehicle if used solely for a seasonal vacation purpose.

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

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

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

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

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

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

(E)

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

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

Electric Vehicle Charging Point: A public or private parking space that is served by battery charging equipment that has as its primary purpose the transfer of electric

Commented [KAC17]: Resolve duplicate definitions

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Commented [KAC19]: Resolve duplicate definitions

energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.²⁴

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

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

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

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

Environmental Review Board: The advisory body set up by the Board of Commissioners.

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

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

²⁴ This definition is from the [Municipal EV Readiness Toolkit](#) prepared by the Southern Maine Planning & Development Commission and the Maine Clean Communities Coalition.

hydrological, and physical characteristics commonly associated with continuous or intermittent conveyance of water. [WPO]

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

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

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

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

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

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

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

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

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

(3) having ~~expended substantial resources (time, labor, money) and having an approved site specific or phased development plan as authorized by N.C.G.S. § ~~153A-344.1~~ and N.C.G.S. § ~~160A-385.1~~160D-102~~.²⁵

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

(F)

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

Family Care Home: A home, as defined by ~~N.C.G.S. § 160D-907468-21~~ with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities.

Family Child Care Home: A child care arrangement located in a residence where, at any one time, more than two children, but less than nine children, receive child care. Family child care home operators must reside at the location of the family child care home.²⁶

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

Family Subdivision: Family subdivision means one or more divisions of a tract of land: (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives of direct lineage, or to the surviving spouse, if any, of any deceased lineal descendant, as a gift or for nominal consideration, but

²⁵ Carries forward current definition in the WPO with updates for clarity and to conform to statutory changes.

²⁶ This definition is from 10A NCAC 09 .0102 (Child Care Rules).

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

Commented [GG21]: resolve duplicate definitions

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

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

Farming: See **Agriculture**.

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

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

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

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

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

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

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

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

First Plat: This is a map and supporting documentation in sufficient detail to satisfy all review requirements and begin the process of applying for outside permits once

it is approved. This document follows the Concept Plan and is followed by the Construction Plan in the subdivision process.

Fixture: An assembly that holds the lamp (bulb) in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts. Fixtures are classified as one of the following cutoff types:²⁷

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

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

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

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

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

Flood Hazard Area: The minimum area of the flood plain that, on average, is likely to be flooded once every one hundred years (i.e., that has a one percent chance of being flooded each year) as identified on the most current Flood Insurance Rate Map Chatham County, North Carolina Unincorporated Area as referenced in the Chatham County Flood Damage Prevention Ordinance.

Flood Lamp: A form of lighting designed to direct its output in a specific direction with a reflector formed from the glass envelope of the lamp itself. Such lamps are

²⁷ This carries forward ZO Section 13.2. However, IESNA no longer uses these classifications (see [IESNA Model Lighting Ordinance](#), p. 26). Recode Chatham Module 2 will update the outdoor lighting regulations, including these definitions.

so designated by the manufacturers and are typically used in residential outdoor area lighting.

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

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

~~**Forestry Plan:** A document related to the management of forest resources, generally written by a North Carolina State Forester or a Certified Forestry Consultant. Such plan shall include forest management practices to insure both maximum forest productivity and environmental protection of the lands to be treated under the management plan (see N.C.G.S § 113A-178).²⁸~~

Freestanding Sign: A non-movable sign which is entirely supported by one or more uprights, poles, braces or base in or upon the ground.

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

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

Fueling Position: An area at a gas station for fueling one vehicle. The total number of fueling positions at a gas station is the same as the total number of vehicles that can be fueled simultaneously. For example, at a gas station with two product dispensers (pumps), each with one hose on each side where only one vehicle can be serviced at a time, the number of vehicle fueling positions is four.²⁹

Future Land Use & Conservation Plan: A map adopted as part of the Comprehensive Plan that graphically depicts the community's vision for the future of Chatham County. It indicates the preferred locations for future development, as well as the type and intensity of such development. It also indicates areas that are valued for their natural and cultural assets, and should therefore be the subject of future conservation efforts. The map is meant to provide a framework for future land use and, as such, serve as a companion to written policies and provide additional guidance with respect to the provision of County services, capital investments, and land development regulations.³⁰

²⁸ This term is not used in the current Zoning Ordinance.

²⁹ This definition is from the Institute of Transportation Engineers (see <https://www.ite.org/technical-resources/topics/trip-and-parking-generation/independent-variables/>).

³⁰ From *Plan Chatham*, p. 44.

(G)

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

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

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

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

Commented [KAC22]: Delete if no longer used

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

Greenway / Hiking Trails. Pedestrian trails constructed of pervious or impervious surfaces and related structures including but not limited to boardwalks, steps, rails, and signage, and that generally run parallel to the shoreline. [WPO]

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

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

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

Commented [KAC23]: Revise for broader applicability

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

Guest House, Pool House, or Garage Apartment: See Accessory Dwelling Unit.

Gunsmith: A person who customizes or performs repairs (e.g., by replacing worn or broken parts) on complete weapons or places marks of identification on privately made firearms. This term does include a person who manufactures firearms (i.e., frames or receivers or complete weapons) by completion, assembly, or applying coatings, or otherwise making them suitable for use.³¹

(H)

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

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

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

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

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

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

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

³¹ This definition is derived from [27 CFR 478.11](#): (Title 27: Alcohol, Tobacco Products and Firearms).

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

Hospital: Any facility, as defined in N.C.G.S. § 131E-76(3), that has an organized medical staff and that is designed, used, and operated to provide health care, diagnostic and therapeutic services, and continuous nursing care primarily to inpatients where such care and services are rendered under the supervision and direction of North Carolina-licensed physicians to two or more persons over a period in excess of 24 hours.

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

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

(I)

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

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

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

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

Commented [KAC24]: What about event facilities, conference areas, etc.?

Industrial Uses, Heavy: Heavy industrial uses are typically located in the largest facilities in a community. These facilities house complex operations, some of which may be continuous (operated 24 hours a day, seven days a week). Heavy industrial uses include any non-residential use that requires a National Pollutant Discharge Elimination System (NPDES) permit for an industrial or stormwater discharge; or any use that is included in any of the North American Industry Classification System (NAICS) industry sectors listed in the table below.³² Heavy industrial uses that involve the use or storage of dangerous materials or substances are categorized as restricted industrial uses, even if the NAICS industry sector is included in the table below.

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

Industrial Uses, Light: Light industrial uses are located in facilities typically designed to look and generate impacts like a typical office building, but that rely on special power, water, or waste disposal systems for operation. Noise, odor, dust, and glare of each operation are completely confined within an enclosed building, insofar as practical. Use examples include facilities for the design, development, and testing of electrical, electronic, magnetic, optical, computer, and telecommunications components in advance of product manufacturing; the assembly of products from parts produced off-site; laundry/dry cleaning plants engaged primarily in high-volume laundry and garment services; carpet and upholstery cleaners; diaper services; commercial laundries; the production of small

³² This definition is from the City of Wilson, NC Unified Development Ordinance ([Chapter 17: Definitions](#)). However, Wilson’s definition includes mining and extraction uses, which are not included here as they are separately regulated in this UDO. Wilson’s definition also includes NAICS 311 Food Manufacturing and NAICS 316 Leather & Allied Product Manufacturing, which are instead proposed as light industrial uses (except leather and hide tanning and finishing, which is proposed as a restricted industrial use). Wilson’s definition also includes NAICS 327 Nonmetallic Mineral Product Manufacturing, which is proposed to be separately regulated.

consumer goods such as clothes, shoes, furniture, consumer electronics, and home appliances; or any use included in any of the North American Industry Classification System (NAICS) industry sectors specified in the table below.³³

NAICIS Codes for Light Industrial Uses	
NAICIS Code	NAICIS Industry Sector
311	Food Manufacturing
312	Beverage & Tobacco Manufacturing
315	Apparel Manufacturing
316	Leather & Allied Product Manufacturing (excluding NAICIS 3161 Leather & Hide Tanning & Finishing)
334	Computer and Electronic Product Manufacturing
335	Electrical Equipment, Appliance, and Component Manufacturing
337	Furniture Manufacturing
339	Miscellaneous Manufacturing

Industrial Uses, Restricted: Restricted industrial uses involve the use, storage, production, or processing of dangerous materials or substances that present immediate physical or chemical hazards, such as fire, explosion, corrosion, or toxicity, and that are used or stored in sufficient quantities such that accidental release or explosion may affect life, health, property, or the environment beyond the immediate perimeter of the facility.³⁴ Use examples include ammunition manufacturing; battery manufacturing; foundries; gas and petroleum processing; industrial chemical manufacturing; paper, cardboard, and building board manufacturing; plastics manufacturing; rodenticide, insecticide, and pesticide mixing plants; soap, detergent, and washing compound manufacturing; tar and waterproofing materials manufacture or any use included in any of the North American Industry Classification System (NAICS) industry sectors specified in the table below if it involves the use of dangerous materials or substances as described above.

³³ This definition is from the City of Wilson, NC Unified Development Ordinance ([Chapter 17: Definitions](#)). However, Wilson’s definition excludes NAICS 311 Food Manufacturing and NAICS 316 Leather & Allied Product Manufacturing, which are instead listed as heavy industrial uses. Proposed here is to include NAICS 316, except tanning, for consistency with how this use is currently allowed Chatham County. Wilson’s definition includes NAICS 323 Printing and Related Support Activities, which is proposed to be classified in the UDO under “Communications & Information” in the Business, Professional, Scientific, & Technical use group.

³⁴ This definition is derived from the Lancaster County, SC [Unified Development Ordinance](#) Section 10.3: *Use Type Definitions*.

NACIS Codes for Restricted Industrial Uses	
NAICS Code	NAICS Industry Sector
313	Textile Mills
3161	Leather & Hide Tanning & Finishing
322	Paper Manufacturing
324	Petroleum and Coal Products Manufacturing
325	Chemical Manufacturing
326	Plastics and Rubber Products Manufacturing

Inert Debris Landfill: A landfill containing solid waste that consists solely of material that is virtually inert and that is likely to retain its physical and chemical structure under expected conditions of disposal.³⁵ Inert waste includes, but is not limited to: construction and demolition material such as metal, wood, bricks, masonry and cement concrete; asphalt concrete; and metal.

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

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

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

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

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

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

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

³⁵ This portion of the definition is derived from the definition of inert debris in N.C.G.S. [§ 130A-290\(a\)\(14\)](#).

harm to human health.³⁶ Species include any tree, shrub, vine, or other plant identified by the North Carolina Invasive Plant Council as an invasive plant.

(J)

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

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

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

Junked Motor Vehicle: A motor vehicle that does not display a current license plate and is one of the following: 1) partially dismantled or wrecked; or 2) cannot be self-propelled or moved in the manner in which it originally was intended to move; or 3) more than five years old and appears to be worth less than \$500.00. [ZO]

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

- A. Is partially dismantled or wrecked;
- B. Cannot be self-propelled or moved in the manner in which it originally was intended to move; or

³⁶ This portion of the definition is from the United States Forest Service.

C. ~~Is more than five years old and~~ appears to be worth less than \$100.
[JYCO]

Commented [KAC25]: Resolve duplicate definitions

(K)

Kenel, Boarding: <add definition>

Kenel, Breeding: <add definition>

(L)

Land Clearing ~~and Inert Debris~~ Landfill: ~~A landfill containing solid waste that is generated solely from land clearing activities.~~³⁷ Land areas ~~of~~ greater than one-half acre in size, for the deposit of ~~inert materials and~~ land clearing materials including gravel, rocks, stumps, ~~and~~ soil (not contaminated by petroleum products); ~~unpainted and untreated building materials such as bricks, concrete blocks and lumber.~~ Personal home-owners use of inert debris landfill materials (beneficial fill) not to exceed two ~~(2)~~ acres in size ~~be are~~ exempt from requiring a special use permit. Commercial inert debris landfills or any that exceed two (2) acres in size will require a Special Use Permit.

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

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

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

Commented [KAC26]: Resolve duplicate definitions

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

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

Commented [KAC27]: Delete if no longer relevant

³⁷ This portion of the definition is derived from the definition of inert debris in N.C.G.S. [§ 130A-290\(a\)\(15\)](#).

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

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

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

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

Live-Work Unit: See ~~Mixed Use Building~~. A building that includes a single dwelling unit and an office, studio, or other non-residential use allowed in the zoning district in which the live-work unit is located. The non-residential use must be operated by the tenant of the dwelling unit.³⁸

Local Road: See Rural Road.

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

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

Commented [KAC28]: Resolve duplicate definitions

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

Lot Area (Useable): The area within the lot lines which is a contiguous or non-contiguous area suitable for a septic field, well, house and access. This area does not include public rights-of-ways, flood hazard areas, floodways, or stormwater devices and associated easements. Riparian Buffer Areas may be used to meet useable lot

³⁸ This definition is consistent with the Building Code. Compare: (1) **Home Occupations:** A live-work unit allows a broader range of commercial uses and more non-residential floor area than a home occupation. In addition, a live-work unit may be designed as a townhouse or with a storefront or other commercial design configuration at the ground level, while a home occupation occurs in a building that is designed as a residence. (2) **Mixed Use Buildings:** A mixed use building allows multiple non-residential uses and dwelling units in the same building, while a live-work unit is limited to a single dwelling unit and a single business. Further, there is no requirement for the non-residential use(s) in a mixed use building to be operated by a tenant of a dwelling unit located in the building.

area measurement requirements and other development-related regulatory requirements based on property size specified in [Section 7.1B](#). [SR]

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

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

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

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

Low Impact Development: See the Chatham County Stormwater Ordinance. [SR]

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

Commented [KAC29]: Consolidate?

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

(M)

Machine Shop: Establishments primarily engaged in machining metal and plastic parts and parts of other composite materials on a job or order basis. Generally machine shop jobs are low volume using machine tools, such as lathes (including computer numerically controlled); automatic screw machines; and machines for boring, grinding, milling, and additive manufacturing.³⁹

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

³⁹ This definition is from the 2022 NAICS Manual (NAICS 332710).

Major Collector: See *Rural Road*.

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

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

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

Manufactured Dwelling Home: ~~A dwelling that 1) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; 2) exceeds 40 feet in length and eight feet in width; 3) is constructed in accordance with the National Manufactured Home Construction and Safety Standards; and 4) is not constructed in accordance with the standards of the North Carolina Uniform Residential building Code for one- and two-family dwellings. A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length; or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of HUD and complies with the standards established under the North Carolina Uniform Standards for Manufactured Homes Act.~~

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

"Manufactured home" also means a double-wide manufactured home, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semi-permanent

foundation having a measurement of over 32 feet in length and over eight feet in width.⁴⁰

Map Repository: The location of the official flood hazard data to be applied for floodplain management. It is a central location in which flood data is stored and managed; in North Carolina, FEMA has recognized that the application of digital flood hazard data products carry the same authority as hard copy products. Therefore, the NCEM's Floodplain Mapping Program websites house current and historical flood hazard data. For effective flood hazard data the NC FRIS website (<http://FRIS.NC.GOV/FRIS>) is the map repository, and for historical flood hazard data the FloodNC website (<http://FLOODNC.GOV/NCFLOOD>) is the map repository.

Medical or Diagnostic Laboratory: An establishment primarily engaged in providing analytic or diagnostic services, including body fluid analysis and diagnostic imaging, generally to the medical profession or to the patient on referral from a health practitioner.⁴¹

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

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

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

Mining: An activity that includes any of the following:⁴²

- A. The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores, or other solid matter;
- B. Any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, soils, and other solid matter from their original location; or

⁴⁰ This definition is revised to align with [N.C.G.S. § 143-145\(7\)](#).

⁴¹ This definition is from the [2022 North American Industry Classification System \(NAICS\) Manual](#) (p. 526).

⁴² This definition is from [N.C.G.S. § 74-49\(7\)](#) [The Mining Act of 1971].

C. The preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial, or construction use.

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

Minor Arterial: See **Rural Road**.

Minor Collector: See **Rural Road**.

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

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

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

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

Mobile Food Unit: Any vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway, or waterway, on which food is prepared, processed, or converted or that is used in selling and dispensing food to customers. Mobile food units must be capable of being mobile at all times during operation. The wheels of the unit may not be removed from the unit at the operating location. Most mobile food units require a commissary for rapidly cooling foods, food washing, overnight storage, and dishwashing facilities.⁴³

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

⁴³ This definition is from the Chatham County Public Health Department, Division of Environmental Health, handout *Mobile Food Unit — General Requirements*.

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

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

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

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

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

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

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

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

(N)

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

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

Neighborhood Recreation Amenity: A use classification for facilities offering sports and recreation activities for residents of a neighborhood, including tennis courts.

swimming pools, parks, clubhouses, and play fields. Such facilities may also engage in retail sales of specialty products and services and provide ancillary indoor activities such as restaurants, concessions, and locker rooms.

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

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

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

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

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

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

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

Nonmetallic Mineral Product Manufacturing: A use category that includes establishments that transform mined or quarried nonmetallic minerals, such as

sand, gravel, stone, clay, and refractory materials, into products for intermediate or final consumption.⁴⁴

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

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

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

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

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

(O)

Off-Premise Sign: Any sign that advertises or otherwise identifies any property, structure or use not located on the same parcel as sign.

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

⁴⁴ This definition is the NAICS industry sector definition.

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

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

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

Commented [KAC30]: Revise for broader applicability

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

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

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

Open Space: A restricted reservation of land located within a development with limited low-impact amenities. Amenities may be passive or active. A few examples include but are not limited to: green space both natural and landscaped, detention areas, trails, lakes, pavilions, benches, outdoor cooking facilities, and active recreational facilities such as ball and soccer fields, playgrounds, and the like. [SR]

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

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

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

Commented [KAC31]: Resolve duplicate definitions

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

Outdoor Performance Area: An area permanently dedicated to the public presentation of music, dance, theater, media arts, storytelling, oratory, or other performing arts, whether publicly or privately owned, including but not limited to amphitheaters and similar open or semi-enclosed structures.

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

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

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

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

(P)

Park: See [Recreation Area](#).

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

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

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

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

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

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

Commented [KAC32]: Resolve duplicate definitions

Perpetuity: Permanently.

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

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

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

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

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

Planning Board: The Chatham County Planning Board.

Planning Director: The administrative head of the Chatham County Planning Department, or their designee.

Planned Residential Development: A residential project not bound by typical minimum lot sizes, housing development types and dimensional requirements as set forth in the district in which the development is located but are subject to the standards as set forth in section 17.5(c) of this ordinance. Also referenced informally as a Planned Unit Development, or PUD.

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

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

Pottery, Porcelain, & Vitreous China Manufacture: Establishments primarily engaged in shaping, molding, glazing, and firing pottery, ceramics, plumbing fixtures, and electrical supplies made entirely or partly of clay or other ceramic

materials. This use does not include artisanal pottery making that occurs in an Artisan Workshop.

Preschool: A school, with an accredited training program and staffed with certified teachers, for children who are not old enough to attend primary school.⁴⁵

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

Principal Arterial: See Rural Road.

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

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

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

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

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

Private-Use Airport: See Airport, Private-Use.

Professional Office: See Office, Professional.

Project: A compact community proposed under this Ordinance.

For purposes of Chapter 9: Watershed Protection a proposed development activity for which an applicant is seeking a stormwater permit from the state or other entity. "Project" shall exclude any land adjacent to the area disturbed by the project that has been counted as pervious by any other development regulated under a federal, State, or local stormwater regulation. Owners and developers of large developments consisting of many linked projects may consider developing a master plan that illustrates how each project fits into the design of the large development.

Commented [KAC33]: Revise for broader applicability

Commented [GG34]: This is a definition used in the watershed protection section that is defined in the state watershed regulations at 15A NCAC 02B .0202. It may also apply in the stormwater context (the definition in the state watershed regulations incorporates by reference the definition which is in the state stormwater regulations).

⁴⁵ This definition is from the Charleston County Zoning & Land Development Regulations (Article 12.1).

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

Commented [KAC35]: Revise for broader applicability

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

Commented [GG36]: new definition. 2021 model ordinance has a different definition, but this is probably better as the details are not usually relevant.

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

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

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

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

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

Commented [KAC37]: Resolve duplicate definitions

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

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

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

(Q)

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

Commented [KAC38]: Conservation easement?

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

Commented [GG39]: new, from 2021 model ordinance.

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

(R)

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

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

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

Commented [KAC40]: Add examples, including marinas.

Add examples of accessory uses, including concessions.

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

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

Recreational Vehicles (RV): A Vehicle, or vehicle type portable structure ~~which~~that can be hauled, towed, or driven, designed for recreational use (as in camping).

Recreational Vehicles are not designed for permanent occupancy. This would include, but is not limited to travel trailers, motor homes, camping trailers, campers, truck and recreational vans. Recreational vehicles are considered domestic vehicles.

Recreational Vehicle (RV), Park Model: A vehicle that is built on a single chassis, is 400 sq. feet or less when measured at the largest horizontal projection, is self-propelled or permanently towable by a light duty truck, and is generally used as temporary living quarters for recreational, camping, travel, seasonal, and special uses.

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

Register of Deeds: Chatham County Register of Deeds.

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

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

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

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

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

Commented [KAC41]: Revise for broader applicability

Retail Store: An establishment that forms the final step in the distribution of merchandise. A retail store is organized to sell goods in small quantities to the general public for personal or household consumption, though they may also serve businesses and institutions. Some establishments may further provide after-sales services, such as repair and installation.

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

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

Commented [KAC42]: Resolve duplicate definitions

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

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

Commented [KAC43]: Resolve duplicate definitions

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

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

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

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

Commented [KAC44]: Resolve duplicate definitions

(S)

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

Sanitary Landfill: A facility for disposal of solid waste on land in a sanitary manner in accordance with the rules concerning sanitary landfills adopted under this Article.⁴⁶

⁴⁶ This definition is from N.C.G.S. §130A-290(a)(31).

Self-Service Storage Facility: Any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such for the purpose of storing and removing personal property. No occupant shall use a self-service storage facility for residential purposes.⁴⁷ A self-service storage facility may offer related retail and services, such as the sale of moving supplies or the rental of moving trucks.

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

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

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

Commented [KAC45]: Resolve duplicate definitions

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

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

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

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

Sexually Oriented Business: An adult arcade, adult media store, adult cabaret, adult motel, adult mini motion picture theater, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center, or any combination of the foregoing. (Refer to [Section 17.94.3.24](#) for general-use-specific standards)

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

⁴⁷ This definition is from [N.C.G.S. § 44A-40\(7\)](#).

Shooting Range: An area or structure specially designed for the safe discharge and use of rifles, shotguns, pistols, skeet, trap, or any similar firearm for the purpose of sport shooting or military/law enforcement training.⁴⁸

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

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

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

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

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

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

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

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

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

~~**Solar Collector:** A device, structure or part of a device or structure (i.e. array, panel, etc.) installed for the sole purpose of the collection, inversion, storage, and~~

Commented [KAC46]: Resolve duplicate definitions

Commented [KAC47]: Conflicts with ZO definition of duplex

Commented [KAC48]: Delete if no longer relevant

⁴⁸ This definition is from the Campbell County, VA [Zoning Code](#) (Sec. 22-2.B.83a).

~~distribution of solar energy. This device may be roof-mounted or ground-mounted as an accessory use (Refer to Section 17.6 for general standards).~~

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

Solar Energy System (SES): ~~The components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited, to solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems. A system fits into one of three system types: Level 1 SES, Level 2 SES, and Level 3 SES.⁴⁹~~

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

- ~~A. Roof-mounted on any code-compliant structure;~~
- ~~B. Ground-mounted on an area of up to 50% of the footprint of the primary structure on the lot, but no more than 1 acre;~~
- ~~C. Covering permanent parking lot and other hardscape areas; and~~
- ~~D. Building-integrated solar (i.e., shingle, hanging solar, canopy, etc.).~~

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

- ~~A. AG, RA, R5, R2, R1: SES ½ acre or less;~~
- ~~B. OI, RV, NB, CB, RB, RHC: SES 10 acres or less; and~~
- ~~C. IL, IH: SES of any size.~~

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

Solar Farm: ~~A use where a series of solar collectors are placed in an area for the purpose of generating photovoltaic power for an area greater than the principle use on the site or as the principle use on the site for off-site energy consumption.~~

Commented [KAC49]: Align with final list of districts

⁴⁹ This definition (and the definitions of the three system types) are from the [Template Solar Energy Development Ordinance for North Carolina](#), developed by a working group led by the North Carolina Clean Energy Technology Center and the North Carolina Sustainable Energy Association.

~~The use of solar collectors for personal or business consumption that occurs on-site is not considered a solar farm.~~

Special Event: A temporary educational, recreational, cultural, or social occurrence, such as a fair, festival, circus, carnival, exhibition, sideshow, race, trade show, flea market, banquet, convention, religious event, arts and crafts show, stage show, athletic event, or other similar activity.⁵⁰

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

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

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

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

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

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

⁵⁰ Most of the examples in this definition are from the current use table (ZO Section 10.13).

Staff: Chatham County employees.

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

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

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

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

Commented [GG50]: From 2021 model watershed ordinance. Should reconcile with above

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

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

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

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

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

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

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

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

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

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

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

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

Commented [KAC51]: Resolve duplicate definitions

Subdivider: Any person who:

- A. Having an interest in land, causes it, directly or indirectly, to be divided; or
- B. Directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel, site, unit, or plat in a subdivision; or
- C. Engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision, of any interest, lot, parcel, site, unit, or plat in a subdivision; and
- D. Is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

Subdivision: All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions are created for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing streets; however, those instances listed under **Section 4C, Exempt Subdivisions** are not subject to these regulations pursuant to **this document**. [SR]

Commented [GG52]: from watershed regulations; #F is new. Should be reconciled.

Subdivision: All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all division of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition:

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

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

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

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

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

(T)

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

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

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

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

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

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

Temporary Sign: Any non-permanent sign designed to advertise a business or event (non-profit or for-profit) for a limited period of time. These can include portable signs, signs placed in or on the ground or signs placed on a vehicle. These do not include political signs as specified in [Section 15.5\(9\)](#).

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

Tobacco Paraphernalia: cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, electronic cigarette cartridges, electronic cigarette liquids, and any other items designed for the preparation, storing, consumption, or use of tobacco products or electronic smoking devices.⁵¹

Tobacco Product: Any manufactured product that contains tobacco or nicotine or is derived from tobacco including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products, and electronic cigarette cartridges, whether packaged or not. Tobacco product does not include any product that has been approved by the U.S. Food and Drug Administration, pursuant to its authority over drugs and devices, for sale as a

⁵¹ This definition is from the Dublin, CA Zoning Ordinance (Chapter 8.43: Tobacco Retailers).

tobacco use cessation product or for other medical purposes and is being marketed and sold solely for that approved purpose.⁵²

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

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

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

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

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

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

(U)

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

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

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

Usable Land: See Lot Area (Useable).

⁵² This definition is derived from the definition in the Vermont Model Zoning Ordinance Regulating the Location of Retail Establishments Selling Tobacco Products.

Use: The purpose for which land or structures thereon is designed, arranged, or intended to be occupied or used, or for which it is occupied, maintained, rented, or leased.

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

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

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

(V)

Variance: Official permission from the Board of Adjustment to depart from the requirements of this Ordinance.

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

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

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

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

Commented [KAC53]: Delete if no longer relevant

Voluntary Agricultural District (VAD): Contiguous acres (initially) of agricultural land, or forestland, or horticultural land that is part of a qualifying farm or the number of qualifying farms deemed appropriate by the governing board of the county and reviewed by the Agricultural Advisory Board. The purpose of such agricultural districts shall be to increase identity and pride in the agricultural community and its way of life and to increase protection from nuisance suits and

other negative impacts on properly managed farms. Refer to North Carolina General Statutes § 106-738 and -743 for more information. [ZO]

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

Commented [KAC54]: Resolve duplicate definitions

(W)

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

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

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

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

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

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

Commented [KAC55]: Does the UDO need to maintain this definition?

Watershed Administrator: An official or designated person of county responsible for administration and enforcement of the *Chatham County Watershed Protection Ordinance*, and of designated sections of this ordinance. [CCO]

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

Wide-Body Refractive Globe: A translucent lamp enclosure used with some outdoor fixtures to provide a decorative look (including but not limited to acorn- and carriage light-style fixtures). “Wide-body” refers to a wider than average size globe (greater than 15.75” in diameter). “Refractive” refers to the redirection (bending) of the light as it goes through the lens, rendering the light fixture more effective. Wide-body refractive globes are intended to soften and spread the light being distributed from the light source thereby reducing direct glare.

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

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

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

(X, Y, Z)

Zoning Administrator and Official: The person or persons designated by the Chatham County Manager to administer and enforce this Ordinance.

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