

Preliminary Drafting Note

This section of the Unified Development Ordinance will include definitions of all of the technical terms used throughout the county's development regulations. The intent of these definitions is to ensure that everyone who uses the code will have a common understanding of the regulations.

In this draft, we have included a definition for every land use listed in the Table of Permitted Uses or tables for temporary and accessory uses. This has required the drafting of many new definitions. The definitions in our current zoning ordinance may have been clarified, but for the most part, are left unchanged. Not all of the terms that will be defined are included in this phase—new definitions will be added as we revise our development standards and update our processes and procedures.

The definitions proposed in this draft may be revised based on public comment and discussions that result from other phases of this project. We also anticipate that we may need to make revisions so there are no conflicts between our final ordinance and the one being drafted by the City of Wilmington.

NEW HANOVER COUNTY UDO DRAFT ART. IX MEASUREMENTS AND DEFINITIONS

PRELIMINARY PUBLIC REVIEW DRAFT | APRIL 2018

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Preliminary Draft Editing Note

The purpose of this draft is to allow for public review and discussion of the substantive contents of the proposed updates to the New Hanover County land development regulations. This draft will have incomplete cross-references and may have inadvertent numbering errors and typos. While the reading experience may be less pleasant for those of us who like our details addressed, we anticipate editing and moving sections of this document before it is finalized. Formatting, numbering, spelling, and grammatical issues will be subject to a thorough proof reading and will be cleaned-up in later drafts.

Thanks for your patience.

CHAPTER 9 MEASUREMENTS AND DEFINITIONS

Preliminary Drafting Note

This chapter may be added to, edited, and revised throughout the Unified Development Ordinance project to incorporate public comments, new terms, and consistency with City of Wilmington.

Section 9.1 Measurements

9.1.1 Dimensional Measurement

Dimensional standards in these regulations shall be interpreted according to the following definitions, rules, and guidance:

A Lot Types

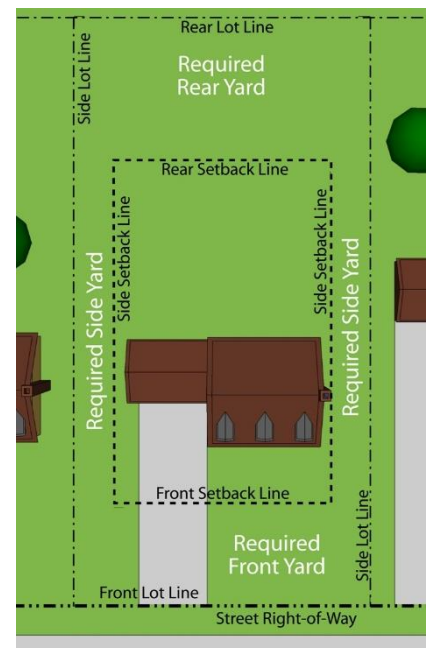
1. Corner lot: a lot located at the intersection of two or more streets.
2. Interior lot: a lot other than a corner lot with only one frontage on a street.
3. Through lot: a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

B Lot Lines

A lot line is a line, including property line or a lease line, dividing one lot from another or from a street or other public place. There are four types of lot lines: front, rear, side, and street.

1. Lot Line, Front: the front of a lot shall be construed to be that lot line abutting on a street from where the lot takes access or from which the address is assigned. On corner lots, the front lot line shall be the shorter line abutting a public or private street. Through lots shall be considered to have two front yards.
2. Lot Line, Interior or Side: a lot line that is common to two lots that is not a front, street, or rear lot line.
3. Lot Line, Rear: the lot line that is opposite the front lot line and that is most nearly parallel with the front lot line.
4. Lot Line, Street: means any side lot line that is also a street right-of-way line.

Fig x: Location of lot measurements



C Lot Measurements

1. Lot Coverage: the portion of the lot covered by any structure or constructed element that impedes infiltration of stormwater into the ground or disrupts vegetated surfaces.¹
2. Lot Depth: the mean horizontal distance between front and rear lot lines.
3. Lot Width: the horizontal distance between the side lot lines, measured at right angles to the lot depth and measured parallel to the front lot line. Where a minimum lot width is specified, it shall be applied at all points in the building envelope of a lot.

D Setback Line

A setback line is a line on the front, rear, and sides of a lot, which delineates the area behind which a structure may be built.

1. Setbacks shall be measured from the structure. If a roof overhang extends more than two feet from the structure, the setback shall be measured from the drip line of the roof.
2. The following building appurtenances that are attached and projecting from the foundation or building are not restricted by the setback requirement, except in no case will these appurtenances extend within three feet of adjacent properties, or into easements or rights-of-way unless specifically provided in this UDO:
 - a. Porches, decks, stoops, plazas, and balconies, and the associated steps may extend eight feet into the setback, provided that such extension is at least three feet from the property line. The structure may be covered and may be more than one story. All sides encroaching into the setback shall be 50 percent or more open.
 - b. Walkways and steps no more than five feet in width and nor more than 12 inches above grade may encroach any distance.
 - c. Galleries, covered passages supported by arches or columns that are open on one side and that extend along the outside wall of a building, must have a clear depth from the support columns to the building's façade of at least eight feet and a clear height above the sidewalk of at least 10 feet. A gallery may extend into a required front setback but not a required internal side setback.

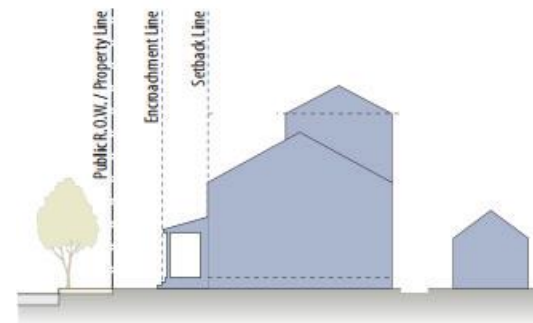


Fig x: Measurement of permitted encroachments

¹ Drafting note: this measurement may be updated with the new stormwater standards.

- d. The following may extend four feet, but not closer than three feet from side or rear yard property lines:
 - i. Air conditioner, ground or window unit
 - ii. Architectural features (i.e., sills, eaves, and cornices)
 - iii. Awnings and canopies that do not contain signage
 - iv. Bay windows
 - v. Chimneys not greater than six feet in width
 - vi. Gutters and downspouts
 - vii. Stairs, fire escapes, and accessibility steps and ramps (unenclosed)

E Build-to Lines

A build-to line identifies an alignment established a certain distance from the lot line along which the building shall be built.

F Yards

A yard is a required open space unoccupied and unobstructed by a structure or portion of a structure.

1. Yard Types

- a. Yard, Front - A yard extending between side lot lines across the front of a lot adjoining a public or private street. The depth of the required front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines, and in such a manner that the yard established shall provide minimum depth parallel to the front lot line.
- b. Yard, Side - A yard extending from the rear lines of the required front yard to the rear lot line. Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by the district regulations with its inner edge parallel with the side lot line.
- c. Yard, Rear - A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there shall be no rear yards, but only front and side yards. Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

- 2. The following items and structures are permitted within required yards:

- a. Fences, walls, poles, posts, and other customary yard accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.
- b. Private driveways or easements serving three or fewer lots pursuant to Section 65 may also be permitted in any yard.
- c. HVAC units elevated to comply with flood plain regulations may be permitted in any side yard provided the supporting structure is at least five feet from the adjoining property line.

G Buildable Area

Buildable Area: - The portion of a lot remaining after required yards have been provided.

9.1.2 Structure Measurements

A Building Height

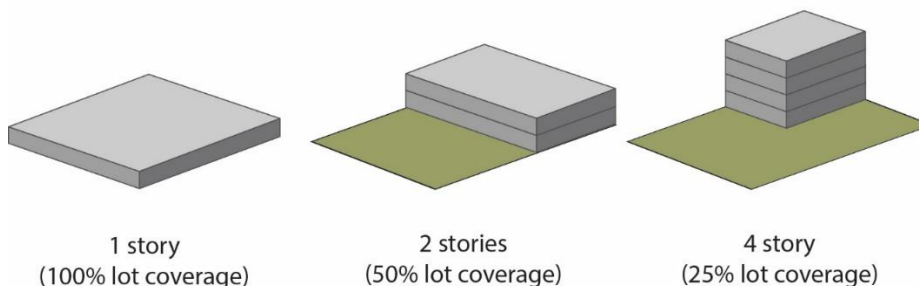
1. The vertical distance measured from the average elevation of the proposed finished grade at the front of the structure to the mean level of the slope of the main roof.
2. The height limitations generally shall not apply to church spires, belfries, cupolas, domes, chimneys, smokestacks, flagpoles, water towers, or other minor common building accessories not intended for human occupancy, unless specifically indicated in this UDO.

B Floor Area Ratio

1. Floor area ratio (FAR) equals the total floor area of all structures located on lot divided by the gross lot area. FAR is calculated as follows, unless exceptions are specifically identified.

$$\frac{\text{Total floor area of all structures on a lot}}{\text{Gross lot area}}$$

Floor Area Ratio (FAR)
(an example of 1.0 FAR)



2. Parking deck area calculations shall be excluded from the total building area calculations when computing the FAR and the total height of the parking structure shall be excluded from the height limits specified in this article.

C Minimized Parking Area Bonus

If all surface parking (excluding visitor drop-off and pick-up) is within the building footprint, additional floor area can be added at the rate of one foot of floor per one foot of parking area.

D Pier-Head Line

A pier-head line is a line established to limit the extension of piers into public waters in order to preserve the citizens' use of those waters for commercial and recreational purposes.

1. Piers may not be constructed that extend into the channel portion of the water body and shall not extend more than one-third the width of a natural water body or man-made canal or basin. However, piers constructed along the Atlantic Intracoastal Waterway (AIWW) that are intended for public use or for research or scientific studies affiliated with public or private universities and colleges may extend to the minus 4.0 foot mean low water depth (-04.0' mlw) provided such extension is no closer than 85 feet from and parallel to the edge closest to the pier of the official navigation channel of said waterway as established by the United States Corps of Engineers.
2. It shall be the responsibility of the owner/petitioner to locate the setback line based upon accurate channel surveys maintained by the Corps. Such piers shall conform with all other criteria established by the N.C. Coastal Resources Commission.

9.1.3 Distance Measurements

A Separation Between Uses

1. Use separation is measured from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.
2. Only when a significant part of the use is operated outside of a completely enclosed structure shall a separation be measured from the nearest point of the zone lot occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.

B Separation Between Buildings

Building separation is measured as the horizontal distance between buildings, measured along the shortest line that can be drawn between the exterior walls.

C Separation Between Properties

1. Property separation is measured as the horizontal distance between property lines, measured along the shortest line that can be drawn between the subject property lines.
2. Property separation along the street is measured as the horizontal distance between property lines, measured along the shortest route that follows the centerline of the street right-of-way between the nearest property lines of the subject properties.

D Defining Existing Uses and Districts

1. A use shall be considered to be existing or established if it is in place or actively under construction at the time an application is submitted.
2. The identification of specific zone districts (e.g., residential districts) shall be based upon the most current official zoning map.

Section 9.2 Rules of Construction and Interpretation

9.2.1 Rules of Construction

The following words, terms and phrases, when used in this UDO, shall have the meanings ascribed to them in this chapter, except where the context clearly indicates a different meaning.

A Similar, Included Terms

The term "building" shall include the term "structure." The term "lot" shall indicate an area that has been platted or mapped, and may include the term "plot" or "parcel." The term "zone" shall mean "district."

B Meanings and Intent

All provisions, terms, phrases, and expressions contained in this UDO shall be construed according to this UDO's stated purpose and intent. All provisions, terms, phrases, and expressions contained in this Code shall be construed according to the general purposes set forth in Section 1, and the specific purpose and intent statements set forth throughout this UDO. When, in a specific section of this UDO, a different meaning is given for a term defined for general purposes in this chapter, the specific section's meaning and application of the term shall control.

C Headings, Illustrations, and Text

In the event of a conflict or inconsistency between the text of this UDO and any heading, caption, figure, illustration, table, or map, the text shall control.

D Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and shall not be interpreted as exhaustive lists of all possibilities.

E Computation of Time

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, holiday observed by the County, or day during which the County's offices are subject to an unscheduled closure, the deadline or required date of action shall be the next day the County's offices are open. References to days are calendar days unless otherwise stated.

F References to Other Regulations/Publications

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

G Delegation of Authority

Any act authorized by this UDO to be carried out by a specific official of the County may be carried out by a designee of such official.

H Technical and Nontechnical Terms

Words and phrases not otherwise defined in this UDO shall be construed according to the common and approved usage of the language, but technical words and phrases not otherwise defined in this UDO that

may have acquired a particular and appropriate meaning in law shall be construed and understood according to such meaning.

9.2.2 Interpretation

A Mandatory and Discretionary Terms

The words "shall," "must," or "will" are always mandatory, and the words "may" or "should" are always discretionary.

B Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items, conditions, provisions, or events shall apply; and
2. "Or" indicates that one or more of the connected items, conditions, provisions, or events shall apply.

C Tenses and Plurals

Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular shall include the plural, and the plural shall include the singular.

D Interpretation

The Zoning Administrator has authority to determine the interpretation or usage of terms used in this UDO. Appeal of an interpretation made by the Zoning Administrator shall be to the Board of Adjustment.

Section 9.3 Use Definitions and Terms

9.3.1 A Terms

Accessory Dwelling Unit

A residential unit that is located on the same lot as a single-family dwelling unit, either internal to or attached to the single-family unit or in a detached structure.

Adult Day Care

An establishment licensed pursuant to G.S. Ch. 131D, Art. 1, and engaged in the provision of group care and supervision of adults in a place other than their permanent residence that does not include overnight accommodations. Adult day care center does not include group day facility.

Adult Entertainment Establishment

1. Retail or service establishments which are characterized by an emphasis on specified sexual activity and/or specified anatomical areas, including, but not limited to:
 - a. Any retail establishment in which a substantial portion of its stock in trade is devoted to printed matter or visual representation of specified sexual activities or specified anatomical areas;
 - b. Any cabaret, club, tavern, theater, or other establishment which offers any entertainment emphasizing specified sexual activities or specified anatomical areas.

- c. Any establishment offering massage or similar manipulation of the human body, unless such manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional licensed by the State. This definition does not include massages or similar manipulation offered at an athletic club, health club, school, gymnasium, spa, or similar establishments.
- 2. Specified Sexual Activities shall be defined as:
 - a. Human genitals in a state of sexual stimulation or arousal;
 - b. Acts of human masturbation, sexual intercourse or sodomy;
 - c. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.
- 3. Specified Anatomical Areas shall be defined as: Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Aerospace Product and Parts Manufacturing

Establishments primarily engaged in one or more of the following: (1) manufacturing complete aircraft, missiles, or space vehicles; (2) manufacturing aerospace engines, propulsion units, auxiliary equipment or parts; (3) developing and making prototypes of aerospace products; (4) aircraft conversion (i.e., major modifications to systems); and (5) complete aircraft or propulsion systems overhaul and rebuilding (i.e., periodic restoration of aircraft to original design specifications). (NAICS 2017, 33641).²

Agricultural Use

The production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in G.S. 106 - 581.1.

Agriculture, Construction, and Mining Machinery Manufacturing

Establishments primarily engaged in manufacturing one or more of the following: (1) farm machinery and equipment, power mowing equipment, and other powered home lawn and garden equipment; (2) construction machinery, surface mining machinery, and logging equipment; and (3) oil and gas field and underground mining machinery and equipment (NAICS 2017, 3331).

Air Terminal (was Air Transportation)

A facility or location that provides space for aircraft to take off and land. It may be equipped with a control tower, hangars, and accommodations for passengers and cargo.

All Other Miscellaneous Chemical Product and Preparation

Establishments primarily engaged in manufacturing chemical products (except basic chemicals, resins, synthetic rubber; cellulosic and noncellulosic fiber and filaments; pesticides, fertilizers, and other agricultural chemicals; pharmaceuticals and medicines; paints, coatings and adhesives; soap, cleaning

² Drafting note: add language in supplemental materials reference to reference latest version of NAICS manual.

compounds, and toilet preparations; printing inks; explosives; custom compounding of purchased resins; and photographic films, papers, plates, and chemicals). (NAICS 2017, 325998)

Alumina and Aluminum Production and Processing

This industry comprises establishments primarily engaged in one or more of the following: (1) refining alumina; (2) making (i.e., the primary production) aluminum from alumina; (3) recovering aluminum from scrap or dross; (4) alloying purchased aluminum; and (5) manufacturing aluminum primary forms (e.g., bar, foil, pipe, plate, rod, sheet, tube, wire). (NAICS 2017, 33131).

Alumina Refining and Primary Aluminum Production

Establishments primarily engaged in one or more of the following: (1) refining alumina (i.e., aluminum oxide) generally from bauxite; (2) making aluminum from alumina; and/or (3) making aluminum from alumina and rolling, drawing, extruding, or casting the aluminum they make into primary forms. Establishments in this industry may make primary aluminum or aluminum-based alloys from alumina (NAICS 2017, 331313).

Amateur Radio Antennas

See: Wireless Communication Facilities, Antenna, Amateur Radio.

Animal Food Manufacturing

Establishments primarily engaged in manufacturing food and feed for animals from ingredients, such as grains, oilseed mill products, and meat products (NAICS 2017, 31111).

Animal Sales and Services, General

Retail sales of animals and/or services carried out at a fixed location, including bathing and clipping salons, pet grooming shops, and sale of animals and animal supply shops. This use does not include kennels, stables, veterinary services, and dog walking.

Animal Shelter

A non-residential facility that is used to house or contain animals, and is owned, operated, and maintained for the purpose of providing temporary kenneling and care for the animals and finding permanent adoptive homes for them.

Animal Slaughtering and Processing

Establishments primarily engaged in one or more of the following: (1) slaughtering animals; (2) preparing processed meats and meat byproducts; and (3) rendering and/or refining animal fat, bones, and meat scraps. Also, establishments primarily engaged in assembly cutting and packing of meats (i.e., boxed meats) from purchased carcasses (NAICS 2017, 31161).

Antenna and Towers

See: Wireless Communication Facilities.

Apparel Accessories and Other Apparel Manufacturing

Establishments primarily engaged in manufacturing apparel and accessories (except apparel knitting mills, cut and sew apparel contractors, men's and boys' cut and sew apparel, women's, girls', and infants' cut and sew apparel, and other cut and sew apparel). Jobbers, who perform entrepreneurial functions involved in apparel accessories manufacture, including buying raw materials, designing and

preparing samples, arranging for apparel accessories to be made from their materials, and marketing finished apparel accessories, are included. Examples of products made by these establishments are belts, caps, gloves (except medical, sporting, safety), hats, and neckties (NAICS 2017, 315990).

Apparel Knitting Mills

Establishments primarily engaged in knitting apparel or knitting fabric and then manufacturing apparel, including jobbers performing entrepreneurial functions involved in knitting apparel and accessories (NAICS 2017, 3151).

Architectural and Structural Metals Manufacturing

Establishments primarily engaged in manufacturing one or more of the following: (1) prefabricated metal buildings, panels and sections; (2) structural metal products; (3) metal plate work products; (4) metal framed windows (i.e., typically using purchased glass) and metal doors; (5) sheet metal work; and (6) ornamental and architectural metal products (NAICS 2017, 3323).

Artisan Manufacturing

On-site production of goods by hand manufacturing involving the use of hand tools and small-scale light mechanical equipment. Typical uses include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts or very small-scale manufacturing uses that have very limited, if any, negative external impacts on surrounding properties, water resources, air quality and/or public health.

Assembly

1. Civic, General

A building or structure, or group of buildings or structures, that by design and construction are primarily intended for the conducting of organized meetings, or other activities and accessory uses associated therewith, for non-commercial purposes.

2. Entertainment and Trade

A building or portion thereof used for groups of people to gather for an event, or regularly scheduled program. General assembly uses include arenas, auditoriums, banquet facilities, conference and reception centers, concert halls and theaters.

3. Religious (new)

A facility or area for people to gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence. Accessory uses may include meeting rooms and childcare provided for persons while they are attending assembly functions. Schools and other child care services are not accessory uses and shall require approval as separate principal uses.

4. Religious, Temporary Use

A temporary or semi-permanent facility for people to gather together for public worship, religious training, or other religious activities, including a tent revival.

ATM

A computerized electronic machine that dispenses cash or performs other banking services when an account holder inserts a bank card. Also known as automated teller machine, automatic teller, and automatic teller machine.

Auction House

An establishment where the real or personal property of others is sold by a broker or auctioneer to persons who attend scheduled sales or events.

Audio and Video Equipment Manufacturing

Establishments primarily engaged in manufacturing electronic audio and video equipment for home entertainment, motor vehicles, and public address and musical instrument amplification. Examples of products made by these establishments are digital video recorders, televisions, stereo equipment, speaker systems, household-type video cameras, jukeboxes, and amplifiers for musical instruments and public address systems (NAICS 2017, 334310).

9.3.2 B Terms

Bakeries and Tortilla Manufacturing

Establishments primarily engaged in one of the following: (1) manufacturing fresh and frozen bread and other bakery products; (2) retailing bread and other bakery products not for immediate consumption made on the premises from flour, not from prepared dough; (3) manufacturing cookies, crackers, and dry pasta; (4) manufacturing prepared flour mixes or dough from flour ground elsewhere; or (5) manufacturing tortillas (NAICS 2017, 3118).

Bank, Credit Agency, Savings, and Loans

A facility that has as its primary purpose the custody, loan, exchange or issue of money, the extension of credit and the transmission of funds, and may include drive-thru facilities and automatic teller machines.

Bar

A non-restaurant establishment that generates more than 49% of its quarterly gross receipts from the sale of alcoholic beverages from on-premise consumption. Bars and nightclubs may include live bands, other music, and dancing as well as games of skill such as pool or darts for use by the patrons of the establishment.

Basic Chemical Manufacturing

Establishments primarily engaged in manufacturing chemicals using basic processes, such as thermal cracking and distillation. Chemicals manufactured in this industry group are usually separate chemical elements or separate chemically-defined compounds (NAICS 2017, 3251).

Bed and Breakfast Inn

Any owner-occupied place of lodging that provides overnight accommodations for paying guests and that serves breakfast to those guests.

Beverage Manufacturing

Establishments primarily engaged in manufacturing soft drinks and ice; purifying and bottling water; and manufacturing brewery, winery, and distillery products (NAICS 2017, 3121). May also include tasting rooms as an accessory use.

Boat

A vessel or watercraft designed to be self-propelled, whether by engine, sail, oar, or paddle or other means, which is used to travel from place to place by water. Sea/float aircraft capable of operating on water and lifeboats or other inflatable boats located on or inside another boat are specifically excluded from this definition. Also excluded from this definition are kayaks, canoes, surfboards, stand-up paddle boards, and other small personal watercraft, not including jet skis.

Boat Rentals

Use engaged in the rental of personal, consumer-oriented boats.

Boat Sales

A facility used primarily for the sale of personal, consumer-oriented boats.

Boating Facility

1. Community

A private, non-profit boating facility including a dock, pier and/or launching ramp on property having water frontage; the use of which is intended to serve five or more residential lots or residential units. The use of such a facility is limited to the residence owner or tenant, and their invited guests.

2. Private Residential

A private non-profit boating facility including a dock, pier and/or launching ramp on property having water frontage, the use of which is intended to serve less than five residential lots or residential units. The use of such facility is limited to the residence owner or tenant, and their invited guests.

3. Residential Private Pier

A dock, pier, launching ramp and/or supportive boating activity extending from a residential lot into water adjacent thereto; the use of which is limited to members of the family of the lot owner or his tenant and/or their invited guests.

Boiler, Tank, and Shipping Container Manufacturing

Establishments primarily engaged in one of the following: (1) manufacturing power boilers and heat exchangers; (2) cutting, forming, and joining heavy gauge metal to manufacture tanks, vessels, and other containers; or (3) forming light gauge metal containers (NAICS 2017, 3324).

Building Materials and Garden Supplies

A facility for the retail sale of home, lawn and garden supplies, and construction materials such as brick, lumber and other similar materials

Bus and Taxi Passenger Terminal

A facility that includes a lot and related building(s) utilized for the operations, maintenance, and/or storage of bus, coach, taxi, or similar transportation services. A terminal shall not include a location where the bus stops to drop off or take on passengers where there are no operational facilities.

9.3.3 C Terms

Campground/RV Park (was Camping, Travel Trailer Parks)

The use of land designed for occupancy by tents or recreational vehicles for temporary or transient living purposes.

Car Wash

A facility for washing or steam cleaning passenger automobiles (including self-service operation), operating either as a separate facility or when installed and operating in conjunction with another use, and which installation includes equipment customarily associated with a car wash and which is installed solely for the purpose of washing and cleaning automobiles.

Cellular and PCS Antennas

[Terms may be updated and definitions added following update of section per new FCC rules.]

Cement and Concrete Product Manufacturing

Establishments primarily engaged in one of the following: (1) manufacturing portland, natural, masonry, pozzolanic, and other hydraulic cements; (2) acting as batch or mixing plants, manufacturing concrete delivered to a purchaser in a plastic and unhardened state; (3) manufacturing concrete pipe, brick, and block; or (4) manufacturing other concrete products (except block, brick, and pipe). (NAICS 2017, 3273).

Cement Manufacturing

Establishments primarily engaged in manufacturing portland, natural, masonry, pozzolanic, and other hydraulic cements. Cement manufacturing establishments may calcine earths or mine, quarry, manufacture, or purchase lime (NAICS 2017, 327310).

Cemetery

A facility used for the permanent interment of humans or animals or their cremated remains, such as a mausoleum, columbarium, memorial park, and pet cemetery.

Child Care Center

An arrangement where, at any one time, there are three or more preschool-age children or nine or more school-age children receiving child care, unless excluded by NCGS § 110-86(2).

Clay Product and Refractory Manufacturing

Establishments primarily engaged in (1) shaping, molding, glazing, and firing pottery, ceramics, and plumbing fixtures, and electrical supplies made entirely or partly of clay or other ceramic materials or (2) shaping, molding, baking, burning, or hardening clay refractories, nonclay refractories, ceramic tile, structural clay tile, brick, and other structural clay building materials (NAICS 2017, 3271).

Coating, Engraving, Heat Treating, and Allied Activities

Establishments primarily engaged in one or more of the following: (1) heat treating metals and metal products; (2) enameling, lacquering, and varnishing metals and metal products; (3) hot dip galvanizing metals and metal products; (4) engraving, chasing, or etching metals and metal products (except jewelry; personal goods carried on or about the person, such as compacts and cigarette cases; precious metal products (except precious plated flatware and other plated ware); and printing plates); (5) powder coating metals and metal products; (6) electroplating, plating, anodizing, coloring, and finishing metals and metal products; and (7) providing other metal surfacing services for the trade. Establishments in this industry coat, engrave, and heat treat metals and metal formed products fabricated elsewhere (NAICS 2017, 33281).

Cogeneration Facility

A facility in which electricity or mechanical power and thermal energy (heating or cooling) are generated from a single fuel source for use in an industrial or commercial process.

Commercial and Service Industry Machinery Manufacturing

Establishments primarily engaged in manufacturing commercial and service industry machinery, such as optical instruments, photographic and photocopying equipment, automatic vending machinery, commercial laundry and drycleaning machinery, office machinery, automotive maintenance equipment (except mechanics' handtools), and commercial-type cooking equipment (NAICS 2017, 33331).

Commercial Kitchen, Catering

A facility or area for the preparation of food and storage of food and food utensils for off-premise consumption and service.

Commercial Services, General

The use of property in connection with the purchase, sale, barter, display, or exchange of goods, wares, merchandise, or personal services and the maintenance or operation thereon of offices or recreation or amusement enterprises.

Communications Equipment Manufacturing

Establishments primarily engaged in manufacturing wire telephone and data communications equipment, radio and television broadcast and wireless communications equipment, and all other communications equipment (NAICS 2017, 3342).

Communication Facilities Including Towers, Other

[Terms may be updated and definitions updated following update of section per new FCC rules.]

Community Center

A meeting place used by members of the community for social, cultural, or recreational purposes.

Community Garden

An area managed and maintained by a group of individuals to grow and harvest food crops, or non-food crops, for personal or group consumption, for donation, or for sale that is incidental in nature.

Computer and Peripheral Equipment Manufacturing

Establishments primarily engaged in manufacturing and/or assembling electronic computers, such as mainframes, personal computers, workstations, laptops, and computer servers; and computer peripheral equipment, such as storage devices, printers, monitors, and input/output devices and terminals. Computers can be analog, digital, or hybrid. Digital computers, the most common type, are devices that do all of the following: (1) store the processing program or programs and the data immediately necessary for the execution of the program; (2) can be freely programmed in accordance with the requirements of the user; (3) perform arithmetical computations specified by the user; and (4) execute, without human intervention, a processing program that requires the computer to modify its execution by logical decision during the processing run. Analog computers are capable of simulating mathematical models and comprise at least analog, control, and programming elements. (NAICS 2017, 33411).

Computer Design and Development

Uses focused on digital production such as software and internet content development and publishing; computer systems design and programming; and graphic and industrial design.

Construction Office

A temporary building, such as a mobile trailer, used as a temporary construction office.

Contractor's Office or Service

An establishment providing general contracting and/or building construction services for residential, farm, industrial, or commercial uses.

Convenience Store

A small retail self-service store selling a limited line of fast-moving food and nonfood items, usually with extended hours of operation and usually with a high volume of customer traffic comprised of quick transactions of a small number of items. The term "convenience store" does not include "fuel sales."

Convenience Store with Fuel Sales

A "convenience store" that also includes facilities for retail "fuel sales."

Converted Paper Product Manufacturing

Establishments primarily engaged in converting paper or paperboard without manufacturing paper or paperboard (NAICS 2017, 3222).

Cut and Sew Apparel Manufacturing

Establishments primarily engaged in manufacturing cut and sew apparel from woven fabric or purchased knit fabric. Included is a diverse range of establishments manufacturing full lines of ready-to-wear apparel and custom apparel: apparel contractors, performing cutting or sewing operations on materials owned by others; jobbers, performing entrepreneurial functions involved in apparel manufacturing; and tailors, manufacturing custom garments for individual clients (NAICS 2017, 3152).

Cutlery and Handtool Manufacturing

Establishments primarily engaged in one or more of the following: (1) manufacturing metal kitchen cookware (except by casting (e.g., cast iron skillets) or stamped without further fabrication), utensils, and/or nonprecious and precious plated metal cutlery and flatware; (2) manufacturing saw blades, all

types (including those for power sawing machines); and (3) manufacturing nonpowered handtools and edge tools (NAICS 2017, 33221).

9.3.4 D Terms

Dairy Product Manufacturing

Establishments that manufacture dairy products from raw milk, processed milk, and dairy substitutes (NAICS 2017, 3115).

Data Center

A facility whose primary service is data processing and is used to house computer systems and associated components, such as telecommunications and storage systems, including but not limited to web hosting organizations and internet service organizations. A server farm, telecom hotel, carrier hotel, telehouse co-location center, or any other term applicable to facilities which are used for these specified purposes shall be deemed to be a data center.

Distillery

An establishment primarily engaged in on-site distillation of more than 50,000 US gallons/year of spirits; may include retail and food service as an accessory use and a tasting room if permitted by state law; provided that an establishment's quarterly gross receipts from the sale of alcoholic beverages for on-premise consumption shall not exceed 49% of the establishment's quarterly total gross receipts.

Drive-Thru

The use of land, buildings, or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant, window or automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. This definition does not include a vehicle washing facility, a vacuum cleaning station accessory to a vehicle washing facility, or a service station.

Dry Stack Storage of Boats

Vertical storage of boats in a rack system, providing for storage of at least two layers of boats.

Dwelling

1. Dwelling

Any building or portion thereof, which is designed or used exclusively for human habitation.

2. Dwelling, Duplex

A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

3. Dwelling, Live/Work Unit

A structure or portion of a structure: (1) that combines a commercial or manufacturing activity that is allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household; (2) where the resident owner or employee of the business is responsible for the commercial or manufacturing

activity performed; and (3) where the commercial or manufacturing activity conducted is a validly permitted use.

4. Dwelling, Mixed-Use Residential

A residential dwelling that is located above the ground floor of a multistory building.

5. Dwelling, Manufactured Home

Any home factory-built in the United States to the HUD Title 6 construction standards. Manufactured home does not include mobile home.

6. Dwelling, Mobile Home

Mobile home means a movable or portable dwelling, constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy, which includes one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two or more units separately towable but designed to be joined into one integral unit, and not complying with the North Carolina State Uniform Residential Building Code.

7. Dwelling, Multifamily

A building, or portion of a building, having suitable accommodations for three or more families, living independently of each other, who may or may not have joint uses of utilities, halls, yards, etc. For purposes of this definition, hotels or motels shall not be considered dwellings.

8. Dwelling, Quadraplex

A detached residential building containing four dwelling units, designed for occupancy by not more than four families.

9. Dwelling, Single Family, Detached

A detached residential dwelling unit other than a mobile home, designed for and occupied by one family only.

10. Dwelling, Tiny Home

[Definition to be added.]

11. Dwelling, Townhouse

One of a series of three or more attached similar dwelling units, located on separately-owned lots or on a single lot, separated by common party walls without openings extending from basement to roof, and where each unit has its own external entrance.

12. Dwelling, Triplex

A detached residential building containing three dwelling units, designed for occupancy by not more than three families.

9.3.5 E Terms

Eating and Drinking Places

An establishment that serves food and drinks for consumption on or off-premises as its principal business.

Electric Lighting Equipment Manufacturing

Establishments primarily engaged in (1) manufacturing electric light bulbs and tubes, and parts and components (except glass blanks for electric light bulbs) or (2) manufacturing electric lighting fixtures (except vehicular), nonelectric lighting equipment, lamp shades (except glass and plastics), and lighting fixture components (except current-carrying wiring devices). (NAICS 2017, 3351).

Electric Vehicle Charging Station

An electric vehicle charging station is a public or private parking space(s) that is (are) served by battery charging equipment with the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle, and is classified based on the following levels:

Level 1 is considered slow charging, and operates on a fifteen to twenty amp breaker on a one hundred twenty volt AC circuit.

Level 2 is considered medium charging, and operated on a forty to one hundred amp breaker on a two hundred forty volt AC circuit.

Level 3 is considered fast or rapid charging, and operated on a sixty amp or higher breaker on a four hundred eighty volt or higher three phase circuit with special grounding equipment. Level 3 stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electrical Equipment Manufacturing

Establishments primarily engaged in manufacturing power, distribution, and specialty transformers; electric motors, generators, and motor generator sets; switchgear and switchboard apparatus; relays; and industrial controls (NAICS 2017, 33531).

Electricity Generating Facility

A stand-alone plant not ancillary to another land use which generates electricity to be distributed to consumers. This definition shall not include electricity produced at or on an agricultural farm, residence, business, or other facility where use of the electricity so produced is limited primarily to on-site consumption.

Electronic Gaming Operations

A business enterprise, whether principal or accessory, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of odds or chance, including sweepstakes, and where cash, merchandise, or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. Electronic Gaming Operations do not include any lottery approved by the State of North Carolina.

Engine, Turbine, and Power Transmission Equipment Manufacturing

Establishments primarily engaged in manufacturing turbines, power transmission equipment, and internal combustion engines (except automotive gasoline and aircraft). (NAICS 2017, 33361).

Equipment Rental and Leasing

Facilities for the sale, rental, or lease of commercial vehicles and heavy equipment.

Explosives Manufacturing

Establishments primarily engaged in manufacturing explosives. (NAICS 2017, 325920).

9.3.6 F Terms

Fabric Mills

Establishments primarily engaged in one of the following: (1) weaving broadwoven fabrics and felts (except tire fabrics and rugs); (2) weaving or braiding narrow fabrics; (3) making fabric-covered elastic yarn and thread; (4) manufacturing Schiffli machine embroideries; (5) manufacturing nonwoven fabrics and felts; (6) knitting weft (i.e., circular) and warp (i.e., flat) fabric; (7) knitting and finishing weft and warp fabric; (8) manufacturing lace; or (9) manufacturing, dyeing, and finishing lace and lace goods (NAICS 2017, 3132).

Family Child Care Home

An arrangement located in a residence where, at any one time, more than two children, but less than nine children, receive child care, unless excluded by NCGS § 110-86(2).

Farm Implement Sales (new)

An establishment engaged in the on-premises lease, rental, or retail sale of new or used machinery, tools, supplies and small appliances designed and used for agricultural or horticultural use. This use includes the sale of farm-specific vehicles such as tractors, tillers, and farm trailers, but does not include the sale of industrial equipment used in the processing of farm products at locations removed from the farm where such products are grown.

Farm Stand

A single-vendor enterprise established to sell food produced on-site directly to the public from a single location on that parcel.

Farmers' Market

A collective enterprise selling directly to the public and operated under a unified set of management guidelines and restrictions, concentrated in a single location, and leasing or otherwise assigning spaces to growers/producers who personally sell fresh produce and related farm products.

Fiber, Yarn, and Thread Mills

Establishments primarily engaged in one or more of the following: (1) spinning yarn; (2) manufacturing thread of any fiber; (3) texturizing, throwing, twisting, and winding purchased yarn or manmade fiber filaments; and (4) producing hemp yarn and further processing into rope or bags (NAICS 2017, 313110).

Financial Services

Establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses. Accessory uses may include automatic teller machines, offices, and parking. The use may or may not be allowed to have a drive-through facility, depending on the zone district.

Flea Market

Any indoor or outdoor place, location, or activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces; and where a fee may be charged to prospective buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise.

Floating Structure

Any structure or vessel used, designed and occupied as a permanent dwelling unit, business or source of any occupation or any private or social club, which is primarily immobile and out of navigation or which functions substantially as a land structure while the same is moored or docked on waters; whether such floating structure is self-propelled or not.

Food and Drink

Businesses that serve prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas and offices.

Food Pantry and Soup Kitchen

The sorting, packaging, and/or distribution of donated or prepared food directly to people in need.

Food Truck

A business that is limited to the sale of food and beverages to the public from an enclosed, self-contained motorized vehicle whether standalone or as part of a food truck court. The term "food truck" shall include vending carts unless otherwise specified within this UDO.

Food Truck Court

A location providing permanent parking for three or more food trucks and may include patron seating.

Footwear Manufacturing

Establishments primarily engaged in manufacturing footwear (except orthopedic extension footwear). (NAICS 2017, 316210).

Forging and Stamping

Establishments primarily engaged in one or more of the following: (1) manufacturing forgings from purchased metals; (2) manufacturing metal custom roll forming products; (3) manufacturing metal stamped and spun products (except automotive, cans, coins); and (4) manufacturing powder metallurgy products. Metal forging, metal stamping, and metal spun products establishments may perform surface finishing operations, such as cleaning and deburring, on the products they manufacture (NAICS 2017, 33211).

Foundries

Establishments primarily engaged in pouring molten metal into molds or dies to form castings. Foundries may perform operations, such as cleaning and deburring, on the castings they manufacture. Establishments in this industry group make castings from purchased metals or in integrated secondary smelting and casting facilities (NAICS 2017, 3315).

Fraternity/Sorority, Residential

A building or structure occupied and maintained for residential uses exclusively for college or university students who are members of a social, honorary, or professional organization which is chartered by a national, fraternal or sororal order.

Fruit and Vegetable Market

[Definition to be added]

Fruit and Vegetable Preserving and Specialty Food Manufacturing

Establishments that freeze food and/or those that use preservation processes, such as pickling, canning, and dehydrating. Both types begin their production process with inputs of vegetable or animal origin (NAICS 2017, 3114).

Fuel Bulk Storage Facility

A facility whose primary purpose is the storage, distribution, mixing, or transfer of flammable or combustible liquids, gases, or solids, received or transferred by truck, train, tank vessel, pipelines, tank car, piping, portable tank or containers, or other method, including propane, methane, ethanol, gasoline, kerosene, oil, coal, and other fuels. This definition shall not include filling stations.

Fuel Sales

A facility engaged in the storage, distribution, and retail sales of vehicle fuels for personal vehicles, fleet vehicles, and/or trucks.

Funeral Home

A building or part thereof used for human funeral services. Such building may contain space and facilities for: (a) embalming and the performance of other services used in the preparation of the deceased for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns and other related funeral supplies; (d) the storage of funeral vehicles, and(e) facilities for cremation.

9.3.7 G Terms

Garage/Yard/Estate Sale

All general sales, open to the public, conducted from or on a residential premises in any residential zone for the purpose of disposing of personal property, including, but not limited to, all sales entitled "garage," "lawn," "yard," "attic," "porch," "room," "backyard," "patio," "rummage," or "moving sale."

Glass and Glass Product Manufacturing

Establishments primarily engaged in manufacturing glass and/or glass products. Establishments in this industry may manufacture glass and/or glass products by melting silica sand or cullet, or from purchased glass (NAICS 2017, 32721).

Golf Course

A tract of land laid out for at least nine holes for playing the game of golf that may include a clubhouse, golf schools, driving ranges, and accessory uses such as restaurants/bars, pro shops, and related facilities.

Government Offices and Buildings

An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: employment offices, public assistance offices, motor vehicle licensing, and registration services.

Grain and Oilseed Milling

Establishments primarily engaged in milling flour or meal from grains or vegetables, manufacturing malt, wet milling corn and other vegetables, crushing oilseeds and tree nuts, refining and/or blending vegetable oils, and manufacturing breakfast cereals (NAICS 2017, 3112).

9.3.8 H Terms

Hardware Manufacturing

Establishments primarily engaged in manufacturing metal hardware, such as metal hinges, metal handles, keys, and locks (except coin-operated, time locks). (NAICS 2017, 332510).

Hazardous Material Waste and Storage

Any final action to abandon, deposit, inter, or otherwise discard hazardous waste after its use has been achieved or a use is no longer intended.

Home Occupation

An occupation for gain or support customarily conducted on the premises by a person or family residing thereon.

Hospice

A facility that provides 24-hour nursing and supportive care and other services in a home-like setting to persons who have a medical diagnosis of terminal illness.

Hospital

A facility or area for providing health services primarily for human in-patient medical or surgical care for the sick or injured, and including related facilities, and staff offices that are an integral part of the facilities.

Hospital, Specialty

A hospital that offers a restricted range of services appropriate to the diagnosis, care, and treatment of patients with specific categories of medical or psychiatric illnesses; may offer beds licensed to offer intensive residential treatment programs.

Hotel and Motel

An establishment containing multiple guest rooms intended for temporary lodging, entertainment, and various personal services for pay to the traveling public, which may contain a swimming pool.

Hotel and Motel, Resort

A building or group of buildings containing guest rooms providing outdoor recreation activities such as golf, tennis, horseback riding, or a waterpark for guests. A resort may provide services customarily

furnished by a hotel or guest ranch including restaurant, bar and convention facilities. A resort may contain dwelling units in conjunction with guest rooms.

Household and Institutional Furniture and Kitchen Cabinet Manufacturing

Establishments manufacturing household-type furniture, such as living room, kitchen and bedroom furniture and institutional (i.e., public building) furniture, such as furniture for schools, theaters, and churches (NAICS 2017, 3371).

Household Appliance Manufacturing

Establishments primarily engaged in manufacturing small electric appliances, electric housewares, and major household appliances (NAICS 2017, 3352).

9.3.9 I Terms

Indoor Recreation Establishment

See: Recreation Establishment, Indoor.

Industrial Machinery Manufacturing

Establishments primarily engaged in manufacturing industrial machinery, such as food and beverage manufacturing machinery, semiconductor manufacturing machinery, sawmill and woodworking machinery (except handheld), machinery for making paper and paper products, printing and binding machinery and equipment, textile making machinery, and machinery for making plastics and rubber products (NAICS 2017, 33324).

Instructional Services and Studios

A facility for the production of or education in an academic tutoring, fine art, dance, or performance program. Examples of these facilities include: individual and group instruction and training in the arts and production rehearsal, photography and the processing of photographs produced only by users of the studio facilities, martial arts training studios, and gymnastics instruction and fitness centers. Also may include production studios for individual musicians, painters, sculptors, photographers, and other artists as an ancillary use.

Iron and Steel Mills and Ferroalloy Manufacturing

Establishments primarily engaged in one or more of the following: (1) direct reduction of iron ore; (2) manufacturing pig iron in molten or solid form; (3) converting pig iron into steel; (4) making steel; (5) making steel and manufacturing shapes (e.g., bar, plate, rod, sheet, strip, wire); (6) making steel and forming pipe and tube; and (7) manufacturing electrometallurgical ferroalloys. Ferroalloys add critical elements, such as silicon and manganese for carbon steel and chromium, vanadium, tungsten, titanium, and molybdenum for low- and high alloy metals. Ferroalloys include iron-rich alloys and more pure forms of elements added during the steel manufacturing process that alter or improve the characteristics of the metal (NAICS 2017, 331110).

9.3.10 J Terms

Junk

The term junk shall be defined as old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or non-ferrous material.

Junk Yard, Scrap Processing

An establishment or place of business maintained, operated or used for storing, keeping, buying or selling of junk.

9.3.11 K Terms

Kennel

An establishment wherein any person engages in business or practice, for a fee, of boarding, breeding, grooming, letting for hire, or training of more than three domesticated animals at any one time; or an establishment wherein any person engages in the business or practice, for a fee, of selling more than one litter of domesticated animals at any one time or the selling of any three individual domesticated animals (not defined as litter herein) at any one time. The following shall not constitute the operation of a kennel:

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

9.3.12 L Terms

Landfill, Demolition

An area that receives, stores, and/or processes concrete, brick, wood, or other construction and development debris materials.

Landfill, Landscape

An area that receives, stores, and/or processes stumps, limbs, leaves, uncontaminated earth or other vegetative debris or earth materials.

Leather and Hide Tanning and Finishing

Establishments primarily engaged in one or more of the following: (1) tanning, currying, and finishing hides and skins; (2) having others process hides and skins on a contract basis; and (3) dyeing or dressing furs (NAICS 2017, 316110).

Library

An establishment for the loan or display of books and other media materials, which is sponsored by a public or quasi-public agency, and which institution is open and available to the general public.

Lime and Gypsum Product Manufacturing

Establishments primarily engaged in (1) manufacturing lime from calcitic limestone, dolomitic limestone, or other calcareous materials or (2) manufacturing gypsum products (NAICS 2017, 3274).

Livestock Sales

An enclosure or structure designed for holding livestock for the purpose of sale or transfer by auction, consignment, or other means.

9.3.13 M Terms

Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing

Establishments primarily engaged in one of the following: (1) operating machine shops primarily engaged in machining metal and plastic parts and parts of other composite materials on a job or order basis; (2) machining precision turned products; or (3) manufacturing metal bolts, nuts, screws, rivets, and other industrial fasteners (NAICS 2017, 3327).

Manufactured Home

See: Dwelling, Manufactured Home.

Manufactured and Mobile Home Park

Any site or tract of land of contiguous ownership, upon which mobile home or travel trailer spaces are provided in accordance with the requirements set forth in Section xx.xx.

Manufactured and Mobile Home Subdivision

Any new development consisting of three or more contiguous lots for the purpose of locating mobile homes as defined in Section xx.xx and which is designed and approved pursuant to the Section xx.xx.

Marina, Commercial

Any dock or basin and associated structures commercially providing permanent or temporary harboring or storing of two or more boats (pleasure and/or commercial), and providing marine services, included but not limited to retail sales for fuel, repair, convenience food and retail goods, boats, engines, and accessory boat and equipment rental.

Medical and Dental Lab

Facilities and offices providing diagnostic analysis of medical tests (such as blood test, urinalysis, CT scan, X-ray, or other medical tests related to diagnostic treatment); collecting or withdrawing human blood, organs, skin, or other human tissue.

Medical and Dental Offices and Clinics

A building facility or portion of a building containing offices and facilities for providing medical, dental, and mental health services for outpatients only.

Medical Equipment and Supplies Manufacturing

Establishments primarily engaged in manufacturing medical equipment and supplies. Examples of products made by these establishments are surgical and medical instruments, surgical appliances and supplies, dental equipment and supplies, orthodontic goods, ophthalmic goods, dentures, and orthodontic appliances. NAICS, 2017, Code 33911.

Metalworking Machinery Manufacturing

Establishments primarily engaged in manufacturing metalworking machinery, such as metal cutting and metal forming machine tools; cutting tools; accessories for metalworking machinery; special dies, tools, jigs, and fixtures; industrial molds; rolling mill machinery; assembly machinery; coil handling, conversion, or straightening equipment; and wire drawing and fabricating machines (NAICS 2017, 33351).

Microbrewery and Microdistillery

1. A brewery that produces fewer than 15,000 barrels of beer per year with 75% or more of its been sold off-site; may sell to wholesalers or act as wholesaler; may sell directly to consumers through carry-outs and/or on-site tasting room or restaurant sales; tasting rooms must be permitted by state law; provided that an establishment's quarterly gross receipts from the sale of alcoholic beverages for on-premise consumption shall not exceed 49% of the establishment's quarterly total gross receipts.
2. A distillery that produces no more than 50,000 U.S. gallons/year; may sell to wholesalers or act as wholesaler; may sell directly to consumers through carry-outs and/or on-site tasting room or restaurant sales; tasting rooms must be permitted by state law; provided that an establishment's quarterly gross receipts from the sale of alcoholic beverages for on-premise consumption shall not exceed 49% of the establishment's quarterly total gross receipts.

Mining

1. The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of mineral, ores, or other solid matter.
2. 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.
3. 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.
4. The definition applies regardless of whether the mining activity is for a commercial or noncommercial purpose, and regardless of size of the affected area. Activities such as vibracoring, box coring, surface grab sampling, and other drilling and sampling for geotechnical testing, mineral resource investigations, or geological research are not considered mining. Excavation of mineral resources associated with the construction or maintenance of an approved navigation project in accordance with 15A NCAC 7B .0200 is not considered mining. Environmental remediation or

reclamation projects or the removal of material incidental to excavation and carried out pursuant to an approved site plan (as specified in G.S. 74-49 (7)(d) of the Mining Act of 1971) are exempt from this definition and shall be allowed in any zoning district provided applicable state and local permits are acquired.

Mobile Home

See: Dwelling, Mobile Home.

Mobile Home and Prefabricated Building Sales

A fixed location engaged in the sale of mobile homes or pre-fabricated buildings.

Motor Vehicle Body and Trailer Manufacturing

Establishments primarily engaged in (1) manufacturing motor vehicle bodies and cabs or (2) manufacturing truck, automobile and utility trailers, truck trailer chassis, detachable trailer bodies, and detachable trailer chassis. The products made may be sold separately or may be assembled on purchased chassis and sold as complete vehicles (NAICS 2017, 33621).

Motor Vehicle Manufacturing

Establishments primarily engaged in (1) manufacturing complete automobiles, light duty motor vehicles, and heavy duty trucks (i.e., body and chassis or unibody) or (2) manufacturing motor vehicle chassis only (NAICS 2017, 3361).

Motor Vehicle Parts Manufacturing

Establishments primarily engaged in manufacturing motor vehicle gasoline engines and engine parts, motor vehicle electrical and electronic equipment, motor vehicle steering and suspension components (except springs), motor vehicle brake systems, motor vehicle transmission and power train parts, motor vehicle seating and interior trim, motor vehicle metal stampings, and other motor vehicle parts and accessories. This industry group includes establishments that rebuild motor vehicle parts (NAICS 2017, 3363).

Motor Freight Transportation Warehousing

A business, service or industry involving the use of commercial vehicles in the loading, unloading and transportation of cargo. May also include the fueling, maintenance, servicing, storage or repair of commercial vehicles, or the storage of cargo.

Moving and Storage Facility

Uses engaged in the moving of household or office furniture, appliances, and equipment from one location to another, including the temporary storage of those same items.

Museum

An institution devoted to the procurement, care, study, and display of objects of lasting interest or value.

9.3.14 N Terms

Navigational, Measuring, Electromedical, and Control Instruments Manufacturing

Establishments primarily engaged in manufacturing navigational, measuring, electromedical, and control instruments. Examples of products made by these establishments are aeronautical instruments, appliance regulators and controls (except switches), laboratory analytical instruments, navigation and guidance systems, and physical properties testing equipment (NAICS 2017, 33451).

Nightclub

An establishment, facility or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded or televised music or comedy performances; and/or serve food as an ancillary service.

Nonferrous Metal (except Aluminum) Production and Processing

Establishments primarily engaged in nonferrous metal (except aluminum) smelting, refining, rolling, drawing, extruding, and alloying (NAICS 2017, 3314).

Nursery, Wholesale

A facility or area for the growing, displaying, and sale of plant stock, seeds, or other horticulture items. This may include raising plants outdoors or in greenhouses for sale either as food or for use in landscaping and retail sales.

Nursery, Retail

A facility or area for the displaying and sale of plant stock, seeds, or other horticulture items. Growing of plant stock is not included in this use.

Nursing Home

See: Senior Living, Nursing Home.

9.3.15 O Terms

Office, Business and Professional

Facilities that are used primarily for conducting the affairs of a business, profession, service, industry, government, or like activity.

Office Furniture (including Fixtures) Manufacturing

Establishments primarily engaged in manufacturing office furniture and/or office and store fixtures. The furniture may be made on a stock or custom basis and may be assembled or unassembled (i.e., knockdown). (NAICS 2017, 33721).

Other Chemical Product and Preparation Manufacturing

Establishments primarily engaged in manufacturing chemical products (except basic chemicals; resins, synthetic rubber, cellulosic and noncellulosic fibers and filaments; pesticides, fertilizers, and other agricultural chemicals; pharmaceuticals and medicines; paints, coatings, and adhesives; soaps and cleaning compounds; and toilet preparations). (NAICS 2017, 3259).

Other Electrical Equipment and Component Manufacturing

Establishments manufacturing electrical equipment and components (except electric lighting equipment, household-type appliances, transformers, switchgear, relays, motors, and generators). (NAICS 2017, 3359).

Other Fabricated Metal Product Manufacturing

Establishments primarily engaged in manufacturing fabricated metal products (except forgings and stampings, cutlery and handtools, architectural and structural metals, boilers, tanks, shipping containers, hardware, spring and wire products, machine shop products, turned products, screws, and nuts and bolts). (NAICS 2017, 3329).

Other Food Manufacturing

Establishments primarily engaged in manufacturing food (except animal food; grain and oilseed milling; sugar and confectionery products; preserved fruits, vegetables, and specialty foods; dairy products; meat products; seafood products; and bakery products and tortillas). Establishments also include industries with different production processes, such as snack food manufacturing; coffee and tea manufacturing; concentrate, syrup, condiment, and spice manufacturing; and, in general, an entire range of other miscellaneous food product manufacturing (NAICS 2017, 3119).

Other Furniture Related Product Manufacturing

Establishments manufacturing furniture related products, such as mattresses, blinds, and shades (NAICS 2017, 3379).

Other General Purpose Machinery Manufacturing

Establishments primarily engaged in manufacturing pumps and compressors, material handling equipment, and all other general purpose machinery (except ventilation, heating, air-conditioning, and commercial refrigeration equipment; metalworking machinery; and engines, turbines, and power transmission equipment). (NAICS 2017, 3339).

Other Leather and Allied Product Manufacturing

This industry comprises establishments primarily engaged in manufacturing leather products (except footwear and apparel) from purchased leather or leather substitutes (e.g., fabric, plastics). (NAICS 2017, 31699).

Other Miscellaneous Manufacturing

Establishments primarily engaged in miscellaneous manufacturing, such as jewelry and silverware manufacturing, sporting and athletic goods manufacturing, doll, toy, and game manufacturing, office supplies (except paper) manufacturing, sign manufacturing, and all other miscellaneous manufacturing (NAICS 2017, 3399).

Other Nonmetallic Mineral Product Manufacturing

Establishments manufacturing nonmetallic mineral products (except clay products, refractory products, glass products, cement and concrete products, lime, and gypsum products). (NAICS 2017, 3279).

Other Textile Product Mills

Establishments primarily engaged in making textile products (except carpets and rugs, curtains and draperies, and other household textile products) from purchased materials (NAICS 2017, 3149).

Other Transportation Equipment Manufacturing

Establishments primarily engaged in manufacturing motorcycles, bicycles, metal tricycles, complete military armored vehicles, tanks, self-propelled weapons, vehicles pulled by draft animals, and other transportation equipment (except motor vehicles, boats, ships, railroad rolling stock, and aerospace products), including parts thereof (NAICS 2017, 33699).

Other Wood Product Manufacturing

This industry group comprises establishments primarily engaged in manufacturing wood products (except establishments operating sawmills and wood preservation facilities; and establishments manufacturing veneer, plywood, or engineered wood products). (NAICS 2017, 3219).

Outdoor Recreation Establishment

See: Recreation Establishment, Outdoor.

Outdoor Sale/Promotional Event

The display and sale of merchandise outside of indoor businesses, including the sale of goods in a temporary structure such as a tent or stand.

Outdoor Shooting Range

See: Shooting Range, Outdoor.

Outdoor Storage

The retention of materials, machinery and/or equipment in an unenclosed area, whether such materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated or discarded; excluding the display or parking of new or used motor vehicles or boats for sale or rent.

1. A primary outdoor storage yard shall mean storage that: (1) constitutes a principal use on the premises or is conducted without a permanent building on the premises, (2) utilizes more than 33 percent of the premises, or (3) otherwise exceeds the limitation of an accessory storage area.
2. Accessory outdoor storage shall mean storage that is accessory to a lawful business in a permanent building on the premises that is conducted in accordance with the limitations and conditions set out in the special use standards for outdoor storage, and which covers a maximum of 33 percent of a premises. All other outdoor storage shall be classified as a primary outdoor storage yard.

9.3.16 P Terms

Paint, Coating, and Adhesive Manufacturing

Establishments primarily engaged in one or more of the following: (1) mixing pigments, solvents, and binders into paints and other coatings; (2) manufacturing allied paint products; and (3) manufacturing adhesives, glues, and caulking compounds. (NAICS 2017, 3255).

Park and Recreation Area

A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public.

1. Passive: An undeveloped space or environmentally sensitive area that requires minimal development; can include pedestrian or bicycle pathways or greenways.
2. Active: Open space that may be improved and set aside, dedicated, designated, or reserved for recreational facilities such as swimming pools, play equipment for children, ball fields, court games, picnic tables, etc.

Park and Ride Lot

An area or structure intended to accommodate parked vehicles, where commuters park their vehicles and continue travel to another destination via public transit, carpool, vanpool, or bicycle.

Parking, Commercial

As a principal use, an area or structure for parking motor vehicles that is not accessory to a specific use; can be provided with or without a fee.

Personal Service, General

Establishments primarily engaged in providing non-medical services to individuals involving the care of a person or his or her personal goods or apparel, including barber shops, beauty salons, tanning services, and dry cleaning.

Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing

Establishments primarily engaged in one or more of the following: (1) manufacturing nitrogenous or phosphatic fertilizer materials; (2) manufacturing fertilizers from sewage or animal waste; (3) manufacturing nitrogenous or phosphatic materials and mixing with other ingredients into fertilizers; (4) mixing ingredients made elsewhere into fertilizers; and (5) formulating and preparing pesticides and other agricultural chemicals (NAICS 2017, 3253).

Petroleum and Coal Products Manufacturing

Establishments primarily engaged in the transformation of crude petroleum and coal into usable products. The dominant process is petroleum refining that involves the separation of crude petroleum into component products through (1) fractionation; (2) straight distillation of crude oil; and (3) cracking. In addition, it includes establishments that primarily further process refined petroleum and coal products and produce products, such as asphalt coatings and petroleum lubricating oils (NAICS 2017, 324, 324110).

Pharmaceutical and Medicine Manufacturing

This industry comprises establishments primarily engaged in one or more of the following: (1) manufacturing biological and medicinal products; (2) processing (i.e., grading, grinding, and milling) botanical drugs and herbs; (3) isolating active medicinal principals from botanical drugs and herbs; and (4) manufacturing pharmaceutical products intended for internal and external consumption in such forms as ampoules, tablets, capsules, vials, ointments, powders, solutions, and suspensions (NAICS 2017, 32541).

Pharmacy

A retail store whose primary function is to sell or disperse medicines and related medical products and that may offer other retail goods in addition to prescription pharmaceuticals.

Plastics Product Manufacturing

Establishments primarily engaged in processing new or spent (i.e., recycled) plastics resins into intermediate or final products, using such processes as compression molding; extrusion molding; injection molding; blow molding; and casting. Within most of these industries, the production process is such that a wide variety of products can be made (NAICS 2017, 3261).

Portable Storage Container

Any container, with or without wheels, designed for the storage of personal property of a non-hazardous nature that is typically rented to owners or occupants of property for their temporary use and that is typically delivered and removed by truck. A construction debris dumpster, used by a person holding a valid building permit, shall not be considered a portable storage container.

Printing and Related Support Activities Manufacturing

Printing establishments primarily engaged in printing on apparel and textile products, paper, metal, glass, plastics, and other materials, except fabric (grey goods). The printing processes employed include, but are not limited to, lithographic, gravure, screen, flexographic, digital, and letterpress. Establishments in this industry do not manufacture the stock that they print, but may perform postprinting activities, such as folding, cutting, or laminating the materials they print, and mailing. Support activities include performing prepress and postpress services. Prepress services may include such things as platemaking, typesetting, trade binding, and sample mounting. Postpress services include such things as book or paper bronzing, die cutting, edging, embossing, folding, gilding, gluing, and indexing (NAICS 2017, 32311, 32312).

Promotional Event

An event where a local business, individually or in association with a national or regional company, seeks to promote a specific product, or family of products, through an event such as a tent sale. Promotional events shall also be those events at which a local business, individually or in conjunction with a national or regional company, seeks to entice the public to its site through entertainment or other activity which may or may not necessarily seek immediate sales.

Public Event

An event or activity open to the public or offered for general public enjoyment with or without an entrance fee.

Pulp, Paper, and Paperboard Mills

This industry group comprises establishments primarily engaged in manufacturing pulp, paper, or paperboard (NAICS 2017, 3221).

9.3.17 R Terms

Railroad Passenger Terminal

Terminal related to a freight railway; or a railway yard, maintenance, or fueling facility related to a passenger or freight railway.

Railroad Rolling Stock Manufacturing

Establishments primarily engaged in one or more of the following: (1) manufacturing and/or rebuilding locomotives, locomotive frames and parts; (2) manufacturing railroad, street, and rapid transit cars and car equipment for operation on rails for freight and passenger service; and (3) manufacturing rail layers, ballast distributors, rail tamping equipment and other railway track maintenance equipment (NAICS 2017, 336510).

Recreation Establishment, Indoor

Uses that provide commercial recreation or amusement indoors (except adult entertainment), including but not limited to: bowling alleys and pool rooms; indoor sports arenas, movie theaters and live theaters; indoor skating rinks (ice or roller); video arcades; and shooting arcades.

Recreation Establishment, Outdoor

Uses that provide commercial recreation or amusement outdoors (except adult entertainment), including but not limited to: drive-in movie theater; amusement park or theme park; fairgrounds; miniature golf establishments; golf driving ranges; water slides; and batting cages.

Recreational Vehicle and Boat Trailer Storage Lot

A parking area on which recreational vehicles and boat trailers, with or without boats, can be stored when not in use.

Recycling Drop-off Center

A facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, plastic, paper, or cardboard for recycling purposes conducted totally within an enclosed structure or container, which is accessory to another land use. This definition does not include processing except for “can banks” that crush cans as they are deposited.

Recycling Facilities

1. Collection Facility

Collection facilities are those centers and apparatus used as drop points for temporary storage of recyclable materials, such as metal, glass, plastics and/or newspapers. There are two types:

- a. **Small Facility:** A facility typically not over 500 square feet in size which may be a mobile unit or separate containers, such as igloos, or kiosks located on host lots.

- b. Large Facility: A facility that buys or accepts recyclable materials for the purpose of storage until enough has accumulated for shipment. The facility is usually larger than 500 square feet and occupies a single site.

2. Processing Facility

An enclosed facility or building that uses power-driven machinery to prepare recyclable materials for shipment. Machinery used in the processing of the materials includes shredders, balers, brickers and can compactors.)

Religious Assembly

See: Assembly, Religious.

Reproducing Magnetic and Optical Media Manufacturing

This industry comprises establishments primarily engaged in (1) manufacturing optical and magnetic media, such as blank audio tape, blank video tape, and blank diskettes, and/or (2) mass duplicating (i.e., making copies) audio, video, software, and other data on magnetic, optical, and similar media. (NAICS 2017, 33461)

Resin, Synthetic Rubber, and Artificial and Synthetic Fibers and Filaments Manufacturing

This industry group comprises establishments primarily engaged in one of the following: (1) manufacturing synthetic resins, plastics materials, and nonvulcanizable elastomers and mixing and blending resins on a custom basis; (2) manufacturing noncustomized synthetic resins; (3) manufacturing synthetic rubber; (4) manufacturing cellulosic (e.g., rayon, acetate) and noncellulosic (e.g., nylon, polyolefin, polyester) fibers and filaments in the form of monofilament, filament yarn, staple, or tow; or (5) manufacturing and texturizing cellulosic and noncellulosic fibers and filaments (NAICS 2017, 3252).

Retail Sales, General (was General Merchandise Stores)

Uses characterized by the sale, lease, or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.

Rubber Product Manufacturing

Establishments primarily engaged in processing natural, synthetic, or reclaimed rubber materials into intermediate or final products using processes, such as vulcanizing, cementing, molding, extruding, and lathe-cutting (NAICS 2017, 3262).

9.3.18 S Terms

Sawmills and Wood Preservation

Establishments primarily engaged in one or more of the following: (1) sawing dimension lumber, boards, beams, timber, poles, ties, shingles, shakes, siding, and wood chips from logs or bolts; (2) sawing round wood poles, pilings, and posts and treating them with preservatives; and (3) treating wood sawed, planed, or shaped in other establishments with creosote or other preservatives to prevent decay and to protect against fire and insects. Sawmills may plane the rough lumber that they make with a planing machine to achieve smoothness and uniformity of size (NAICS 2017, 32111).

School:

1. Colleges, Universities, Professional Schools, and Technical Institutions

Academic institutions of higher learning that are accredited or recognized by the state and offer courses of general or specialized study.

2. School, Elementary and Secondary

An institution of learning for minors, whether public or private, which satisfies compulsory education laws of the state, or which is maintained pursuant to standards set by the State Board of Education. This definition includes kindergarten, elementary school, junior high school, and senior high school.

Seafood Product Preparation and Packaging

Establishments primarily engaged in one or more of the following: (1) canning seafood (including soup); (2) smoking, salting, and drying seafood; (3) eviscerating fresh fish by removing heads, fins, scales, bones, and entrails; (4) shucking and packing fresh shellfish; (5) processing marine fats and oils; and (6) freezing seafood. Establishments known as "floating factory ships" that are engaged in the gathering and processing of seafood into canned seafood products are also included in this industry. (NAICS 2017, 311710).

Searchlight

An apparatus containing a light source and a reflector for projecting an intensely bright beam of light used outside to attract public attention to a particular site, event or place of business, including but not limited to floodlights, spotlights, canister lights, and other similar devices.

Seasonal Sales

The sale of merchandise outdoors for a definite time period. Seasonal sales can include the sale of such items as Christmas trees, pumpkins, and similar seasonal or holiday-related products

Secondary Smelting and Alloying of Aluminum

Establishments primarily engaged in (1) recovering aluminum and aluminum alloys from scrap and/or dross (i.e., secondary smelting) and making billet or ingot (except by rolling) and/or (2) manufacturing alloys, powder, paste, or flake from purchased aluminum (NAICS 2017, 331314).

Self-Storage

A facility in which storage space such as rooms, lockers, and/or containers (storage units) are rented to tenants, usually on a short-term basis (month-to-month). The term does not include outdoor storage outside of a permanent structure.

Semiconductor and Other Electronic Component Manufacturing

Establishments primarily engaged in manufacturing semiconductors and other components for electronic applications. Examples of products made by these establishments are capacitors, resistors, microprocessors, bare and loaded printed circuit boards, electron tubes, electronic connectors, and computer modems (NAICS 2017, 33441).

Senior Living

1. Assisted Living

a. Single Unit

Any group housing and services program for two or more unrelated adults, by whatever name it is called, that makes available, at a minimum, one meal a day and housekeeping services and provides personal care services directly or through a formal written agreement with one or more licensed home care or hospice agencies.

b. Multiunit

An assisted living residence in which hands-on personal care services and nursing services which are arranged by housing management are provided by a licensed home care or hospice agency through an individualized written care plan.

2. Continuing Care

A residential community that accommodates changing lifestyle preferences and health care needs and offers several levels of assistance, including all of the following: independent living, assisted living, and nursing home care. It provides a written agreement or long-term contract between the resident and the provider community that offers assurance of a continuum of housing, services, and health care, most commonly all on one campus, and frequently lasting for the resident's lifetime.

3. Independent Living

A housing development that may contain a variety of housing types designed for and restricted to occupancy by households having at least one member who is 55 years of age or older, living independently. Facilities and services would typically include features such as: security; lawn and building maintenance; wellness, fitness, or spa services and facilities; central meeting areas; programmed recreation or social facilities and activities; communal garden spots; AARP Universal Design or other similar characteristics. Minimal supportive services may also be offered to residents in senior apartment facilities.

4. Nursing Home

A home for chronic or convalescent patients, who, on admission, are not as a rule, acutely ill and who do not usually require special facilities such as an operating room, X-ray facilities, laboratory facilities, and obstetrical facilities. A nursing home provides care for persons who have remedial ailments or other ailments, for which medical and nursing care are indicated; who, however, are

not sick enough to require general hospital care. Nursing care is their primary need, but they will require continuing medical supervision.

Septage

A waste that is a fluid mixture of partially treated sewage solids, liquids and sludge of human or domestic waste origin, pumped from septic tanks, residential grease traps, or privies. Septage shall be considered that waste which has not been treated by a process to significantly reduce pathogens.

Shelter Care Facility

A facility that provides temporary, overnight shelter and accommodations. This term shall not include emergency shelters for storm or natural disaster situations.

Ship and Boat Building

Establishments primarily engaged in operating shipyards or boat yards (i.e., ship or boat manufacturing facilities). Shipyards are fixed facilities with drydocks and fabrication equipment capable of building a ship, defined as watercraft typically suitable or intended for other than personal or recreational use. Activities of shipyards include the construction of ships, their repair, conversion and alteration, production of prefabricated ship and barge sections, and specialized services, such as ship scaling.

Shooting Range, Outdoor

An area of land reserved or specially designed for the discharging of firearms (excluding paintball guns) for the purposes of exhibition, training, educational, recreational, therapeutic or competition activities. Excluded from this use type shall be general hunting and the discharging of firearms conducted solely by an individual property owner and/or their guest(s), provided no fee is assessed for the activity.

Sidewalk Display

The outdoor display of merchandise for sale on a sidewalk contiguous to the business conducting the sale.

Sludge

Any solid, semi-solid, or liquid waste generated from a residential, commercial, municipal, or industrial wastewater treatment plant or water supply treatment plant not considered to be hazardous by the U. S. Environmental Protection Agency (EPA) or the N. C. Department of Human Resources, Solid and Hazardous Waste Branch. Sludge shall be considered that waste which has been treated by a process to significantly reduce pathogens.

Soap, Cleaning Compound, and Toilet Preparation Manufacturing

Establishments primarily engaged in (1) manufacturing and packaging soaps, detergents, polishes, surface active agents, textile and leather finishing agents, and other sanitation goods or (2) preparing, blending, compounding, and packaging toilet preparations (NAICS 2017, 3256).

Solar Array

A free-standing, ground-mounted solar collection system consisting of a linked series of photovoltaic modules, the primary purpose of which is to supply electrical or thermal power primarily for off-site use.

Solid Waste

Any garbage, refuse, septage, sludge or any other waste material which is not considered hazardous by the U. S. Environmental Protection Agency (EPA) or the North Carolina State Department of Human Resources, Solid and Hazardous Waste Branch.

Spring and Wire Product Manufacturing

Establishments primarily engaged in (1) manufacturing steel springs by forming, such as cutting, bending, and heat winding, metal rod or strip stock and/or (2) manufacturing wire springs and fabricated wire products from wire drawn elsewhere (except watch and clock springs). (NAICS 2017, 33261).

Stable

A facility for keeping equines. Uses include the boarding, breeding, training, riding or show of the domestic animals.

Stadium or Arena

An open, partially enclosed or fully enclosed facility used or intended to be used primarily for spectator sports, professional and amateur sporting events, concerts, theatrical presentations, or motor vehicle racing.

Steel Product Manufacturing from Purchased Steel

Establishments primarily engaged in manufacturing iron and steel tube and pipe, drawing steel wire, and rolling or drawing shapes from purchased iron or steel (NAICS 2017, 3312).

Sugar and Confectionery Product Manufacturing

Establishments that process agricultural inputs, such as sugarcane, beet, and cacao, to give rise to a new product (sugar or chocolate) and/or those that begin with sugar and chocolate and process these further. NAICS, 2017, Code 3113.

9.3.19 T Terms

Temporary Office Facility

A temporary, portable unit for office or real estate sales use.

Temporary Use

Temporary use means a use that is established for a fixed period of time with the intent to discontinue such use upon the expiration of such time, and does not involve the construction or alteration of any permanent structure.

Temporary Vehicle Wash

A car or vehicle wash conducted as a temporary activity rather than as a permanent business, typically for fundraising.

Textile and Fabric Finishing and Fabric Coating Mills

Establishments primarily engaged in one of the following: (1) finishing textiles, fabrics, and apparel; (2) converting fabrics and textiles by buying fabric goods in the grey, having them finished on contract,

and selling them at wholesale; or (3) coating, laminating, varnishing, waxing, and rubberizing textiles and apparel (NAICS 2017, 3133).

Textile Furnishings Mills

Establishments primarily engaged in (1) manufacturing woven, tufted, and other carpets and rugs and (2) manufacturing household textile products from purchased materials. The household textile products may be made on a stock or custom basis for sale to individual retail customers (NAICS 2017, 3141).

Tobacco Manufacturing

Establishments primarily engaged in (1) stemming and redrying tobacco and/or (2) manufacturing cigarettes or other tobacco products (NAICS 2017, 312230).

Transportation Vehicle Service and Storage Facility

Any premises designated specifically for the housing, parking and service/repair of vehicles used for public transportation, such as buses.

Travel Trailer

A wheeled vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel and/or recreational purposes. Including but not limited to structures mounted on auto or truck bodies that are commonly referred to as campers.

TV and Radio Broadcasting Equipment and Towers

See: Wireless Communication Facilities.

9.3.20 U Terms

Urgent Care Facility

A facility that provides emergency medical services with no provision for continuing care on an inpatient basis.³

Utilities

1. Minor Facilities

Infrastructure facilities and services that need to be located in the area where the service is to be provided such as water and sewer pump stations, electrical transforming substations, wind energy conversion systems, solar collector systems, water conveyance systems or gas regulating stations.

2. Major Facilities/Service Yard

Infrastructure services that have substantial land use impacts on surrounding areas. Typical uses include, but are not limited to, water and wastewater treatment facilities, major water storage facilities and electric generation plants. This definition also includes public utility service yards.

3. Office

³ Check for NC licensing requirement.

A facility for the executive, management, administrative, or professional services associated with utilities and public services.

4. Public Utility Service Yard

A building, lot, parcel of land, or premises used for offices and warehousing, storage, servicing and maintenance of vehicles and equipment, testing and development of materials and equipment, and including microwave and communications facilities and associated equipment in the conduct of public utility servicing and business.

9.3.21 V Terms

Vehicle Rentals

Uses primarily engaged in the rental of personal, consumer-oriented motor vehicles, such as automobiles, pick-up trucks, and motorcycles.

Vehicle Sales

A facility used primarily for the sale of consumer-oriented motor vehicles, such as automobiles, pick-up trucks, and motorcycles.

Vehicle Service Station

1. Major

Vehicle repair consisting of assembly or disassembly of engine parts, body parts, transmission, chassis, axles, etc. and/or the process of painting or upholstering.

2. Minor

Repairs consisting of a minor nature, such as: tune up, oil change, chassis lubrication, tire change or repair, wheel alignment, muffler repair or installation that meet the following:

- i. Repairs are made in fully enclosed bays;
- ii. Repairs are of a type that is typically completed in less than two hours (e.g., oil changes, brake service, tire rotation and balancing, glass repair, tire replacement, fluid checks and replacement, muffler service, spark plug replacement, and comparable services); and
- iii. Vehicles are generally not stored on-site, and on the occasion when overnight storage is necessary, vehicles are stored indoors.

Vehicle Towing Service and Storage Yard

Any lot, structure, or the use of any portion of such lot or structure for the temporary outdoor storage of towed vehicles that are to be claimed by the titleholders or their agents.

Veneer, Plywood, and Engineered Wood Product Manufacturing

Establishments primarily engaged in one or more of the following: (1) manufacturing veneer and/or plywood; (2) manufacturing engineered wood members; and (3) manufacturing reconstituted wood products. This industry includes manufacturing plywood from veneer made in the same establishment or from veneer made in other establishments, and manufacturing plywood faced with non-wood materials, such as plastics or metal (NAICS 2017, 32121).

Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing

Establishments primarily engaged in manufacturing ventilating, heating, air-conditioning, and commercial and industrial refrigeration and freezer equipment (NAICS 2017, 33341).

Veterinary Services

A facility for the diagnosis and treatment of pets and other animals including, but not limited to, dogs, cats, birds, and horses; incidental grooming, boarding, or breeding of animals may also be provided.

9.3.22 W Terms

Warehousing

The storing of goods, wares, and merchandise, whether for the owner or others.

Waste Incinerator

A facility that includes the following operations: waste storage and handling; processing to prepare waste; combustion in a furnace, producing hot gasses and ash residue; treatment of gases to remove air pollutants; dispersion of treated gas into the atmosphere; and disposal of residue (ash). Facilities may include incinerators, industrial boilers, furnaces, and kilns.

Waste Transfer Station

The use of land or a facility to unload waste of any kind or type from vehicles, and, with or without intermediate processing such as compaction, sorting, or shredding, subsequently re-load the waste onto other vehicles for delivery to another transfer site, storage site, or disposal site. It does not include a facility for drop-off or processing of recyclable materials.

Water Transportation Passenger Facility

A facility for passengers to enter or exit a ship, ferry, cruise ship, or boat that is utilized for the movement of passengers through or across a body of water.

Wholesaling

Uses engaged in the wholesale sales, bulk storage and distribution of goods. Such uses may also include incidental retail sales. Wholesale showrooms are also included in this use category.

Wholesaling, Seafood with Water Frontage

Uses fronting a water way and engaging in the wholesale sales, bulk storage, and distribution of seafood.

Wind Energy, Commercial

A wind energy conversion system consisting of more than one wind turbine and tower that will be used primarily for off-site consumption of power, or a wind energy system that has a rated capacity in excess of 100 kW.

Wind Energy, Small

A wind energy conversion system consisting of one wind turbine, a tower, and associated control or conversion electronics that has a rated capacity of not more than 100 kW, and that is intended to primarily reduce on-site consumption of utility power.

Wireless Communication Facilities

[All definitions may be revised following update of section per new FCC rules.]

1. *Antenna* – Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves. Antennae may be mounted on towers or on buildings, and may be concealed or unconcealed.
2. *Antenna, Amateur Radio* – An antenna used for non-commercial purposes of exchanging messages, wireless experimentation, self-training, private recreation, radiosport, contesting and emergency communication.
3. *Antenna, Stealth* - An antenna that is effectively camouflaged or concealed from view
4. *Antenna, Telecommunications* - An antenna used to provide a telecommunication service, including tv, radio, cellular and personal communication system (PCS). This excludes lightning rods, private mobile radio systems, amateur radio antennas and whip antennas.
5. *Tower* - Any structure that is designated and constructed primarily for the purpose of supporting one or more antennae that transmit information (audio, video, data) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes, but is not limited to, lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or building-mounted, and may be concealed or unconcealed. An auxiliary structure housing electronic communications equipment is permitted as part of this use.
6. *Tower, Stealth* - A man-made tree, clock tower, church steeple, bell tower, utility pole, light standard, flagpole, or similar structure, designed to support and camouflage or conceal the presence of telecommunications antennas.

Section 9.4 General Definitions and Terms

9.4.1 A Terms

Accessory Building or Use

A use or structure of a nature customarily incidental and subordinate to the principal use or structure.

Administrator, Zoning ~~or Director~~

The official New Hanover County Zoning Administrator or their designee.

9.4.2 C Terms

Critical Area

The area adjacent to a water supply intake or reservoir here risk associated with pollution is greater than from remaining areas of the watershed. The critical area is defined as extending either one-half mile from the normal pool elevation of the surface water in which the intake is located or to the ridge line of the watershed, whichever comes first; or, one-half mile upstream from the intake located directly in the stream or run-of-the-river or the ridge line of the watershed, whichever comes first.

9.4.3 D Terms

Development

Any man-made change to improve or alter real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

District

Any section of the County of New Hanover in which regulations are uniform.

Disabled Persons

Individuals with disabilities, including individuals recovering from alcoholism and/or drug addiction, who are protected by either the provisions of the Americans with Disabilities Act of 1990, 42 USC 12101, the Fair Housing Act, 42 USC 3601 et. seq., or NCGS Chapter 168, Article 3⁴, as each may be amended.

Domestic Animal

Dogs, cats, and other generally acceptable household pets.

9.4.4 F Terms

Family

One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption, or marriage, no such family shall contain over three persons, but further provided:

⁴ References highlighted in gray still need verification.

1. Individuals employed on the premises may be housed on the premises without being counted as part of the family residing on the premises; and
2. That a foster home as designated by the North Carolina Department of Social Services for the care of not more than five children less than 18 years of age be considered as family.
3. That any child less than 18 years of age living with parent(s) or legal guardian is not to be counted as a person in calculations hereunder.

Floodplain

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

Foundation Plantings

A required planting area between the curb line or edge of a parking facility or drive isle and the building's facade.

Fuel Pump Island

A fuel pump island consists of any device or group of devices used for dispensing motor fuel or similar petroleum products to the general public.

9.4.5 H Terms

Hazardous Materials

Any substance listed as such in the Superfund Amendments Reauthorization Act (SARA), Section 302, Extremely Hazardous Substances, CERCLA Hazardous Substances, or Section 311 of CWA (oil and hazardous substances).

9.4.6 I Terms

Inoperative Motor Vehicle

A motor vehicle which meets any of the following criteria:

1. Is presently unable to satisfy the vehicle inspection standards of the State of North Carolina, regardless of whether said vehicle possesses a currently valid inspection certificate. Motor vehicles which lack such an inspection certificate, which display an expired certificate, or which do not display a valid license plate shall be presumed to be inoperative;
2. Is partially dismantled or wrecked; or
3. Cannot be self-propelled or moved in the manner in which it originally was intended to move.

9.4.7 L Terms

Lakes and Ponds

Natural or artificial bodies of water which retain water year round. Artificial ponds may be created by dams or may result from excavation.

Litter

The progeny resulting from the breeding of two domesticated animals.

Lot

A legally established lot, parcel, tract of land, or combination thereof, shown on a plat of record or recorded by metes and bounds that is held in one ownership.

Lot of Record

A lot which is part of a subdivision recorded in the Office of the Register of Deeds, New Hanover County, or a lot or parcel described by metes and bounds, the description of which has been so recorded and that, at the time of recordation, met all applicable subdivision and zoning regulations in effect.

9.4.8 N Terms

Non-Conforming Lots

A lot existing at the effective date of this UDO or any amendment hereto that cannot meet the minimum standards or requirements of the district in which the lot is located.

Non-Conforming Structures

Any aspect of a development—other than a nonconforming lot, nonconforming use, or nonconforming sign—that was lawfully established in accordance with zoning regulations in effect at the time of its establishment but that no longer complies with one or more standards of this UDO. Common nonconformities involve building height, size, or minimum floor space or the relationship between an existing building and the required yard setbacks.

Non-Conforming Uses

A principal or accessory land use, other than a nonconforming sign, that was lawfully established in accordance with zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zoning district in which it is now located.

9.4.9 O Terms

Overhead Canopy

Any structure placed over, around, or near a fuel pump island or bank drive-thru and intended to provide lighting and/or protection from the elements for island users shall be considered an overhead canopy.

9.4.10 P Terms

Parking Space, Off-Street

An off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room.

Performance Residential Development

A residential development varying from the dimensional requirements of conventional residential development but not exceeding the density limit established in the applicable zone.

Pier-Head Line

A line established to limit the extension of piers into public waters in order to preserve the citizens' use of those waters for commercial and recreational purposes.

Principal Building or Use

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

9.4.11 R Terms

Roads

Any road, highway, way, alley, lane, court, drive, or easement, whether public or private, used as a means of access which meets the minimum requirements for subdivision roads as specified by NCDOT and New Hanover County and which has been duly platted and recorded as per the requirements set forth by New Hanover County.

Right-of-Way Line

The line that separates a lot from the area of land (both improved and unimproved) within the bounds of a dedicated public or private road.

9.4.12 S Terms

Setback Line

The line on the front, rear, and sides of a lot, which delineates the area upon which a structure may be built and maintained.

Site Specific Development Plan

A land development plan approved by the County Commissioners following notice and public hearing which describes with reasonable certainty the type and intensity of land use for a specific parcel or parcels. Site specific development plans include special use permits, conditional use permits and shopping center districts.

Special Highways

Any highway, such as but not limited to interstate corridors, freeways, arterials and collectors, subject to the provisions of a Special Highway Overlay District.

Special Use

A use that would not be appropriate generally as a right without restriction throughout a zoning district, but which, if controlled as to number, area, location, or relation to neighborhood, would promote the public health, safety, morals, or the general welfare.

Street

A dedicated and accepted public or private right-of-way for vehicular traffic which affords the principal means of access to abutting properties, also referred to as road.

Structure and/or Building

Anything constructed or erected within a fixed location on the ground, or attached to something having a fixed location on the ground. The terms building and/or structure shall be construed to include porches, decks, carports, garages, sheds, roof extensions, overhangs extending more than 2', and any other projections directly attached to the structure and/or building.

Sunshine List

A list of email addresses on file with the Clerk to the Planning Board of persons or organizations with a standing written request or subscription to receive public meeting notices.

9.4.13 T Terms

Trees

1. Understory Tree

Any tree 40 foot at maturity capable of thriving in the lower light intensities found under the canopy of shade/canopy trees.

2. Significant Tree

Any hardwood tree or coniferous tree with a diameter at breast height (DBH) equal to or greater than 24 inches or any dogwood, American holly, or other flowering tree with a DBH equal to or greater than 8"

3. Regulated Trees

Those trees of the size, species and location to be protected under Section xx.xx.

4. Forest Management Plan

A document that defines a landowner's forest management objectives and describes specific measures to be taken to achieve those objectives. The plan shall be prepared by a licensed forester and shall include silviculture practices that both ensure optimal forest productivity and environmental protection of land. (NC Division of Forest Resources and NC Cooperative Extension Service can provide educational materials and lists of licensed foresters.)

5. Timber Harvest

The felling, loading, and transportation of forest products, round wood or logs (Source: NC Division of Forest Resources)

9.4.14 U Terms

Use Value

The North Carolina General Assembly enacted the "Land Use Program," which allows reduced tax values for individually owned property used for certain purposes, including forestry. Basic eligibility requirements are forestland consisting of one or more tracts, one of which consists of at least 20 acres that is in actual production and are not included in a farm unit. A forestry management plan is required. (Contact NHC Tax Administration for more information.)

9.4.15 V Terms

Vested Rights

The right pursuant to G. S. 153A-344.1 to undertake and complete the development property under the terms and conditions of an approved site specific development plan. The duration of vesting shall not exceed two years unless expressly provided for by the County.

9.4.16 W Terms

Water-Oriented Parking

A designated docking space provided by a commercial establishment for the express use of its customers. Water-oriented parking shall only be allowed in conjunction with commercial establishments that are located on navigable waters.

Water Supply Watershed

The entire land area that contributes to surface drainage and other run-off into a surface water supply.